

Legislation: Back to the Drawing Board!

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Picture this:

Stevenson decides to take an important client, Donoghue, out to a business lunch. Barely has the first morsel touched his lips than his heart skips a beat as he remembers “the lunch tax”. Quickly he reaches for his Income Tax Act 1976, and turns to s 106G to see how big the Government’s bite of his lunch will be. He is still attempting to decipher the section when the bill arrives and he finds Donoghue has left.

Yet had Stevenson been equipped with graphical legislation, such as in the example below, he might have quickly resolved his problem, and been able to return to his meal.

Obviously the graph on the page opposite is a simplified representation of s 106G. However, it quickly conveys the gist of the section, and allows the user to determine his or her status under the section. Such graphical presentations are already in use as guides to legislation. This article will show how graphics can be used to dramatically improve the accessibility of legislation.

I: INTRODUCTION

The law has not always been recorded in a textual form. Historically, much law was handed down orally. The rules and expectations that made up a society’s lore were often recorded in a graphical form; for example, carvings or drawings that illustrated what was expected from the population. As language and technology

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**Simplified Graphical Analysis of s 106G
of the Income Tax Act 1976**

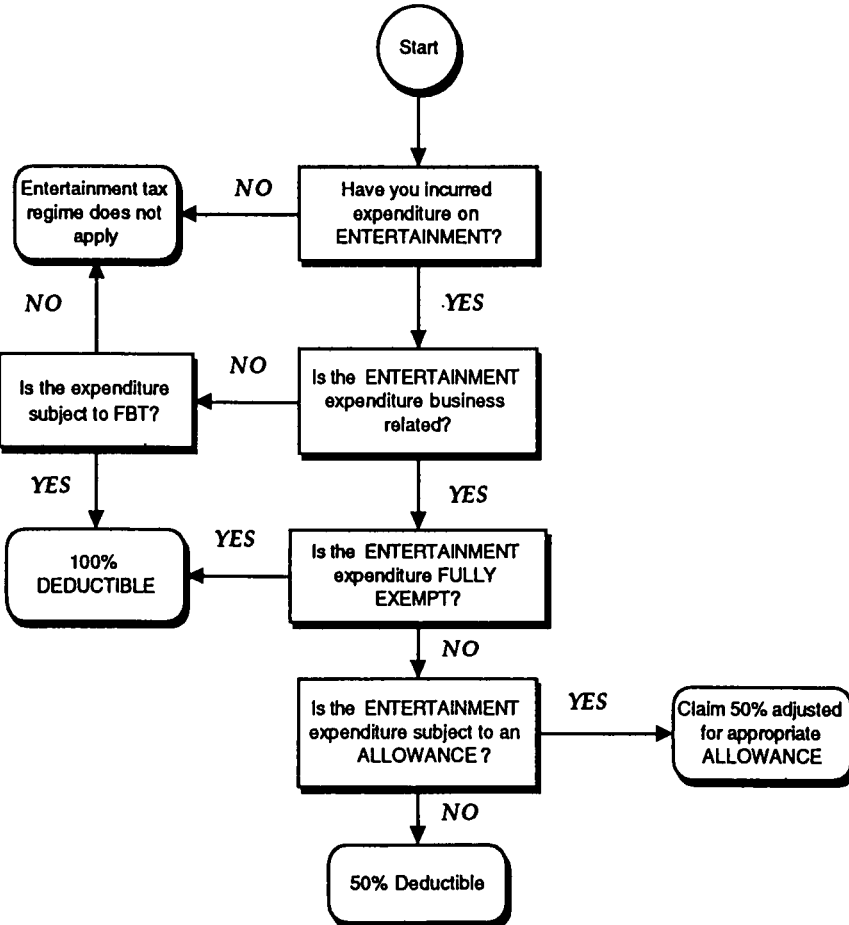


chart produced courtesy Spicer & Oppenheim
(Chartered Accountants)

evolved, the social structure changed, and the statute “book” was born. Written law had the advantage over oral law in that it was able to be accurately and consistently conveyed to the population. The improvement in technology led to greater accessibility of legislation for the population.

To convey the system of rules under which they live, cultures have always tried to use the most advanced communication methods available. It is submitted that with the recent development of technology which enables quick, cost-effective production of graphical images, the time has come for some uses of text in legislation to be superseded by graphical images. Pure text is no longer the most advanced and effective method of conveying information, and in many situations graphical images could greatly enhance the accessibility of information.

