Public Services Level 3 – Formal Legislative Procedure

1 of 25 – Welcome

Welcome to this session on formal legislative procedure.

By the end of this session you will be able to:

* Identify the different types of Bills
* Explain how a Bill becomes law

2 of 25 – New legislation

Creating a new piece of legislation is a long and formal process.

It starts with an initial draft of an act of parliament, which describes what is going to be included and the intended effect of the proposed new law. It is initially drafted by lawyers in the civil service.

3 of 25 – Bills

A Bill can be a suggestion for a new law or a suggestion to change an existing law.

A Bill is introduced for discussion and debate in either the House of Lords or the House of Commons. When both Houses have agreed on the details outlined in the Bill, it is delivered to the reigning monarch for their final approval. A Bill can then become an Act of Parliament.

There are three types of Bill available: Public; Private, and Hybrid. In addition to that there is another type of Public Bill known as a Private Members’ Bill.

4 of 25 – Different types of Bills

Public Bills are the most common type. They relate to laws that impact the general public. These are usually introduced by government ministers, and these are known as Government Bills. There are also Private Members’ Bills that are introduced either by a Member of Parliament or a member of the House of Lords.

Private Bills are often put forward by organisations, such as local authorities and public bodies. These Bills do not impact the general public, but instead impact specific groups of people or organisations.

If a Bill will impact the general public, but will impact certain individual more so than others, this is called a Hybrid Bill.

5 of 25 – Question 1

A Government Bill is a what?

1. Public Bill
2. Private Bill
3. Hybrid Bill

The correct answer is A, Public Bill.

6 of 25 – Examples of Bills

There are some famous cases attached to every type of Bill that has been introduced.

Examples of Private Members’ Bills include the Abortion Act 1967 and the Marriage Act 1994. Meanwhile, an example of a Public Bill is the Legal Services Act 2007.

An example of a Private Bill was the Whitehaven Harbour Act which transferred all rights and obligations in respect of the harbour from 3 separate companies to Whitehaven Harbour Commissioners.

An example of a Hybrid Bill is the Crossrail Act 2008 which allowed for the construction of the underground links in London and affected people in the area.

7 of 25 – Private members’ Bill

This is a special circumstance that involves individual members of parliament putting forward a Bill. They are not government ministers and are usually known as back benchers because they do not sit in the front row of the House of Commons.

Private members can introduce a bill as follows:

**By ballot** - there is a ballot introduced in each parliamentary session in which 20 private members’ bills are selected and the private members take it in turns to present their bill. A very limited amount of time is given and so not all private members get to present.

**10 minute rule** - any MP can make a speech of up to 10 minutes supporting the introduction of new legislation.

Very few private members’ Bills have become law.

8 of 25 – Hybrid bills

Hybrid Bills are another special circumstance insofar as introducing Bills. Here, individual members of parliament can put forward the Bill. They are not government ministers and are usually known as back benchers because they do not sit in the front row of the House of Commons.

Hybrid bills are a cross between Public and Private Bills. They are introduced by the government but if they become law they will only affect a particular person, organisation or place.

9 of 25 – Question 2

Match the following types of Bills: **Private Members’**, **Public**, **Private** and **Hybrid**, to the descriptions and examples below:

1. Affects a particular person, organisation or place, for example the Whitehaven Harbour Act
2. Involves matters of public policy and affects the general public, an example is Legal Services Act
3. Introduced by the Government but affects a particular person, organisation or place, for example the Crossrail Act.
4. Introduced by a private MP, an example is the Abortion Act

The correct answers are shown in the table below:

|  |  |
| --- | --- |
| Type of Bill | Description/Example |
| Private member | Introduced by a private MP, an example is the Abortion Act |
| Public | Involves matters of public policy and affects the general public, an example is Legal Services Act |
| Private | Affects a particular person, organisation or place, for example the Whitehaven Harbour Act |
| Hybrid | Introduced by the Government but affects a particular person, organisation or place, for example the Crossrail Act. |

10 of 25 – The Role of the House of Commons

If the House of Commons votes against a Bill, that is the end of discussions around the proposed Bill and no further action will be taken.

The official role of the House of Commons insofar as Bills, is to debate the issues of policy behind the law and to debate specific details of the Bill.

As the government has the majority in the House of Commons it is likely that the policies that are supported by the government will become law.

11 of 25 – The Role of the House of Lords

The House of Lords acts as a check on the House of Commons, and all Bills must go through the House of Lords.

