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Silence in this Lesson

- Ensure your mobile is switched off.
- Take notes – you can annotate your PDF printout.
- Please raise your hand if you have any question

Do not eat food in this classroom

Acts of Parliament

Prior to these lessons you should have read and préciséd chapter 15 of "OCR Law for AS".

PRECIS NOTES WILL BE CHECKED

What is Parliament?

So far as law making is concerned, Parliament consists of...

- House of Commons
- House of Lords
- The Monarch

All three must consent for law to be established.

House of Commons

- Consists of 646 MPs.
- Each elected by a simple majority to represent a constituency.
- Can you NAME YOUR MP?
- Who can stand for Parliament?
- To whom is an MP accountable? Himself? His Party? The electorate?

House of Lords

At the end of 2007, the H of L consisted of...

- 92 hereditary peers
- Life peers
- Law Lords
- Senior bishops in the Church of England

House of Lords

- In November 1999 the government abolished the hereditary principle.
- Only 92 hereditary peers were allowed to continue as members as the H of L.
- The Law Lords will also cease to be members of the H of L once the new Supreme Court begins work.

Activity ...

Undertake the activity on page 203 of '*OCR Law for AS*' - answering the questions.

Pre-Legislative Process

- Cabinet agrees which proposals will become public bills
- Then drafted by draftsmen called Parliamentary Counsel
- Generally while drafting is being established there will be a public consultation via a Green Paper and White Paper process.

See page 208 of '*OCR Law for AS*' for an example of an Act of Parliament - What is the Act about?

Pre-Legislative Process

- **Green Paper** sets out the general aims and invites response (often using the internet or by invitation)
 - **White Paper** gives more detailed proposals – followed by a further period of public consultation
- **What is the difference between an Act and a Bill?**

Public Bills

**A Bill may start in either the H of C or H of L.
All Bills must go through the following stages:**

- **First Reading** – formal reading out of the title and main aims.
- **Second Reading** – Main debate in which MPs debate the main principles behind the Bill. At the end, a vote is taken before the Bill can progress any further.

Public Bills

- **Committee Stage** - Committee of 16-50 MPs will examine each clause of the Bill in detail. These MPs will usually have a special interest in / knowledge of the subject of the Bill which is being considered.
- **Report Stage** – Committee report back on any amendments made. These amendments will be further debated in the House and accepted or rejected.

Public Bills

- **Third Reading** – Final vote on a Bill (almost a formality).



- **House of Lords** - Above process is repeated (except the H of L does not have Committees so the whole House becomes a Committee).

Public Bills

- Any amendments by the Lords will only be effective if agreed by House of Commons.
- Major function of H of L is to refine and add to the law, rather than oppose the will of the elected H of C.

➤ **What do the Parliament Acts 1911 and 1949 provide?**

Royal Assent

- Pure formality – not even undertaken by the Monarch in person.
- Royal Assent Act 1961 – Monarch only has the short title of the Bill to which she is assenting.

Commencement of an Act

- Act will come into force on midnight of the day of Royal Assent unless another date has been set.
- Different sections may come into force on different dates – can cause problems of uncertainty.

Draw a flow-chart showing the legislative process.

Private Members Bills

- These are Bills introduced by individual MPs.
- MPs names drawn at random.
- **Abortion Act 1967** – David Steel MP
- **Marriage Act 1994** – Giles Brandreth MP
- Private Members Bill can show support that leads to a Public Bill – e.g. **Protection from Harassment Act 1996**.

Parliamentary Sovereignty

- **Can Parliament make any law it chooses?**
- **Cheney v Conn (1968)** – if two acts conflict the most recent applies. Judge said: *'It is not for the Court to say that a Parliamentary enactment, the highest law in this country, is illegal'*.

A question to be answered ...

- **Can you list ways that a Citizen can influence Parliament when it is making a law?**

Some questions ...

- Define "Parliamentary Sovereignty".
- Can Parliament make any law it wants?
- Can Parliament pass an Act that is in breach of Human Rights?
- Which is supreme: the Courts or Parliament?