Title:
I.3.2 - Lex specialis-principle

Content:
No. I.3.2 - Lex specialis-Principle

Specialized laws prevail over general laws ("lex specialis derogat legi generali").

Commentary:
1 The Principle contains a generally recognized rule of interpretation pursuant to which the more specific provision takes precedence over the more general one.

2 The Principle is based on the presumption that, in enacting a law or drafting a contract provision, a lawmaker or contract drafter does not want to create a law or contractual provision that would be devoid of any scope of application. This would be the case if the general rule always prevailed.