

Legislative Drafting

A workshop on the
essentials



Two-week professional development workshop
14 to 25 September 2020



BRITISH ACCREDITATION COUNCIL
ACCREDITED SHORT COURSE PROVIDER

PAi is accredited by the
British Accreditation Council
for Independent Further and Higher Education

About the workshop

The drafting of legislation is one of the most important functions in a modern state. It is crucial that the law is as fair, accessible, workable and cost-effective as possible. Yet those who are called on to draft legislation are all too often simply asked to copy texts from another source. In doing so they will often have little idea why those texts use the language they do or are structured in the way they are. So, if those people do at some time have to create original legal rules, they may very well have little idea where to start.

Contrary to popular supposition the problem is not that these rules require the use of special legal language, for generally speaking the language used in them is, or should be, the same as would be used for ordinary formal writing. Yet the skill involved does demand the application of some quite easily learned principles.

Most basically, it is important to know what exactly it is that the rules are required to do and how they may be enforced, and to understand how they need to be constructed and why. This workshop aims to familiarise you with the necessary principles in a hands-on way by undergoing a concentrated series of classroom drafting workshop sessions that approach the subject in a new and entirely practical way.

In the two weeks available the workshop cannot attempt to give you the sustained exposure to the detailed learning and actual drafting that a full legislative drafting course can. But by concentrating on the basic essentials, it aims to enable you to practise drafting legal rules in a supervised environment and set you on the right road.

Who is it for?

The workshop is designed mainly for lawyers who are called upon to draft legislation, or those who want to learn exactly how legislative drafters need to go about their tasks. It will also be of benefit to people who are called on in the course of their work to instruct legislative counsel in the preparation of legislation.

How participants will benefit

The workshop will:

- Introduce you to the essential characteristics of good legislative drafting
- Familiarise you with the way drafters need to use language to maintain consistency
- Explain the importance of using plain everyday language in drafting so far as is possible
- Enable you to understand some of the potential difficulties relating to the use of common words
- Help you to identify areas of drafting in your own jurisdiction which can be improved upon
- Make you more likely to be able to assist meaningfully in the process of amending and updating statute law that in modern times is vital to any jurisdiction.

What the workshop will cover

This workshop will explore practical ways in which to undertake and improve the drafting of legislation. You will have the opportunity both to improve pre-drafted texts to make them more readily comprehensible and to create new legal rules from instructions given. The workshop will mainly involve classroom sessions in which you will undertake both individual and group work, and there will also be opportunities for discussion, evaluation, self-criticism and redrafting.

The workshop has been designed to be flexible so that it can be adjusted wherever practicable to your particular requirements. Whether you have previous experience of drafting or not, you will have training and supervision to suit your experience.

The workshop has two main components:

- Undertaking an intensive series of classroom exercises designed to enable you to understand the most important basic principles behind modern legislative drafting
- Considering, in the light of drafts produced, and of shared experience, the most practical way in which effective legislative rules may be produced.

You will be invited to give an informal presentation on your own procedures and to identify any particularly pressing problems relating to the drafting of legislation in your home country.

Programme outline

Week 1		AM	PM
Day 1	Welcome and introductions What is legislation and why is it drafted as it is? The attributes of good drafting		Undertaking a written exercise for submission and assessment I
Day 2	Commonwealth conventions in legislative drafting The basic elements of a legislative sentence		Analysing defects and redrafting provisions I
Day 3	Language problems needing to be addressed Plain language drafting		Analysing defects and redrafting provisions II
Day 4	Detailed analysis of a basic statute		Undertaking a written exercise for submission and assessment II
Day 5	Structuring and punctuating of legislative sentences		Recognising ambiguities and other defects III
Week 2		AM	PM
Day 1	Definitions and interpretation provisions		Undertaking a written exercise for submission and assessment III
Day 2	Understanding difficulties associated with the use of common words		Examination of points arising from written exercises I and II
Day 3	Demonstration exercises in drafting legal rules from simple policy statements		Undertaking a written exercise for submission and assessment IV
Day 4	Matters relevant to the amendment of legislation The value of the Interpretation Act		Applying the Interpretation Act
Day 5	Setting out provisions in the most effective way Examination of points arising from written exercises III and IV		Review, feedback and scope for follow-up Presentation of certificates of attendance

We reserve the right to change the programme as necessary.

Workshop Director

The Workshop Director will be Roger Rose. He was formerly First Parliamentary Counsel in Kenya and for many years has designed and undertaken various types of legislative drafting courses in London and in Commonwealth and other countries, including Brunei, Ethiopia, Ghana, Gibraltar, Kenya, Liberia, Malaysia, the Maldives, Nigeria, Pakistan and South Africa. He has also undertaken drafting assignments for individual Commonwealth countries and for the Commonwealth Secretariat, for whom he completely rewrote their Commonwealth Legislative Drafting Manual, published in 2017. He is a very experienced tutor and presenter.

How to apply

Please complete the PAI application form online via our website: www.public-admin.co.uk/booking-form/

You can also complete our hard copy application form. Please contact us at pai@public-admin.co.uk to obtain a copy. Once completed return to Amanda Anderson, Programme Manager, at the same email address.

If you would like to discuss this workshop, any of our other international workshops or our consultancy services, please contact Claire Cameron, Director.

