

Acts of Parliament

How is an Act born?

Bills

- ☐ Acts start as Bills.
- ☐ A bill is a proposal for a new Act.
- ☐ Can be introduced by
 - Government
 - Individual MPs / Lords
 - Private Individuals / Organisations

Bills (2)

- ☐ Public Bill – Introduced by Government.
May be mentioned in Queen's speech.
- ☐ Private Bills – relatively rare – usually introduced by local authority / private organisation for a local change in the law
- ☐ E.g. County Of Cleveland Act 1987

Bills (3)

- ☐ Private Members' Bills
- ☐ Introduced on issues of particular interest to an MP/ Lord
- ☐ Limited time available.

Progression

- ☐ A bill must pass through various stages in BOTH Houses of Parliament (Lords & Commons) to become law.
- ☐ Bill stages are as follows....

Stages (1)

☐ **First Reading**

- ☐ The title of the bill (and name of MP introducing it, if appropriate) is read out.
- ☐ This just introduces the bill, no debate at this stage, orders bill to be printed

Stages (2) **Second reading**

- ☐ The Government minister, or MP/Lord responsible for the Bill opens the second reading: a debate on general principles of bill
- ☐ Opposition spokesperson responds
- ☐ General debate is allowed at this stage within the house.

At end of second reading/debate

- ☐ Commons decides whether the Bill should be given its second reading by voting, it can progress to next stage
- ☐ Bill can progress without debate if MPs agree to its progress

Stages (3) **Committee Stage:** most Bills dealt with by public committee

- ☐ Amendments for discussion are selected by the chairman of the committee and only members of the committee can vote on amendments during committee stage, amendments proposed & published daily.
- ☐ If the Bill starts in the Commons the committee is able to take evidence from experts and interest groups from outside Parliament

- ☐ Every clause in the Bill is agreed to, changed or removed from the Bill, although this may happen without debate
- ☐ Amendments proposed by MPs will be published daily and reprinted as a list of amendments for each day
- ☐ Every clause in the Bill is agreed to, changed or removed from the Bill, although this may happen without debate.
- ☐ A minority of Bills are dealt with by a Committee of the Whole House (takes place on the floor of the House of Commons), with every MP able to take part.
- ☐ Bill is reprinted for next stage

Stages (4) **Reporting stage** Bill returns to House of Commons

- ☐ No set time period between the end of committee stage and the start of the report stage.
- ☐ Report stage gives MPs an opportunity, on the floor of the House, to consider further amendments and then vote

Stages (4) **Third reading**

- ☐ Final chance for debate & final vote to approve 3rd reading of Bill.
- ☐ Amendments cannot be made to a Bill at third reading in the Commons.

What happens after third reading

- ☐ If the Bill started in the Commons it goes to the House of Lords for its first reading.
- ☐ If the Bill started in the Lords it returns to the House of Lords for consideration of any amendments the Commons has made.

Consideration of each other's amendments

- ☐ Both Houses must agree on the exact wording of the Bill
- ☐ "Ping-Pong" between houses until agreement reached
- ☐ If two Houses do not reach agreement, the Bill falls. If certain conditions are met, the Commons can use the Parliament Acts to pass the Bill, without the consent of the Lords

Stages (5) **Royal assent**

- ☐ Usually a formality.
- ☐ After Royal Assent it is announced in both Houses
- ☐ Last refused in the 18th Century by Queen Anne
- ☐ Comes into force at midnight on date of Assent, UNLESS otherwise stated in Act. OR
- ☐ A commencement order can bring in all or part of Act

2009/10 figures

- ☐ 77 Private Members Bills introduced
- ☐ 7 became Acts e.g.
 - Anti-Slavery Day Act 2010
 - Sunbeds (Regulation) Act 2010
 - Marriage (Wales) Act 2010
- ☐ 8 others got beyond 2nd reading before time ran out

2009/10 figures

- ☐ 24 Government Bills
- ☐ ALL became Acts

2009/10

- ☐ 13 Private Bills
- ☐ All Local Authority – based
- ☐ 5 received Royal Assent

'Recent' Example

- ❑ **Parliamentary Voting System and Constituencies Bill 2010-11**
- ❑ Bill to hold referendum on "Alternative Vote" System
- ❑ Introduced in Commons
- ❑ First reading 22/7/2010
- ❑ Second reading 6/9/2010
- ❑ Passed and now had referendum

Anatomy of a statute

- ❑ 1) The short title
 - How we usually refer to an Act.
 - e.g. The Food Safety Act 1990
- ❑ 2) The chapter number
 - Each Act in a year is numbered sequentially from Chapter 1.
 - Reference in written work by year & chapter
 - e.g. Weights & Measures Act is "1985 c 72"

- 3) The long title
 - An explanation of the purpose of the Act
 - Followed by.....
- 4) The date of Royal Assent
 - Royal Assent a virtual formality
 - Important when new legislation is passed
 - Act into force on date of Royal Assent unless otherwise stated

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- 5) The standard enacting formula
 - “Be it enacted by the Queen’s most excellent Majesty..”
 - 6) The sections of the Act
 - Numbered sequentially
 - Can be any number
 - Brief notes in margins to explain (or headings on online versions)
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- 7) Interpretation Section
 - Gives meaning to phrases used in Act
 - General phrases – Interpretation Act 1978
 - 8) Commencement
 - If a commencement date is given in Act, will probably be in last section
 - Might be enacted in stages.
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- 9) Schedules
 - Contain detailed information
 - W&M Act 1985 Schedule 3 – contains a list of all weights & measures lawful for use in trade.
 - List of repeals & revocations
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End

- ☐ Reference for further reading
- ☐ <http://www.parliament.uk/about/how/laws/passage-bill/>
