

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB (HONOURS) DEGREE PROGRAMME – LEVEL 03
CONTINUOUS ASSESSMENT TEST I – 2023/2024
INTERPRETATION OF STATUTES AND DOCUMENTS - LLU 3406
DURATION – ONE HOUR



DATE: 26.10.2024

TIME: 1.30 P.M – 2.30 P.M

Total No. of Questions: 02

Answer ONLY ONE (01) question.

Candidates will be penalized for illegible handwriting.

1. “A word is not a crystal, transparent and unchanged; it is the skin or a living thought and may vary greatly in colour and content according to circumstances and the time in which it is used.”

Towne v Einser, 245 U.S. 418, 425, 62 L. ed 372, 376, (1918).

Explain the validity of the above statement in light of fundamental jurisprudential concepts and the constitutional foundations of statutory interpretation.

(20 marks)

2. “Statutory interpretation is simply referred to as the process by which the courts determine the meaning of a statutory provision for the purpose of applying it to the situation before them.”

Bell, J. & Engle, G. (2005) *Cross Statutory interpretation*, 3rd edn, New York: Oxford University Press, p.34

Select **only one** case from the given list and evaluate the above statement focusing on different approaches of statutory interpretation.

- a) *Sinna Lebbe Saliya Umma v. Shahul Hameed Mohammed Yaseen* (SC Appeal 99/2014)
- b) *Sriyani Silva v. Iddamalgoda, officer in charge, Police Station Payagala* (SC NO 471/2000) FR
- c) *Royal College of Nursing of the UK v. DHSS* (1981) 2WLR 279
- d) *Stassen Exports Limited v. Brooke Bond (Ceylon) Limited and another* (1990) 2 Sri LR 64

(20 marks)