We also have extensive experience of designing tailor-made training (from one day to two or three weeks) which can be run in your own country or in the UK to meet the specific needs of groups or individuals at all levels within your organisation. Please contact us if you would like further information.

Language

The workshop is conducted in English. You will need to have a good working knowledge of the language.

Location and arrival arrangements

The workshop is based in central London. We can arrange travel to and from one of the London airports into central London if you let us have your flight arrival details in good time. The cost of airport transfers is included in the workshop fee.

Fees

The fee for the workshop will be £3,985. It includes tuition, travel to and from the airport in London¹, presentation material and other documentation. It also includes a hard copy of the Commonwealth Secretariat “*Legislative Drafting Manual*” for you to use during the workshop and take home with you for future reference and follow up. We also provide a light lunch and refreshments during each working day as part of the fee.

Other costs

Airfares and daily travel to and from the workshop venue are not included. Our workshops are non-residential and you are responsible for your accommodation costs. We can help you with booking hotel accommodation so please let us know if you would like us to advise you or make a reservation. We suggest that you should allow approximately £160 per day for a modest standard of hotel (for example, three-star), local travel in the UK, meals (apart from a light lunch on working days) and other incidental expenses.

Value Added Tax

We do not have to charge UK Value Added Tax (VAT) if you can provide written confirmation from your government or its accredited representative that you are “employed by the government in furtherance of its sovereign activities”. In all other cases, we will have to charge VAT (currently 20%) in addition to the fee.

Ways to pay

You, or your government agency, can pay by bank transfer or by cheque, made payable to Public Administration International. We accept payment by credit or debit card but there is a surcharge for this way of paying. Please contact us if you would like to pay by credit or debit card.

Discounts

We offer a 10% reduction on the full tuition fee if we receive payment no later than 28 days before the first day of the workshop. If we receive payment after that, we will charge the full tuition fee.

Cancellation

If you have to cancel your booking, you must let us know in writing and we will acknowledge in writing your cancellation. For cancellations received up to 29 days before the start of the workshop we will refund the tuition fee, minus a charge of £200 to cover our administration costs. For cancellations received within 28 days of the start of the workshop, we will charge the full tuition fee. If you have paid the tuition fee and have subsequently been refused a visa to enter the UK, we will refund the tuition fee, minus a charge of £200 to cover our administration costs, providing you send us the original letter from the British High Commission/ Embassy confirming refusal of a visa and providing you have not entered the UK.

Substitutions and transfers

If you have booked a place on a workshop and are not able to attend, we will accept an appropriate substitute at any time without penalty but our normal terms and conditions will apply. Also, it is possible to transfer to a future workshop but only one transfer is permitted. Please get in touch with us and we will advise you about transfers.

Please see our website for our full terms and conditions. If you would prefer a hard copy of our full terms and conditions, please let us know.

<http://www.public-admin.co.uk/terms-and-conditions-for-booking/>

Insurance

We advise you to arrange travel and health insurance cover before you leave your home country.

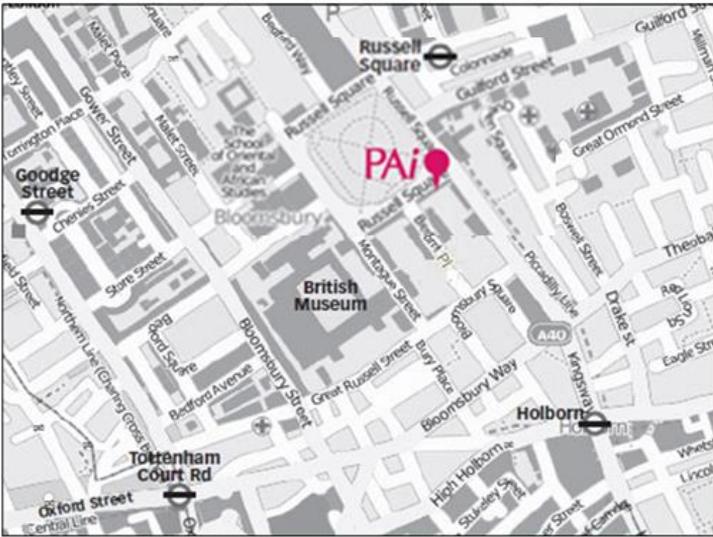
¹Travel to and from the airport in London are provided at cost.

Who we are

PAI (Public Administration International) specialises in management consultancy, training and development services for organisations in, and associated with, the public sector worldwide. We provide advice and support for governments going through political, economic, structural and legislative change. Our extensive network of associates includes practitioners, academics and independent consultants. Our key objectives are promoting good governance and good practice in delivering public services. This workshop is one of a number of specialist UK-based professional development workshops designed to meet the needs of public services worldwide.

We pride ourselves on our:

- High quality, practical advice and support for our clients
- Professionalism and integrity
- Ability to offer excellent value for money
- Sound experience and track record internationally
- Networks and partnerships across the world
- Flexible, collaborative approach
- Friendliness and focus on putting people first.



Public Administration International

56 Russell Square London WC1B 4HP UK

T: + 44 (0)20 7580 3590 F: + 44 (0)20 7580 4746 E: pai@public-admin.co.uk