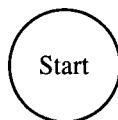
(a) *Graphics*

Graphical images are pictorial representations of information.¹ There are many forms of graphics; even changes in the type of character font used in legislation could be described as graphical improvements. This article will investigate the use of flowcharting tools and structure charts in legislation.

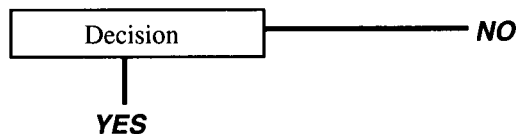
(b) *Flowcharting*

A flowchart is a “graphic representation of an algorithm.”² It shows the flow of control in a process by describing the sequence in which the steps are performed and what decisions have to be made.

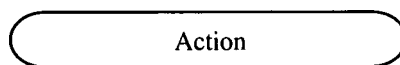
Traditionally, three symbols have been used in flowcharts. The first represents either the start or finish of a particular area of the flowchart:



The second is used whenever a decision must be made by the user:



This box has two lines extending from it, one for a positive result and the other for a negative result. The third type of box represents a process or action that the user must undergo or perform:



¹ The word “graphic”, has two primary meanings; first, something that is drawn, painted, or etched, and secondly, a vivid description.

² Teague & Pidgeon, *Structured Analysis Methods for Computer Information Systems* (1985) 86.

With flowcharts designed specifically for legislation the traditional doctrines and shapes that are used may have to be modified.

Flowcharts may also have subflowcharts originating from a decision or process box. This allows an experienced user to move quickly through the flowchart while retaining enough detail in the subflowcharts to assist the novice user such as in the “lunch tax” example above. This concept would perform best when used in an electronic format.

Flowcharts are commonly used in many fields, including accounting and computing, and often in instructional material. There has been an increase in the use of flowcharts by government departments in information booklets; see, for example, booklets for the determination of student allowances, and the Inland Revenue Department’s IR12 form, used to determine tax codes. Some legislative annotations by private companies have also begun to analyse text with flowcharts.

If the current form of legislation is examined, the various sections, subsections, paragraphs, and subparagraphs may be considered as separate “elements” for use in flowcharts. If any elements prove too complex, they could be further broken down into smaller elements. The individual textual elements would be contained within boxes, linked by lines to other boxes. The lines would represent the user’s path through the flowchart and would visually demonstrate the relationship between the various elements.

The use of flowcharts and structure charts to represent legislation may be termed “graphical legislation”.

II: THE FORM OF LEGISLATION TODAY

Historically it has been much easier to produce text than graphics. The lead-based type-setting process which was used in New Zealand up until the late 1980s meant that formatting graphics was inefficient. With the advent of computer technology, however, it has become simple to produce and update graphics. Computer tools have enabled users to create graphics which are consistent, legible, and easy to alter. Such advantages are also useful in the production and application of legislation. Accessibility of legislation would be greatly improved. If less time, and therefore money, is required in order to comprehend a statute, the compliance costs of that legislation will be considerably reduced. From an overall economic view, the lower the compliance costs of a piece of legislation the better.

Many occupations which have emerged since the production of graphics became cost effective make extensive use of graphical tools. It seems fair to suggest that these new professions have not been “hamstrung” by traditional ideas and have therefore sought the most effective methods of performing the task at hand. This has frequently involved the use of graphical aids and tools. Systems analysts are a prime example of this. It can also be argued that there is a general move towards the increased use of graphics by the professions.

At this point it is interesting to examine the increasing use of graphical aids by the medical profession. Margolis has published a book on pædiatric care which

employs annotated flowcharts.³ The foreword to this text states that:⁴

Algorithms ... have begun to acquire the respect they deserve. Initially regarded with skepticism as "cookbook medicine", clinical algorithms are now more widely appreciated as useful tools in clinical decision-making.

The legal profession must not fail to adapt to such modern methods of conveying information.

1. Role of Legislation

The primary function of legislation is to provide a system of rules that describe the behaviour expected from the population and the government. To perform this function legislation may set out what is mandatory, prohibited, or permitted, and what conditions must be fulfilled before an action can take place. Legislation is thus used to establish the legal environment in which society functions.⁵ If correctly designed, legislation can create a more certain and consistent legal environment. Legislation must also establish a supporting structure for this system of rules, which will often require statutory organisations and bodies to administer the statutes.

