Understanding legislation

What is legislation?
Legislation is the collective term for the laws passed by Parliament and is comprised of Bills, Acts and Statutory Instruments.

Bills
Bills are presented to Parliament and discussed three times by both the House of Commons and House of Lords. If the Bill is passed by both Houses, it is then sent to the Crown for Royal Assent.

Discussing a Bill can take some time and the Bill itself can be changed many times. Hansard is the official report of parliamentary debates and older volumes of the printed version are available on request from the Brunswick Library Store (see the library catalogue record for Hansard to make a request). Alternatively, search Hansard online at http://hansard.parliament.uk/.

Each Bill is given a serial number which will change if the Bill is revised and reprinted at any stage. Bills originate in either the House of Commons or the House of Lords, as is indicated in the citation. For example:

- HC Bill (2003-04) [64] Fisheries Jurisdiction Bill
- HL Bill (2003-04) 42d Tobacco Smoking (Public Places and Workplaces) Bill

Note the serial number for House of Commons Bills is enclosed in [square brackets].

Commencement dates
Once the Crown has granted Royal Assent, the Bill becomes an Act (or Statute) and a commencement date is fixed to determine when the Act will become law. The date an Act receives Royal Assent is not the same as the date an Act comes into force in law, although it may be sometimes. In addition, individual sections of the Act can come into force at different times.

The Act will include information about a commencement date, or the Act may specify a minister with the authority to decide upon a future commencement date. Commencement dates appointed by Ministers are published in the form of a Statutory Instrument, Commencement Order. Details of commencement dates can be found in Halsbury’s Statutes Is it in Force? and in Current Law. See the guide Using Halsbury’s Statutes or Using Current Law for more information.
Types of Act
There are two types of Acts:

- Public General Acts affect the whole population. For example:
  - National Lottery Act 2006
- Local and Personal Acts relate to a specific organisation, group of people or locality. For example:
  - St. Austell Market Act 2008

Chapter numbers
All Acts are given a chapter number, allocated in the order in which the Acts received Royal Assent within the year. Chapter is abbreviated to c. For example:

- Climate Change Act 2008 c. 27

The Climate Change Act was the 27th Act to be passed in 2008.

How to cite an Act
Acts have short titles and long titles. For example:

- Long title: An Act to make provision in relation to marine functions and activities; to make provision about migratory and freshwater fish; to make provision for and in connection with the establishment of an English coastal walking route and of rights of access to land near the English coast; to enable the making of Assembly Measures in relation to Welsh coastal routes for recreational journeys and rights of access to land near the Welsh coast; to make further provision in relation to Natural England and the Countryside Council for Wales; to make provision in relation to works which are detrimental to navigation; to amend the Harbours Act 1964; and for connected purposes.

- Short title: Marine and Coastal Access Act 2009

Acts are usually cited using their short title and the year; sometimes the chapter number is also used. Older Acts may sometimes be cited using Roman numerals.

Acts are divided into sections which can be referred to as:

- Marine and Coastal Access Act 2009, s.5
Regnal year
Before 1963, Acts were cited by regnal year and chapter number. A regnal year refers to the monarch on the throne at the time and the year of their reign in which the Act was passed.

Parliamentary sessions commence in the autumn and so will usually span two regnal years (a regnal year being calculated from the date of the sovereign's accession to the throne). For example:

- **15 & 16 Geo. 5 c. 18** is a reference to the Settled Land Act which was passed during the Parliamentary session held in the 15th and 16th years of the reign of George V and was the 18th act of that session.

A listing of regnal years can be found with a simple internet search.

Statutory Instruments
Statutory Instruments are a form of delegated legislation, also known as subordinate or secondary legislation. They are usually made by a Minister under powers conferred by an Act. Statutory Instruments are used to bring Acts into force (Commencement Orders) or to add detail to specific sections of an Act, or make changes to the provisions of an Act. Statutory Instruments enable quick changes to be made to the law without the need for a new Act.

Statutory Instruments can be general (relating to matters of public policy) or local (relating to specific areas of the country.

Several thousand Statutory Instruments can be made in any one year. They are numbered consecutively, and a Statutory Instrument is cited using the year and number. For example:

- **SI 2006/1331 The Export Control Order 2006**

Statutory Instruments can also be known as

- Regulations
- Orders
- Schemes
- Measures
- Rules

Any piece of legislation with one of the above words in the title is a Statutory Instrument. The commencement date of the Statutory Instrument is found at the top of the first page.

September 2017