Law in 101 words

Snippets from *The Reduced Law Dictionary* by **Roderick Ramage**

Bearing of Armour Act 1313

"Whereas…was accorded…that in all Parliaments…and other assemblies, which should be made in the realm of England for ever, that every man shall come without all force and armour, well and peaceably, to the honour of us, and the peace of us and our realm; and now in our next Parliament at Westminster, the prelates, earls, barons, and the commonalty of our realm, there assembled…have said, that to us it belongeth…straitly to defend force of armour, and all other force against our peace…and to punish them which shall do contrary."

Bona fide for navigation

You cannot use or keep a boat on a canal managed by the Canal River Trust without its consent. The British Waterways Act 1995, s17(3) provides that consent may be refused, unless the applicant has a lawful mooring or the vessel would be used for bona fide navigation without staying on one place for more than 14 days. Nick Brown lived on a narrowboat without a permanent mooring and sought a judicial review of the Trust's guidance, that short trips in the neighbourhood is not navigation. In *R v Canal River Trust* (2012) the court upheld the Trust's interpretation of s17.

> **"You cannot use or keep a boat on a canal managed by the Canal River Trust without its consent"**

House alarms

If you live in an alarm notification area and install an audible intruder alarm on your premises, the Clean Neighbourhood and Environment Act 2005 requires you to nominate a key-holder and notify the local authority in writing of the name, address and telephone number of the key-holder. If the alarms sounds and is likely to cause a nuisance, and steps have been taken to get the nominated key-holder to silence it, a JP may issue a warrant to an authorised officer of a local authority, to enter the premises, using reasonable force if necessary, for the purpose of silencing the alarm.

Judges & actuaries

In *Auty v NCB* (1984), CA, a personal injury case, one issue concerned actuarial evidence as a guide to future inflation. Oliver LJ said: "As a method of providing a reliable guide to individual behaviour patterns, or to future economic and political events, the predictions of an actuary can be only a little more likely to be accurate (and will almost certainly be less entertaining) than those of an astrologer. The judge was, in my judgment, right to reject evidence of this type as admissible for the purposes for which it was sought to adduce it in the case before him.

Legislation as amended

The Interpretation Act 1978 applies to Acts and subordinate legislation and, except for s9 and s19(1), not to deeds and other instruments. Therefore, if a reference to a piece of legislation in a private documents is to apply to it as amended, there must be a clause to that effect, corresponding with the provisions of s20(2). You must think whether it is necessary or even prudent for the document to be applied in accordance with amended legislation and, if it is necessary, whether it should be as amended from time to time or at the date when its construction is relevant.

Marriage as of right

If one of you has the legal qualification of residence in the parish and if you are both legally entitled to intermarry (age 16 or over, with consent if under 18, and not in the prohibited degrees of kindred or affinity), you are entitled to be married in a church or chapel in accordance with the rites of the Church of England. It is not necessary for the parties to be confirmed into the Church of England: *R v James* (1850). It is thought that baptism of either or both parties is not necessary, but the point has not been litigated,

Nuclear explosions

It is an offence, punishable on conviction on indictment by imprisonment for life, under s1 of the Nuclear Explosions (Prohibition and Inspections) Act 1998 to cause knowingly a nuclear explosion in the UK or elsewhere otherwise than in the course of war. A certificate, which purports to set out the secretary of state's determination of the question, whether a nuclear weapon explosion was or was not carried out in the course of an armed conflict, and to be signed by him, shall be received in evidence and be deemed to be so signed without further proof, unless the contrary is shown. NLJ

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