Consideration of the target audience is important in ensuring the effective communication of information. Kimble recognises as vitally important the need to identify the audience:⁶

As the starting point and at every point, design and write the document in a way that best serves the reader. Your main goal is to convey your ideas with the greatest possible clarity.

In terms of legislation, this would require legislative drafters to improve accessibility by focusing on the "end users" of any particular piece of legislation (for example, government departments, citizens and their professional advisers).⁷ This is not to say that a legally precise interpretation of a statute should be ignored in drafting. Some cases will still require resolution by the Court of Appeal, but the determination of that Court should not be the prime focus of legislative drafters.

In considering the role of legislation, the concept of legislation must be distinguished from the physical form taken by that legislation. By looking at legislation in a conceptual manner we are considering the reasons and the needs for a system of rules that governs the way in which our society functions. The physical nature of legislation, currently in text, is an information storage and retrieval system of those conceptual rules. Graphical legislation does not change the rules, but rather the method of presentation.

Legislation has force because the structure of our society enforces that legislation. The use of text is not strictly necessary. The actual text does not have any

3 *Solving Common Pediatric Problems: An Algorithm Approach* (2nd ed 1988).

4 *Ibid*, xi.

5 It is of course accepted that case law is also involved in the development of this legal environment.

6 "Plain English: A Charter for Clear Writing" (1992) 9 *Thomas M Cooley L Rev* 1, 11.

7 There is of course a large difference in the roles of these three classes of end users. A statute should be targeted at the most common end users, which may differ for various areas of the law.

magic property that causes a legislative rule to come into being. If legislative rules were presented in a different manner, they would still have the same force.

The physical form of the legislation should comply with the basic requirements of information storage systems. Gould and Lewis express these requirements as follows:⁸

[A]ny system designed for people should be easy to learn (and remember), useful, that is, contain functions that people really need in their work, and be easy and pleasant to use.

The current system of storing legislation, via text in statute books, does not fulfil many of these requirements. It is not easy to learn to use legislation, nor to remember the precise requirements of a statutory provision.

2. Problems in Current Legislative Techniques

There is a need for clearer communication between the legal sector and end users. One commentator has remarked that the legal profession's problem in communicating:⁹

[D]iminishes the service of the bar, impedes the resolution of disputes, retards legal process and growth, and, ultimately, undermines the rule of law.

The New Zealand Law Commission has also commented on the need to improve the way in which legislative rules are presented.¹⁰ Although directed towards reform of the Acts Interpretation Act 1924, its comments are a relevant criticism of the current form of legislation. It states that legislation needs to be improved for several reasons:¹¹

First economy and efficiency: better prepared and presented legislation is easier to read, to understand and to act on. That saves time and money – for the officials involved, the citizens who must comply with the law, and their professional advisers; some of the savings documented elsewhere are surprisingly large [A] law which is difficult to understand is less likely to be honoured.

There is definitely a need to improve the physical form of legislation.¹² This is recognised by the various movements calling for the reform of legislation generally. Primary among these is the “plain language” movement. It is intended that graphical legislation should complement these movements.

8 Gould & Lewis, “Designing for Useability: Key Principles and What Designers Think”, in Baecker & Buxton (eds), *Readings in Human-Computer Interaction: A Multidisciplinary Approach* (1987), 528.

9 Miner, “Confronting the Communication Crisis in the Legal Profession”, (1989) 34 *NYL Sch L Rev* 1, 1, cited in Kimble, *supra* at note 6, at 27.

10 *A New Interpretation Act: To Avoid Prolivity and Tautology* (1990) NZLC R17.

11 *Ibid*, 4.

12 Already the only contact that many end users have with some legislation is by graphical means. For example, the Department of Social Welfare often produces flowcharts that are used to determine a person's entitlement to a benefit.

(a) *Compliance costs*

Compliance costs are the costs incurred in the process of complying with a piece of legislation. Because users of legislation must understand it before they can obey it, the cost of comprehending the legislation is a compliance cost. At present, large resources are expended in order to understand legislation. For instance, an individual will usually hire a lawyer, who must then undertake, or have previously undertaken, research on the legislation. The time delay in the provision of information and the fees charged are both compliance costs. To this must be added the costs incurred by any regulating organisation (such as a government department) in attempting to determine the exact meaning of the legislation, and even the costs of related court time, whether it be litigation or applications to a court. The potential size of these compliance costs should not be underestimated.

