

Legislative Drafting

Understanding the essentials



Two-week virtual professional development workshop
1 to 12 March 2021



ACCREDITED
BRITISH ACCREDITATION COUNCIL
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About the workshop

At PAI, we are committed to the goal that all our participants can continue to learn and develop during the global pandemic. We are pleased to present our new virtual workshop covering key issues for legislative drafting in the 21st century.

The drafting of legislation is one of the most important functions in a modern state. It is crucial that the law is as workable, accessible, fair 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 not be able to fully understand 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 fundamentally 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 drafting workshop sessions that approach the subject in a new and entirely practical way.

Our workshop will be delivered using Zoho ShowTime, a web conference software which has features that let us interact with you in real time.

Who is it for?

The workshop is designed mainly for lawyers who are called upon to draft legislation, or those, whether lawyers or not, who want to learn exactly how legislative drafters need to go about their tasks. It will also be of benefit to those (often non-lawyers) 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.

Pre-workshop induction

We will create a practice session for participants to join Zoho ShowTime so that you understand the full functionality of the learning platform. This will be arranged on Monday 22 February 2021. During the induction, our Workshop Director will introduce some initial familiarisation questions that we will send to you.

These questions will help our Workshop Director to understand more about each participant, how long you have been in your post, your responsibilities, professional experience and any previous relevant training/development you have undertaken. We will also ask you about your workplace activities and whether you have any specific training needs or areas of work you would like to understand better. The questionnaire will also ask you to self-assess your current knowledge/skills and interest in certain areas of the programme.

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 involve sessions in which you will undertake both individual and group work, and there will also be opportunities for discussion, evaluation, self-criticism and redrafting.

A large component of this virtual workshop will involve attending short live webinars each day over a two-week period. Outside the webinar sessions, participants will be expected to undertake analytical or written exercises set by the Workshop Director, who will give individual feedback on each piece of written work submitted. Participants will have to complete each element of the programme and will need to fully commit both their time and effort throughout.

Week one	12.00 to 14.15 UK time	14.15 UK time onwards
Monday 1 March	Welcome, introductions and workshop objectives An introduction to the drafting process <ul style="list-style-type: none"> • What is legislation? • How is it created? <i>10-15 minute break</i> What information must legislation contain?	Consideration of texts in preparation for discussion on them tomorrow
Tuesday 2 March	Analysis and discussion of Monday's texts <i>10-15 minute break</i> The six attributes of good legislative drafting	Written exercise 1 – Recognising ambiguities
Wednesday 3 March	Modern Commonwealth conventions in legislative drafting <i>10-15 minute break</i> The elements of a legislative sentence	Consideration of texts in preparation for discussion on them tomorrow
Thursday 4 March	Analysis and discussion of Wednesday's texts <i>10-15 minute break</i> Uses and misuses of the verb auxiliaries "shall", "must" and "may"	Written exercise 2 – Analysis and redrafting of legislative provisions
Friday 5 March	Plain language drafting <i>10-15 minute break</i> Structuring and grouping of legislative provisions	Consideration of texts in preparation for discussion on them on Monday

Week two	12.00 to 14.15 UK time	14.15 UK time onwards
Monday 8 March	Analysis and discussion of Friday's texts <i>10-15 minute break</i> Punctuation and capitalisation	Written exercise 3 – Structure and punctuation
Tuesday 9 March	Some difficulties associated with common words <i>10-15 minute break</i> Feedback session on written exercises 1 and 2	Consideration of texts in preparation for discussion on them on Thursday
Wednesday 10 March	Demonstration exercises – Drafting simple prohibitions <i>10-15 minute break</i> Demonstration exercises (continued)	Written exercise 4 – Drafting simple prohibitions
Thursday 11 March	Analysis and discussion of Tuesday's texts <i>10-15 minute break</i> Definitions and interpretation provisions	Consideration of texts in preparation for discussion on them tomorrow
Friday 12 March	Analysis and discussion of Thursday's texts <i>10-15 minute break</i> Feedback session on written exercises 3 and 4	Programme review and evaluation

Workshop Director

The Workshop Director will be Roger Rose. Roger 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.

Fees

The tuition fee is £1,260. It includes presentation material and other documentation which form part of the programme.

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 £100 to cover our administration costs. For cancellations received within 28 days of the start of the workshop, we will charge the full tuition fee.

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.

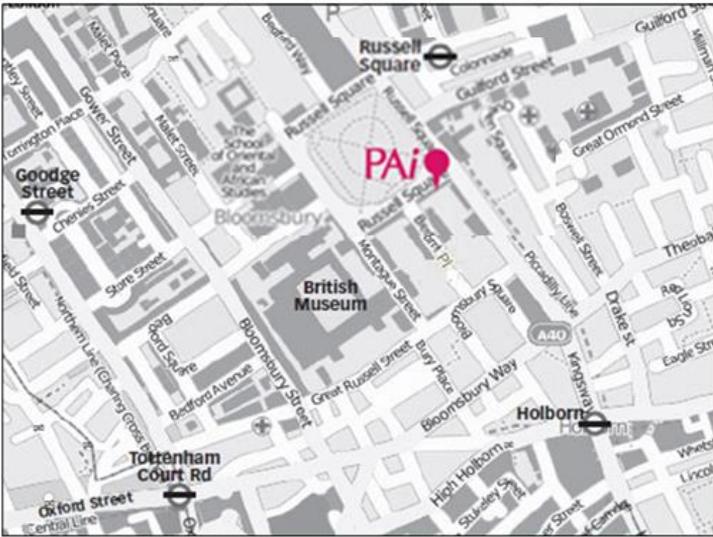
<http://www.public-admin.co.uk/terms-and-conditions-for-booking/>

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.



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