

**A GUIDE TO
LEGISLATION AND LEGISLATIVE PROCESS
IN BRITISH COLUMBIA**

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There are 2 types of law that govern our lives in British Columbia:

- ♦ **Common law** is the law established by our courts in response to specific matters that come before them in the course of civil proceedings or criminal prosecution.
- ♦ **Legislation** is the law of general application made under the authority of the applicable parliamentary body. It may be primary legislation—that is, law, in the form of statutes, made directly by Parliament or a Legislative Assembly. (These are commonly known as Acts.) Or it may be subordinate legislation—that is, legislation made by another body or person under the authority of an Act. (Cabinet regulations and municipal bylaws are examples of subordinate legislation.)

The Office of Legislative Counsel has prepared this guide to provide an overview of the preparation, enactment and form of statutes in British Columbia.

The guide is presented in 5 parts.

Part 1 – The Legislative Process

This part describes the usual process by which a government initiative becomes an Act, from concept through drafting by legislative counsel to consideration by the Legislative Assembly and enactment.

We hope it will be useful to all people who are involved at any stage of this process.

Part 2 – Principles of Legislative Drafting

This part describes some of the key principles that apply to how legislation is drafted in British Columbia, including legal principles of statutory interpretation and the Office of Legislative Counsel style principles that guide the form and language of our statutes.

We hope it will be particularly useful to people who are directly involved in the drafting process or who are responsible for working directly with legislation after it has been enacted.

Part 3 – Guide to Preparing Drafting Instructions

This part provides information about the purpose, form and content of effective drafting instructions to legislative counsel and a checklist of key matters to be considered.

It is directed primarily at officials within government who are responsible for preparing those instructions and working with legislative counsel in the drafting process.

Part 4 – Statute Revisions

Most Acts in force in British Columbia are revised statutes that were prepared in the course of a statute revision. This part describes the authority and process for statute revisions.

Part 5 – Statute Publications

This part provides a brief description of government statute publications and how to access the different forms in which the publications are provided.