Compliance costs often affect the less powerful individuals and organisations of society in a disproportionate manner. An Australian report on the problems associated with small businesses stated that:¹³

[T]he most pervasive and ... most important complaint has been about the rapid growth in the size and complexity of taxation law ... and the associated compliance and reporting costs which are particularly onerous for small business.

More recently, Sandford and Hasseldine reached two main conclusions with regard to the compliance costs of business taxes in New Zealand:¹⁴

1. they are very large and cumulative in their impact; they are several times the administration costs of the IRD and, in total, equivalent to about 2.5% of GDP;
2. they are very regressive, individually and collectively, falling with disproportionate severity on smaller businesses, which are put at a state-created disadvantage compared with larger firms.

With regard to compliance costs, legislation operates in a fashion similar to normal documents and forms. There are many instances when a firm or government has redrafted a document or form to allow for easier comprehension and saved large amounts of time and money. Kimble describes some of the large savings that have been made. For instance, the United Kingdom Department of Health and Social Security saved US\$2,069,000 in staff time merely by redesigning its legal aid form,¹⁵ and the British Government overall has saved over US\$28,000,000 since 1982 purely by scrapping or redesigning forms.¹⁶ It is obvious that the use of graphics in legislation could greatly decrease the compliance cost of a statute.

13 Cited in *Tax Simplification: Interim Report of the Consultative Committee*, Tax Simplification Consultative Committee (March 1990) 3.

14 *The Compliance Costs of Business Taxes in New Zealand* (1992) 3.

15 Simply Stated (Document Design Center), *Plain Language Pays* (1986) 4, cited in Kimble, *supra* at note 6, at 26.

16 Eagleson, *Writing in Plain English* (1990) 6, cited in Kimble, *ibid*.

(b) Ways people comprehend information

The very existence of the proverb, “a picture is worth a thousand words” is an indication that a graphical presentation of information will almost always be far more efficient than a purely textual one. While the textual system has had centuries of development, in many situations it will not be able to convey information as effectively and as comprehensively as graphics. The human brain is able to absorb far more visual information in a fixed period of time than it can verbal information. This is because the use of text is an artificial method which presents information through the use of linguistic concepts, whereas graphics present the information in a more immediate visual format.

It may be argued that any attempt to use graphics in legislation will not succeed because words only take their meaning from a textual context. While it is true that a word in a textual document takes its meaning from the overall context of the surrounding text, this is not the only form of context that exists. An overall sense of context can also be instilled by a flowchart. The order in which the various elements of the flowchart are assembled has an effect on the way in which the user interprets the words within the flowchart.

Furthermore, in a flowchart the user is only trying to discern the meaning of a word in relation to a specific element of text. The user is therefore still able to take the context that appears in that specific textual element when he or she is trying to understand the meaning of a word. One of the advantages of a flowchart presentation is the removal of a need to look further than the current element for the meaning of a term. With a correctly designed flowchart the need for a word to be read in the context of the surrounding text will be lessened. A legislative rule which is partly concealed in a textual setting, relying on the interpretation of context, may be expressly stated in graphical legislation.

3. Advantages of Graphics

When a statute has many different elements with complex interrelationships, graphics can aid comprehension. Graphics allow the relationships between the various entities to be shown visually as lines. This reduces the risk of misunderstanding, as all the user needs to do is to follow the lines between the various elements. Of course the meaning of the various elements can still be disputed.

Thus, the only question that a user should need to ask in a well drafted flowchart is, “how is this element defined?” Such questions are ably dealt with by the legal profession. The role of lawyers in statutory interpretation would therefore become a more focused exercise.

It is in answering specific questions that flowcharts perform best. They work well when a user wants to know if he or she is entitled to something, or liable for something. These questions involve the user asking a question which can be answered by either “yes” or “no”. The binary decision nature of flowcharts lends itself to solving such problems.

