



Law Guru

TYPES

OF

STATUTES

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Meaning of statutes :- The word 'statute' is now synonymous with an 'Act' of a competent legislature. A statute or Act of parliament is will of legislature.

- ❖ Maxwell defines the term 'statute' as the will of the legislature in his work 'Interpretation of statute'.

TYPES OF STATUTES

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CLASSIFICATION WITH REFERENCE TO DURATION

Temporary statute

Permanent Statute

CLASSIFICATION WITH REFERENCE TO OBJECT

Codifying
Declaratory
consolidating
enabling
Remedial
Disabling
Penal
taxing

CLASSIFICATION WITH REFERENCE TO METHOD

Mandatory statute

Directory Statute

CLASSIFICATION WITH REFERENCE TO CONTEXT OF APPLICATION

Public statute

Private Statute

TYPES OF STATUTES

Classification with reference to Duration :-

- ❖ **Temporary Statute** :- Where the **period of operation or validity of a statute has been fixed** by the statute itself, it is called a temporary statute. Such an Act remains in force until the time fixed in the manner, unless it is repealed earlier.
- ❖ **Permanent Statute** :- Where **no period of operation or validity of a statute is fixed**, the statute is called a permanent statute. Such a statute may be replaced or repealed or amended by another Act.

TYPES OF STATUTES

Classification with reference to Object :-

- ❖ Codifying Statute :- A statute which codifies the law is known as ‘codifying statute’.
e.g. Transfer of Property Act.
- ❖ Declaratory Statute :- A statute which is enacted with the purpose of removing doubts in the law is called a ‘Declaratory Statute’.

TYPES OF STATUTES

Classification with reference to Object :-

- ❖ **Consolidating Statute** :- A statute which consolidates the law on a particular subject at one place is called a ‘consolidates statute’. Consolidating statute collects all statutory enactments on a specific subject and consolidates them.
e.g. Code of Criminal Procedure.
- ❖ **Enabling Statute** :- A statute which makes doing of something, which was previously unlawful, as lawful or which enables doing of something is called an ‘enabling statute’.

TYPES OF STATUTES

Classification with reference to Object :-

- ❖ **Remedial Statute** :- A statute which confers new remedies which were not available before or after its enactment is called 'remedial statute'.
e.g. The workmen's Compensation Act.
- ❖ **Disabling Statute** :- A statute which curtails or destroy or prohibits the previous rights or powers is called a disabling statute.

TYPES OF STATUTES

Classification with reference to Object :-

- ❖ Penal Statute :- The penal statute redress an individual who has suffered from the act of another and enforced obedience to the commands of the law by punishing the law breakers.
- ❖ Taxing Statute :- For raising revenue a state imposed taxes and fees. Every taxing statute has a charging section and provisions laying down the procedure for assessment of the tax and penalties, procedure for collecting and recovery of tax.

TYPES OF STATUTES

Classification with reference to Method :-

- ❖ **Mandatory Statute** :- A statute compelling the performance of certain things or compelling the doing of certain thing in a certain particular manner is called as a mandatory statute.
- ❖ **Directory Statute** :- Where the statute merely directs or permits a thing to be done, but does not compel its performance, such statute is called a directory statute.

TYPES OF STATUTES

Classification with reference to the extent of Application :-

- ❖ **Public Statute** :- A statute which relates to a matter of public police and deals with the rights and duties of general public is a 'public statute'.
- ❖ **Private Statute** :- A private statute is one which deals with matters which are not of public concern but which are individual in nature.

*Thank You
For
Watching*

