### **THE LEGISLATIVE PROCESS**

Legislation is a written law that provides rules of conduct. To become law, legislation must be approved by Parliament. Proposed legislation is introduced in Parliament in the form of a bill which provides the basis to amend or repeal existing laws or put new ones in place. Canada's legislative process involves all three parts of Parliament: the House of Commons (elected, lower Chamber), the Senate (appointed, upper Chamber), and the Monarch (Head of State, who is represented by the Governor General in Canada). These three parts work together to create new laws.

# HOW NEW LAWS AND **REGULATIONS** ARE **CREATED** JUSTICE.GC.CA





Proposed policy is developed by the Government and is then presented

Cabinet is the Prime Minister's forum for creating consensus among the Government's Ministers.

to Cabinet for approval to draft a new bill.

A bill is text of a legislative initiative that the Government submits to Parliament to be approved, and possibly amended, before becoming law.



Following the Cabinet's approval, the Department of Justice drafts a bill. This is done in collaboration with a government department's or agency's policy development and legal services teams.



#### FIRST READING **OF THE BILL**

The bill is introduced in either the House of Commons or the Senate.



#### **SECOND READING OF THE BILL**

Traditionally, Parliamentarians then debate the principle of the bill and vote to decide whether it should be studied further.





Once the bill has been passed in the same form by both Chambers, it goes to the Governor General for Royal Assent and then becomes Canadian law.

The law becomes enforceable once it comes into force. Laws can come into force in the following ways:

- when they receive Royal Assent;
- · on a day or days specified in the Act; and
- · on a day or days set by the Governor in Council (the Governor General. on the advice of the federal Cabinet).



If the bill passes the vote, it is then sent to the other Chamber, where it goes through the same process.







#### **REPORT STAGE**

When a Committee has finished its study, it reports the bill back to the Chamber. During the report stage, Parliamentarians can also make amendments to the bill.



The bill is then subject to a final debate and vote.



If the bill passes second reading, it is sent to a Parliamentary Committee, which studies it in depth, holds public hearings to hear views and may make changes to the bill.

## **THE REGULATORY PROCESS**

Regulations provide support to the new laws and are enforceable by law.

Unlike legislation, regulations are not made by Parliament but rather by persons or bodies that Parliament has given the authority to make them in an Act, such as the Governor under a separate process from Acts.



The relevant organizations conduct an analysis for the development of regulatory proposals.



The relevant organizations conduct stakeholder engagement to seek views on possible policy approaches.

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After consideration of comments received. the regulatory proposals are further refined. Stakeholders are invited to provide further comments.



Draft regulations are then developed by the Department of Justice in accordance with the written instructions provided by the relevant organizations.





The Minister or the Governor in Council, on Treasury Board's advice, as appropriate, reviews and approves the making of the final regulations. The regulations are made once the Minister signs the regulations' covering order, or once the Governor General signs the regulations' Order in Council, as the case may be. The final regulations are then published in the Canada Gazette, Part II, and come into force on the day or days set out in the regulations.



Comments are taken into consideration and the draft regulations are updated and finalized.



The approved draft regulations are published in the Canada Gazette, Part I.

☐ The Canada Gazette is the official newspaper of the Government of Canada. It contains information such as formal public notices, official appointments, proposed regulations and more. It is also a consultative tool, providing Canadians with the opportunity to provide their comments on the proposed regulations.



The Minister, for Ministerial regulations, or the Treasury Board, for Governor in Council regulations, reviews and approves the draft regulations for publication, with or without changes.



