

14. In this Act, unless the context otherwise requires the following expressions have the meanings duly assigned to them:—

“Private defendant” means a defendant other than a public authority.

“Statutory Instrument” means any Order in Council, order, rule, regulation or other instrument made in pursuance of a statute.

“Minister” means Minister of the Crown.

“Tribunal” means any tribunal other than a court of law.

*Short Title*

15. This Act shall be cited as the Preservation of the Rights of the Subject Act, 1947.

## APPENDIX “F”

### DECLARATION OF THE RIGHTS OF MEN

(This declaration was adopted on August 27, 1789, by the French National Assembly)

“The representatives of the French people, organized as a National Assembly, believing that the ignorance, neglect, or contempt of the rights of man are the sole causes of public calamities, and of the corruption of governments, have determined to set forth in a solemn declaration, the natural, inalienable, and sacred rights of man, in order that this declaration, being constantly before all the members of the social body, shall remind them continually of their rights and duties; in order that the acts of the legislative power, as well as those of the executive power, may be compared at any moment with the ends of all political institutions and may thus be more respected; and, lastly, in order that the grievances of the citizens, based hereafter upon simple and incontestable principles, shall tend to the maintenance of the constitution and redound to the happiness of all. Therefore, the National Assembly recognizes and proclaims in the presence and under the auspices of the Supreme Being the following rights of man and of the citizen:

Article 1. Men are born and remain free and equal in rights. Social distinctions may only be founded upon the general good.

2. The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression.

3. The essence of all sovereignty resides essentially in the nation. No body nor individual may exercise any authority which does not proceed directly from the nation.

4. Liberty consists in the freedom to do everything which injures no one else; hence the exercise of the natural rights of each man has no limits except those which assure to the other members of society the enjoyment of the same rights. These limits can only be determined by law.

5. Law can only prohibit such actions as are hurtful to society. Nothing may be prevented which is not forbidden by law, and no one may be forced to do anything not provided for by law.

6. Law is the expression of the general will. Every citizen has a right to participate personally, or through his representative, in its enactment. It must be the same for all, whether it protects or punishes. All citizens,