



Australian Capital Territory

# **Magna Carta (1297)**

## **25 Edw 1 c 29**

**Republication No 1**

Republication date: 5 July 2002

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Magna Carta* (1297) 25 Edw 1 c 29 as in force on 5 July 2002. It includes any commencement, repeal or expiry affecting the republished law and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Magna Carta (1297)

## 25 Edw 1 c 29

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Australian Capital Territory

## **Magna Carta (1297)**

### **25 Edw 1 c 29**

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### **The Great Charter of the Liberties of England and the Liberties of the Forest confirmed by King Edward**

Edward, by the grace of God, King of England, Lord of Ireland  
and Duke Guyan:

To all archbishops, bishops, etc:

We have seen the Great Charter of the Lord Henry sometimes  
King of England, our father, of the liberties of England in these  
words:

Henry, by the Grace of God, King of England, Lord of Ireland,  
Duke of Normandy and Guyan, and Earl of Anjou, to all  
archbishops, bishops, abbots, priors, earls, barons, sheriffs,

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provosts, officers, and to all bailiffs and other our faithful subjects, who shall see this present Charter, greeting:

Know you that We, unto the honour of Almighty God, and for the salvation of the souls of our progenitors and successors, Kings of England, to the advancement of Holy Church and amendment of our realm, of our free will, have given and granted to all archbishops, bishops, abbots, priors, earls, barons, and to all freemen of this our realm these liberties following, to be kept in our Kingdom of England forever:

**29      Imprisonment etc contrary to law**

No freeman shall be taken or imprisoned, or disseised of his freehold, liberties or free customs, or be outlawed or exiled or in any other wise destroyed; nor will We pass upon him nor condemn him, but by lawful judgment of his peers or by the law of the land.

We will sell to no man, and we will not deny or defer to any man, either justice or right.

We, ratifying and approving these gifts and grants aforesaid, confirm and make strong all the same for us and our heirs perpetually, and by the tenor of these presents do renew the same: willing and granting for us and our heirs that this Charter and all and singular its articles for ever shall be steadfastly, firmly and inviolably observed.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This Act was originally a UK Act—*Magna Carta* (1297) 25 Edw 1 c 29 (UK).

The Act was in force in NSW immediately before 1 January 1911 (the date of establishment of the ACT) and was continued in force by the *Seat of Government Acceptance Act 1909* (Cwlth), s 6.

Under the *Seat of Government (Administration) Act 1910* (Cwlth), s 4 the Act had effect in the ACT as if it were an ACT law (subject to ordinances made under the *Seat of Government (Administration) Act 1910*).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former UK laws in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

Under the *Interpretation Act 1967* (repealed), s 65 all former UK Acts in force in the ACT immediately before 10 November 1999 (including this Act) became, for all purposes, laws made by the ACT Legislative Assembly. This completed the process of making former UK Acts fully into ACT laws.

#### **Magna Carta (1297) 25 Edw 12 c 29**

as amended by

#### **Imperial Acts Application Act 1986 A1986-93 s 5 and sch 3 pt 2**

notified 12 January 1987 (Cwlth Gaz 1986 No S1)

s 5 and sch 3 pt 2 commenced 12 January 1987 (s 2 (1))

### 4 Amendment history

The *Imperial Acts Application Act 1986* (the *1986 Act*), sch 3, pt 2 set out the text of this Act in an amended form and provided for the amended form to apply as the text of [the Act](#) in force in the ACT (see [1986 Act](#), s 5 (1), (4) and (5)).

Chapters 1 to 28 and 30 to 37 were omitted by the [1986 Act](#).

The enacting provision and the confirmation provision at the end were amended by the [1986 Act](#) to omit obsolete and unnecessary words.

This Act has not been amended since the enactment of the [1986 Act](#).

Authorised by the ACT Parliamentary Counsel—also accessible at  
[www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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