# How A Law Is Made In Victoria

**Policy Development**

Political Parties
Members of Parliament
Ministerial Advisers
Public Service

Individuals
Pressure Groups
Media
Public Opinion

## IDEA

## Political Parties
Discussion
Party Policy

## Government

## Opposition

## Third Parties & Independent Members

**Draft Legislation**

## Public Service
Necessary administrative amendments

## Minister

## Cabinet
Read submission
Approve in principle
Draft Bill approved by Minister's Bill Committee
Final Cabinet approval

## Parliamentary Counsel
Prepares Draft Bill

## Preparation of Bill
With the approval of the Premier, Parliamentary Counsel usually prepare Bill.

## Party Caucus Approval

A Bill may originate in either the Legislative Assembly or the Legislative Council, the exception being that Bills to spend Government money or to raise taxes must be introduced in the Legislative Assembly.

**Parliamentary Processes**

## House Of Origin

### Initiation
- Legislative Assembly: Minister/Member without notice.
- Legislative Council: Minister/Member with notice.
- Appropriation Bill: Minister on receipt of message from the Governor.
- Private Member's Bill: Government Backbencher, Opposition, Non-Government or Independent members. Such Bills cannot include an Appropriation provision.

### First Reading
- Formal motion to bring in Bill – a request of, and approval from, the House to proceed.
- Listed for Second Reading on a future day, the exception being Appropriation or Supply Bills which may be read on the same day.

### Second Reading
- A statement of the Bill's compatability with the Charter of Human Right and Responsibilities Act 2006 is tabled by the minister or member.
- Minister's (or Private Member's) Second Reading speech; copies of the Bill, usually with explanatory notes, circulated to all members; if Bill involves expenditure from the Consolidated Fund, a message from the Governor is required.
- Bill debated in principle – that is, the general propositions of the Bill, but not the detail in the clauses, are debated.

### Consideration in detail (Optional, may be dispensed with if the House unanimously agrees).
- Bill examined in detail, clause by clause; relevant amendments may be made. In the Legislative Council, this is called the 'Committee of the Whole' stage.

### Third Reading
- Further debate, if necessary.

## Bill Passes House

## Second House

### Procedure
A similar scrutiny procedure to that used in the House of origin is adopted. If a Bill passes with amendments, those amendments are transmitted by message to the house of origin, and further messages flow between the two Houses accepting, rejecting or proposing modifications to the amendments. Each House must agree to any amendments in an identical form before a Bill can become law.

### Approval
When a Bill has passed both Houses and any amendments have been agreed to by each, it will be prepared for Royal Assent.

## Clerk of Parliaments
Certifies Bill

Bill returned to House of origin for amendment (very rare)

**Royal Assent**

## Governor
Royal Assent

**Enactment**

## Enactment
On day specified in the Act
OR
If Act so provides on day proclaimed by the Governor in the Victorian Government Gazette

## Law Now Applies