The amount of information that a user needs to remember at any one time is

reduced by the use of a flowchart. When a user refers to a statute he or she must remember all the facts of the problem as well as trying to understand how various interrelated sections affect his or her situation. With a flowchart the user need only consider the actual situation in terms of one question at a time. A flowchart presentation of rules has a lower “memory overhead” requirement than a textual presentation of rules.

At a different level of inquiry, graphics can also be used to give the user a quick overview of a statute through the use of structure charts. This overview can guide the user quickly to the area of the statute that concerns the specific problem. The structure chart would necessarily be a simplified form of the legislative rules, but, as Hick has stated:¹⁷

A simple representation, if approximately true, is far more worth having than a complicated one.

The function of the overview would not be to provide answers to individual questions. Rather, it would serve as a signpost for further investigation.

4. Disadvantages of Graphics

At a detailed level, flowcharts perform best in answering a specific question. Thus, if the user selects the wrong question, a flowchart presentation may be of little assistance. The flowchart may even disadvantage the user by distracting him or her from other possible solutions that may have become apparent if the legislative rule had been in a textual form. A possible step that may be taken to diminish this problem would be the development of an “index of questions” for the flowchart.

Resistance to legislation by current users may also hinder the introduction of flowcharts in a legislative setting. This problem, however, is not insurmountable, nor is it inherent in legislative flowcharting. Rather, it is a problem commonly faced by new concepts. It is submitted that the solution lies in education.

Some legislative rules will always be very complex, regardless of the form in which they are presented. Graphical presentations should not be discarded merely because they cannot make every legislative rule clear to everyone. Their performance should instead be evaluated by asking the question, “how does text function in this situation as opposed to graphical means?”

5. Advantages and Disadvantages of Text

It must be remembered that the graphical flowcharts proposed in this paper will still use text to define the various elements of legislation. It is the *relationship* between the various elements, that is, the physical arrangement of any given piece of legislation, that will be defined graphically. Graphical legislation is an attempt

¹⁷ Hick, “Why the human operator?” (1953) 4 Transactions of the Society of Instrument Technology 67, 72, cited in Easterby & Zwaga (eds), *Information Design: The design and evaluation of signs and printed material* (1984) 5.

to combine the best aspects of both text and graphics. Text is used to define the individual elements, while graphics are used to illustrate the relationships between these elements.

A purely textual presentation of legislation would function best where the relationships between the various different elements are not complex. There is little point in undertaking the extra effort of drafting graphical legislation if this is not going to improve its accessibility to most users.

At a medium level of inquiry, a textual presentation of legislation may be superior to a graphical presentation because of its ability to communicate to its users the flavour of a statute. Nevertheless, it can be argued that not all users are currently able to assimilate this intangible concept during their reading of the legislation.

Text is not a good medium for describing the relationships between different elements. When a drafter tries to describe these relationships in a textual manner, the result is often unclear and ambiguous. When reading a statute, users must continually refer to earlier sections in order to make sense of any provision. This leads to difficulties in comprehension and, by implication, increases the costs of complying with that statute.

6. Factors to Consider for Graphical Legislation

The following list suggests the questions which should be asked when considering the use of graphical legislation.

(a) Self-contained system or subsystem

If the system, or area of law, is well defined with clear boundaries then it will be much easier to describe the whole system graphically. The problem of determining a system's boundaries has been subjected to much study in the field of systems design, and the selection of a system's boundaries is of critical importance to the success of the overall project.

(b) Relationships between elements

Graphics can show the relationship between elements more clearly than text. If the main problem with interpreting a statute is how the various elements interrelate, then graphics would be appropriate.

(c) Definitions of elements

While not essential, if the various elements that appear in the legislation are well defined then the legislation will be more suited to graphics.

(d) Simplification

Some legislative rules may require simplification in order to be effectively presented in a graphical manner. However, it must be considered whether any

“loopholes” in the legislation will be created by oversimplifying the situation. A policy decision would have to be made as to whether the costs of having complex legislative rules to avoid loopholes was greater than the costs of the loopholes themselves.

(e) Complexity of graphics

The purpose of graphical legislation is to improve the accessibility and ease of understanding of legislation. If it becomes apparent that the use of graphics for a particular statute will make the presentation of the legislative rule confusing, then some other form of presentation should be used. It may be that some statutes would adapt to a graphical system of presentation only if they are not limited by having to be printed, but are instead able to be stored and accessed electronically.

