

# The Legislation process

- The legislation power is always vested in parliament. This power is exercisable by passing bills into Acts/Law

## **Stages in Legislation**

The fundamental stages before a bill becomes law are in progressive order:

1. Presentation and first reading

- Second reading
- Committee stage
- Third reading

The origin of a bill is when a recommendation is made by the relevant ministry, organized groups, parliamentarians

When any of the above feels that there is need for legislation on a particular issue, recourse is made to the Attorney General's office in order to ascertain whether it is necessary. The proponents must prepare a non-legal draft analyzing the problems which the legislation seeks to solve or the objectives it must achieve.

- The concerned Ministry must submit a memorandum to the cabinet seeking approval and outlining the purpose of the proposed legislation. Having secured cabinet authority to draft the bill, the ministry sends the full drafting instructions to the Attorney General's office. All documents showing the consultative process must accompany the drafting instructions
- In preparing the bill the technocrats in the office of the attorney general's office are expected to make a thorough examination of all the relevant documents and legislation (domestic and foreign)

- It is incumbent upon the relevant Ministry to discuss with the Treasury the financial implications of the bill and agree on the wording of the Memorandum of objects and reasons, in which the financial implications are set out. The agreed terms must then be conveyed to the AG's office for incorporation into the bill in compliance with the standing orders of the National Assembly.

- The drafted bill is then sent to the relevant Minister and the AG who ensure that it conforms to the original proposal agreed to. If it is approved it is then circulated to the members of parliament to read through as they wait for the presentation and first reading.