The House of Lords can vote against proposed changes to the law, however their power is limited by the Parliament Acts of 1911 and 1949. The reason for this is because the House of Lords is not an elected body and therefore should not have the final say. It means that a Bill can merely be delayed unless it does not proceed through the House of Commons when it is reintroduced.

The procedure is rarely used, although it was introduced when the hunting Bill was being discussed which led to a delay in the Hunting Act finally becoming law.

12 of 25 – Video

Watch the video below for more information on the House of Lord’s role in the legislative process:

[The role of the House of Lords in law making](https://www.youtube.com/embed/_WQqRQiOt2w?autoplay=1&rel=0&start=0&modestbranding=1&showinfo=0&theme=light&fs=0&probably_logged_in=0)

13 of 25 – The stages of the parliamentary process timeline

The following list shows the stages of the parliamentary process:

1. First Reading
2. Second Reading
3. Committee Stage
4. Report Stage
5. Third Reading
6. House of Lords
7. Royal Assent

14 of 25 – Activity – The stages of the parliamentary process

You now need to make some notes on the information you have learnt about the stages of the parliamentary process. Write notes for each of the stages shown below and we will look at this in more detail over the following sections:

1. First Reading
2. Second Reading
3. Committee Stage
4. Report Stage
5. Third Reading
6. House of Lords
7. Royal Assent

15 of 25 – First Reading

We will now look at each stage of the parliamentary process in more detail. Compare these with your notes from the previous section, starting with the first reading.

**First Reading**

Formal procedure where the name and main aims of the Bill are read out. There is then a vote on whether the house wants to consider the Bill any further.

16 of 25 – Second Reading

**Second Reading**

Main debate on whole Bill in which MPs debate the principles behind the Bill. It focuses on the main principles and at the end a vote is taken.

17 of 25 – Committee Stage

**Committee Stage**

A detailed examination of each clause of the Bill. This is usually done by a standing committee.

18 of 25 – Report Stage

**Report Stage**

The committee report back to the house on any amendments. The amendments will then be debated, accepted or rejected.

19 of 25 – Third Reading

**Third Reading**

The final vote on the bill.

20 of 25 – House of Lords

**House of Lords**

If it was started in the House of Commons it is then passed to the House of Lords where it goes through the same 5 stages. If the House of Lords make amendments it will go back to the House of Commons for them to consider the amendments. Alternatively, if it started in the House of Lords, it must be passed to the House of Commons.

21 of 25 – Royal Assent

**Royal Assent**

The monarch formally gives approval to the Bill and it becomes law. Although this stage is not just a formality.

22 of 25 – Question 3

Match the stages of the parliamentary process: **First Reading**, **Second Reading**, **Committee Stage**, **Report Stage**, **Third Reading**, **House of Lords** and **Royal Assent**, to their descriptions shown below:

1. If started in the House of Commons, it is passed to the House of Lords where it goes through the same 5 stages.
2. Formal procedure where the name and main aims of the Bill are read out.
3. The committee report back to the house on any amendments.
4. The monarch formally gives approval to the Bill and it becomes law.
5. A detailed examination of each clause of the Bill.
6. Main debate on whole Bill in which MPs debate the principles behind the Bill.
7. The final vote on the Bill.

The correct answers are shown below:

The **First Reading** is a formal procedure where the name and main aims of the Bill are read out.

The **Second Reading** is the main debate on whole Bill in which MPs debate the principles behind the Bill.

The **Committee Stage** is a detailed examination of each clause of the Bill.

The **Report Stage** is when the committee report back to the house on any amendments.

The **Third Reading** is the final vote on the Bill.

The **House of Lords** stage follows if a Bill started in the House of Commons it is passed to the House of Lords where it goes through the same 5 stages.

The **Royal Assent** stage is when the monarch formally gives approval to the Bill and it becomes law.

23 of 25 – Commencement of the act of parliament

Following the Royal Assent, the act of parliament will come into force on midnight of that day unless another date has been set.

An example of this was when the Human Rights Act was given Royal Assent, but did not come into force until 2000.

24 of 25 – Parliamentary process task

Download a copy of the **Parliamentary Process Timeline PDF** and then apply it to an act of parliament that has recently received Royal Assent, providing details of each stage of the parliamentary process.

Download the interactive **Parliamentary Process Task PDF** and complete the parliamentary process task.

25 of 25 – End

Well done. You have completed this session on formal legislative procedure.

You should now be able to:

* Identify the different types of Bills
* Explain how a Bill becomes law

If you are unsure or have any questions about any of these topics, speak to your tutor for more help.