If full use were made of current visual technology many innovative products could be developed. For example, a computer system with a touch-sensitive screen, or a mouse, would provide a powerful user interface. The user could simply trace his or her path along the decision flow chart. Not all of the flowchart would need to be visible at any one time, and the system could adapt to the user’s current requirements for information. This would avoid the “information overload” situation that may otherwise occur.

(f) The type of questions to be asked

Graphical legislation will function most effectively if the questions being asked can be answered by “yes” or “no”. Prime examples of this in legislation involve either questions of entitlement, as in the case of a benefit, or questions of liability, such as taxation.

(e) End users

Different statutes are aimed at different types of users; some forms of legislation are used almost exclusively by specialists, such as takeovers legislation, while other forms are commonly used by lay people (for example, benefit entitlements). While graphics may prove useful to professionals, the most noticeable benefits will occur with statutes that have a high percentage of lay end users.

IV: POSSIBLE USES OF GRAPHICS IN LEGISLATION

1. As a Drafting Tool

The use of graphical guides and flowcharts as tools to assist legislative drafters in the production of a statute will result in legislation, whether textual or graphical, which has a more logical structure. If drafters were to draw a diagram of how the various areas of the legislation interrelate, any illogical relationships, redundancies, ambiguities or deficiencies in the structure of the statute should become clear.

It may be argued that this additional workload for the legislative drafters would slow the production of legislation. However, it is clear that any time spent in improving the performance of the statute before the legislation is released is a worthwhile investment. It is far more effective and efficient to achieve accuracy in the first place than to have to rectify deficiencies later.¹⁸ Any major deficiency will probably lead to expensive court action or amendment by Parliament. This approach to legislative drafting can be seen as the adoption of a “total quality”¹⁹ approach.

2. Aid to Interpretation of Legislative Text

Graphics in the form of flowcharts could also be appended to legislation as a section-finding guide. They are already used by legal publishing companies.²⁰ These flowcharts would be a gentle introduction to the legal profession of the possibilities of using graphics in legislation.

V: CONCLUSION

Although much research has been done on the use of plain language in a legislative setting, very little has been done on the use of graphical legislation. It is hoped that this article has demonstrated that graphical presentation merits further investigation.

This article has illustrated some of the vast range of situations in which graphical methods could have a positive effect on the legislative process. Graphics are not a miracle cure for the ills of legislative drafting, but they are a very effective tool in appropriate situations.

Any introduction of graphics into legislation must involve a careful consideration of the method of implementation. Many lawyers may initially feel threatened by the idea of graphically presenting legislation; they may argue that it is removing the “mystery of the law”.²¹ Lawyers would still have a role to play in the interpretation of graphical legislation, and it would be a more productive role than trying to understand a badly structured piece of textual legislation.

It is accepted that much more research would have to be done before graphics were finally to appear in the statute book. This research would lead to a major improvement in the performance of the legal system. It would be an attempt to modernise, and to make more accessible, the system of presentation of legislative rules, that in many respects has remained unchanged for far too long. The time to begin this change is now.

18 A saying that is common in the commercial field of quality control is, “if you haven’t got time to do it right, you haven’t got time to do it over.”

19 The term “total quality” is frequently used in the commercial environment to signify a process that aims for the best quality possible.

20 See, for example, Brooker & Friend, *Resource Management* (1991) Vol 2, App 3-11.

21 It may be argued that the idea of the “mystery of the law” has been given far more weight than it deserves to be given in today’s modern, technologically advanced age.

VI: EXAMPLE OF GRAPHICAL LEGISLATION

Readers are now invited to test the effectiveness and efficiency of graphical legislation for themselves. Set out below are two fact situations²² which relate to a person's eligibility for the United Kingdom married woman's retirement pension as it existed in the 1970s.²³ The legislative rules that govern this situation are also set out below, in both the traditional textual manner and a flowchart.²⁴

Try to determine whether the married woman (MW) in each of the fact examples is entitled to the pension. A "yes" or "no" answer is all that is required. Use the textual set of rules on the page opposite to determine eligibility in the first situation, and then work through the flowchart overleaf using the other fact example. Keep a track of your time and compare the results. You may well be surprised at the outcome.²⁵

Fact situation 1

MW is a married woman. All contribution payments have been made correctly. Although she is 67, she is in good health and still has regular employment with AmCo Ltd. Her husband, who is 68, is still working full-time as a watch repairer. MW is claiming on his insurance.

