

LEGISLATIVE ASSEMBLY OF MANITOBA



Fact Sheet No. 4 HOW LAWS ARE MADE

LAWS, BILLS, ACTS AND STATUTES

In order for the Legislative Assembly to enact a law, a Bill must be prepared. Bills are proposed laws. If passed by the Assembly and given Royal Assent, they become part of the law of the Province. Once part of provincial law, Bills are known as Acts or Statutes.

1. NOTICE

Notice of a Bill's intended introduction must appear in the Notice Paper one day prior to the introduction day.

2. INTRODUCTION AND FIRST READING

The Sponsor of a Bill (an MLA) moves that a Bill be read a first time and introduced in the House. The motion is not debatable, but the MLA may offer a brief explanation of the Bill's purpose.

3. SECOND READING

During this stage, the Bill is debated and either accepted or rejected. This is the most important stage, since adoption of a second reading motion means the Legislative Assembly approves the principle of the Bill.

4. COMMITTEE STAGE

A Bill passing Second Reading is referred to a Standing, or Special Committee (comprised of Members selected from both sides of the House) or to a Committee of the Whole House (comprised of all Members.) Usually after consultation with Opposition House Leaders, the Government House Leader determines the Committee that will examine a Bill.

Since the public has the opportunity to have direct input into the law making process, the committee stage is important. Members of the public may present oral and written submissions concerning proposed Bills. After the public has been heard from, the sponsor of the Bill and the Opposition Critics may make opening statements. The Committee then proceeds to a clause-by-clause consideration of the Bill. At this time, amendments may be proposed and considered.

Persons wishing to make an oral presentation can register through the Clerk's Office at 945-3636. (Please see Fact Sheet No. 5 for details on Committee registration and presentations.)

5. REPORT STAGE

At this stage, the House considers a Bill that has been considered by a committee, and reported - with or without amendments - to the House. At this time, Members may propose further amendments to specific Bill clauses. The sponsor moves concurrence and third reading after any amendments have been disposed of.

6. CONCURRENCE AND THIRD READING

The sponsor of the Bill moves that the Bill "be now concurred in and read a third time and passed." At this point, the Bill is debatable and amendments may be proposed to apply a 6-month hoist, present a reasoned amendment, or refer the Bill back to Committee. At this stage, debates are usually brief, in part since most Concurrence and Third Reading motions are moved in the final days of session. Adoption of a Concurrence and Third Reading motion signals passage of a Bill.

7. ROYAL ASSENT

To become law, a Bill that passes all stages in the House must receive Royal Assent from the Lieutenant Governor. In the Lieutenant Governor's absence, the Administrator of the Province (The Chief Justice of the Court of Appeal, or another Judge of that Court) performs this task.

Where is the Ceremony performed?

This ceremony is brief, and takes place in the Assembly Chamber.

What happens during this ceremony?

The Speaker reads the address to the Lieutenant Governor and a Table Officer reads the titles of the Bills in English and French. The Clerk then announces that the Lieutenant Governor has granted Royal Assent.

Is the Bill effective immediately?

Although a Bill receives Royal Assent, it does not mean that it comes into effect immediately. It may come into effect on the date of Royal Assent, 60 days after the ceremony, on a specific date named in the Bill, or on a date to be set by order of the Lieutenant Governor in Council as set out in the coming into force provision of the Bill.

How many times a session does the Royal Assent ceremony occur?

The ceremony may occur several times during a session, the last time being immediately before the end of session.

PRINTED COPIES OF BILLS

Bills may be obtained by contacting Statutory Publications at 945-3101, or in person at 200 Vaughan Street. There is a small fee per copy. Bills may also be obtained from the Legislative Assembly Internet site at <http://web2.gov.mb.ca/bills/sess/index.php>