

## Revision Summary Chapter 3

### Domestic sources of law

- Domestic legislation comes in two principal forms, namely (i) Acts of Parliament and (ii) subordinate legislation.
- Acts of Parliament (also known as 'primary legislation', or 'statute law') are the highest form of UK law. Subordinate legislation is legislation created by bodies authorized by Parliament to legislate. It is also known as 'secondary legislation'.
- The three 'canons of statutory interpretation' are the literal rule, the golden rule, and the mischief rule. In more recent times, the purposive approach has come to be used more by the courts.
- The doctrine of precedent states that the reasoning (known as *ratio decidendi*) behind decisions of higher courts is binding upon lower courts.
- Although, from a constitutional point of view, the role of judges should be limited to interpreting and applying the law (known as the 'declaratory theory of law'), it is universally acknowledged that judges do, in fact, make law.