Fact situation 2

MW is a married woman. All contribution payments have been made correctly. She retired two years ago from her job as a part-time secretary for AmCo Ltd. Her husband (aged 71) is in part-time employment (six hours per week) as a gardener. MW is not claiming on her own insurance. MW is 64 and in poor health.

22 These examples have been adapted from; DHSS leaflet NI1, reprinted in Ryan, *The Increasing Use of Logical Trees in the Civil Service* (1970); and CAS Occasional Paper No. 13 (HMSO) 4, cited in Twining & Miers, *How To Do Things With Rules* (2nd ed 1982) 31.

23 It is assumed that most readers will have little personal knowledge of this area of the law.

24 The legislation has been slightly adapted from the National Insurance Act 1965 (UK).

25 The answers to these two problems are on page 346.

Rules for payment of married woman's (flat rate) retirement pension.

Relevant sections to determine eligibility for a married woman's retirement pension.

- 29 (1)** The pensionable age shall be 65 years of age for men and shall be 60 years of age for women.
- 30 (1)** Subject to the provisions of this Act, a person shall be entitled to a retirement pension at the appropriate weekly pension rate specified in relation thereto in column 2 of Schedule 3 to this Act if –
- (a) he is over pensionable age and has retired from regular employment; and
 - (b) he satisfies the contribution conditions set out in paragraph 4(1) of Schedule 2 to this Act.
- (2)** For the purposes of this Act a person who has not previously retired from regular employment shall be deemed so to retire on the expiration of five years from his attaining pensionable age.
- 32 (1)** Subject to the provisions of this Act, and in particular to paragraph 5 of Schedule 11 thereto, a woman over pensionable age shall be entitled to a retirement pension by virtue of her husband's insurance at the appropriate weekly rate specified in relation thereto in column 2 of Schedule 3 to this Act if there are satisfied –
- (a) one of the conditions specified in subsection (2) of this section; and
 - (b) the conditions specified in subsection (3) thereof.
- (2)** The conditions referred to in subsection (1)(a) of this section are –
- (a) that the woman is married to the husband at the time when she attains pensionable age; or
 - (b) that she has married the husband after attaining that age.
- (3)** The conditions referred to in subsection (1)(b) of this section are –
- (a) that the husband is over pensionable age and both he and the woman have retired from regular employment; and
 - (b) that the husband satisfies the contribution conditions set out in paragraph 4(1) of Schedule 2 to this Act.

**NORTHERN REGION
NEW ZEALAND RED CROSS SOCIETY INC**



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* * * *

The New Zealand Red Cross Society Provides:

- * Emergency preparedness and relief, in time of Disaster or Conflict in New Zealand and around the World
- * Education and Information for all New Zealanders on International Humanitarian Law
- * Community Services, with an emphasis on Primary Health Care

The Northern Region fulfills the aforementioned through its 'on call' Emergency Relief Team; the Meals on Wheels programme which delivers approx. 1500 meals daily throughout the Region; training courses which include First Aid, CPR, Humanitarian Law and caring for the elderly; and its Community Services which provide support to the needy of the North.

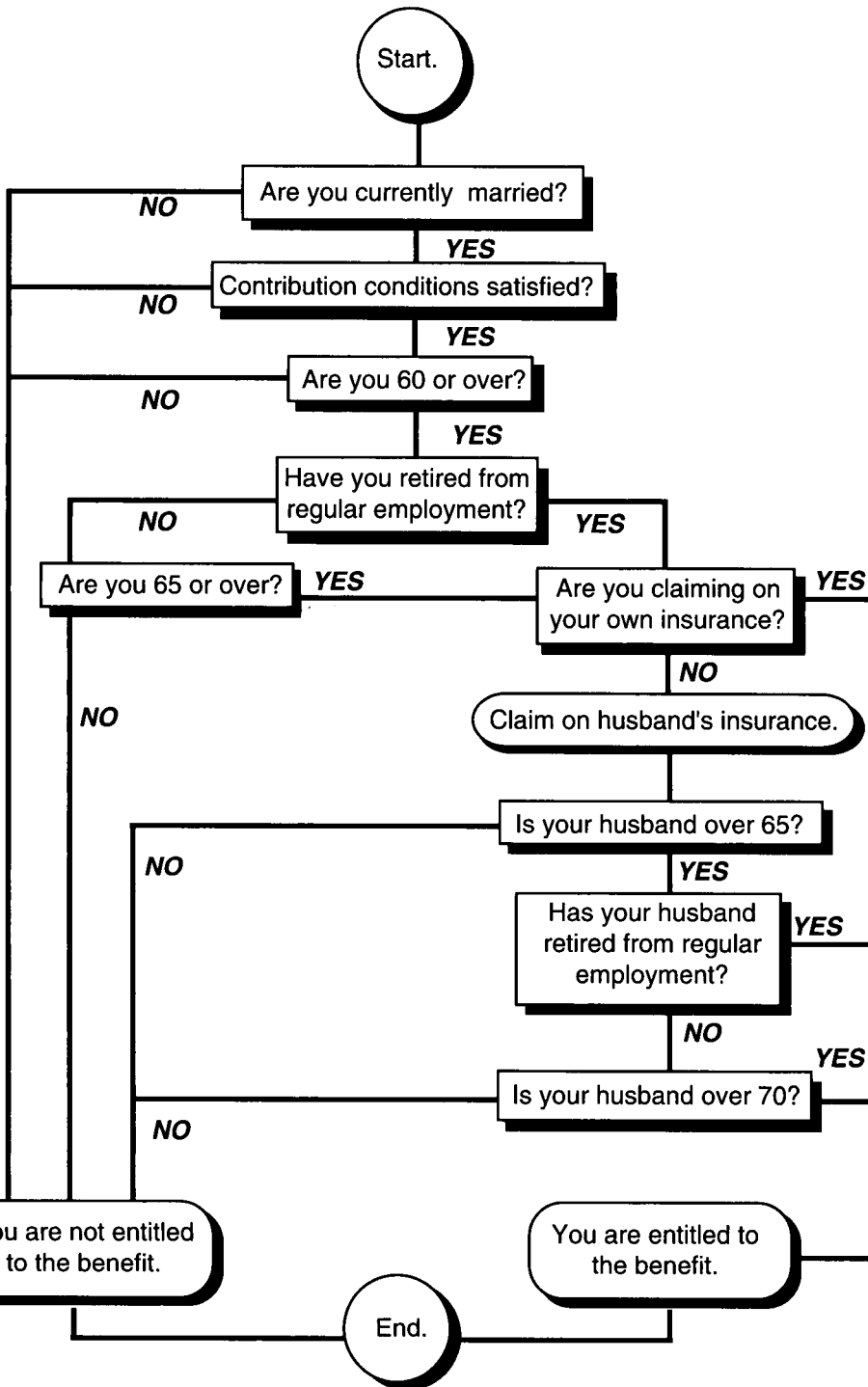
* * * *

An appropriate form of bequest would be:

'I give and bequeath the sum of \$..... to the Northern Region of the New Zealand Red Cross Society (Inc) to be paid for the general purposes of the Northern Region to the Regional Director for the time being of such Region, whose receipt shall be good and valid discharge for same.'

It is important to ensure that the words 'Northern Region' appear in the form of bequest if it is the testator's wish that the funds be used for the benefit of people in the North.

Married Woman's Retirement Pension



Answers to fact situations

Fact Situation 1 – There is no pension eligibility.

Fact Situation 2 – There is pension eligibility.

ENDNOTE*Non-flowchart graphics that may be used in legislation*

Every word that is defined in a statute could be marked in a manner to alert readers to the need to look elsewhere for the definition of that word. The best manner to mark the words that were defined in the statute would be by underlining or using italics. Different markings could be used to identify words that were defined in the definition section (usually s 2), or at the start of a new Part of the Act. The marked words' meanings would still be subject to the overall proviso of "unless the context demands otherwise".

For example, the words "New Zealand" might be underlined in the following manner to show that they were defined in section 2: "New Zealand", whereas the word "murder" might appear in the Act as "murder", indicating that it was defined in the Act, but not in section 2.

This change could be made without any amendment to the Acts Interpretation Act 1924, as it would require only a non-binding informative note to the users of the legislation.

It could be argued that this would slow the user down. However, if the user does not know the statutorily defined meaning of the word then he or she should be encouraged to look it up. If a user already knows of the definition then he or she would not be greatly slowed.