



**Legislative Assembly
Parliament of Victoria**

Fact Sheet C1

How a Bill Becomes Law

Bills are proposed laws which Parliament considers. A bill is usually introduced into the Legislative Assembly first. Members debate the bill and vote whether to pass it. Legislative Council members then debate the bill. Bills move through multiple stages in each House, but most debate is during the second reading stage. When both Houses pass a bill, the Governor gives it royal assent, making it law.

Summary of stages in each House

Giving notice before introducing a bill

Introducing a bill and first reading

Charter of Human Rights and Responsibility statement

Second reading and debate on the bill

Consideration in detail — Legislative Assembly

Committee of the Whole — Legislative Council

Third reading — the final stage

Sending the bill to the other House

Governor's royal assent and commencement

Summary of stages in each House

Bills only become law when the Legislative Assembly and the Legislative Council pass them, and the Governor gives royal assent. The stages of a bill are:

Stages in first House

1. Giving notice (Council only).
2. Introduction and first reading.
3. Statement of compatibility.
4. Second reading.
5. Consideration in detail (Assembly) or Committee of the Whole (Council) (not every bill requires this stage).
6. Third reading.

7. Message sent to the second House.

Stages in second House

1. Message received from first House.
2. Introduction and first reading.
3. Statement of compatibility.
4. Second reading.
5. Consideration in Detail (Assembly) or Committee of the Whole (Council). Not every bill requires this stage.
6. Third reading.
7. Message sent to the first House.

After passing both Houses

After a bill passes both Houses, the Governor, on behalf of the Queen, gives it royal assent.

Giving notice before introducing a bill

Legislative Council members must inform the Council in advance, if they want to introduce a bill. This notice appears on the Council's next notice paper (agenda):

MR BARBER — To introduce a Bill for an Act to amend the Residential Tenancies Act 1997 in relation to the imposition of certain minimum housing standards and for other purposes.

In the Legislative Assembly, members can introduce bills without giving notice.

Introducing a bill and first reading

A member (usually a minister) introduces a bill by reading its long title to the Chamber. Members vote firstly to agree to the bill being introduced and, secondly, to pass its first reading. This terminology stems from the United Kingdom House of Commons. Centuries ago the Clerk actually read the entire bill to the House, as many members could not read.

The bill is confidential at the first reading stage, and therefore not yet available in hard copy or on our website.

Most bills are introduced in the Legislative Assembly. This is because most ministers are Assembly members, and also because bills dealing with money (appropriation bills) must begin in the Assembly.

Charter of Human Rights and Responsibility statement

A statement of compatibility under the Charter of Human Rights and Responsibilities Act 2006 must accompany every bill. The statement addresses how the bill is compatible with human rights outlined in the Act.

The minister must present the statement in the Chamber before making the second reading speech. To get a copy:

- web www.parliament.vic.gov.au > 'Legislation & Bills' > 'Bills'. Choose your bill and click on 'Statement of Compatibility' link
- Or www.parliament.vic.gov.au > 'Hansard' > 'Advanced Search'. In Debate text field, type in the name of your bill. In Activity field, select the activity 'statement of compatibility'
- visit Procedure Office and ask for a copy of the statement of compatibility for your bill

Second reading and debate on the bill

The second reading speech is made by the minister responsible for the bill, and is a useful overview of its contents. To get a copy:

- web www.parliament.vic.gov.au > 'Legislation & Bills' > 'Bills'. Choose your bill and click on second reading speech link
- Or www.parliament.vic.gov.au > 'Hansard' > 'Advanced Search'. In Debate text field, type in the name of your bill. In Activity field, select the activity 'second reading'
- visit Procedure Office and ask for a copy of the speech

The Legislative Assembly adjourns debate on the bill after the second reading speech, normally for two weeks. This does not mean that the Assembly will continue debate exactly two weeks later, but that debate cannot begin any earlier. Members use this time to study the bill.

The bill is no longer confidential, and you can see it on our website. It includes clause by clause explanatory notes. For copies of bills:

- web www.parliament.vic.gov.au > 'Legislation & Bills' > 'Bills' > choose your bill
- visit Procedure Office and ask for a copy

After the adjournment period ends, the government decides when next to debate the bill (see *Fact Sheet A4: Government Business Program*). The second reading debate is usually the longest debate on the bill.

Consideration in detail — Legislative Assembly

Consideration in detail allows members to debate, and vote on, each clause in the bill. It is normally used when members move amendments to the bill. It is also used if the opposition wants to debate the bill's clauses in detail.

The Deputy Speaker chairs consideration in detail. If all members agree, consideration in detail can be skipped.

Find out more: *Fact Sheet C4: Amendments to Bills — A Practical Guide*.

Committee of the Whole — Legislative Council

This is the equivalent of consideration in detail in the Legislative Assembly. All members form a committee to debate the bill's individual clauses. This is done in the Legislative Council Chamber. The President of the Council leaves, and the Chair of Committees chairs the debate.

As it is a committee debate, the Chair must report what happened back to the President once the stage is completed.

Third reading — the final stage

Members may debate the bill at the third reading stage, but this is unusual. If the members pass the bill at this stage, it is then sent to the other House.

Sending the bill to the other House

When the Legislative Assembly has agreed to the bill, the Serjeant-at-Arms takes a message signed by the Speaker, and a certified copy of the bill, to the Legislative Council. If the bill starts in the Council, the Usher of the Black Rod does this in reverse, with a message signed by the President.

Find out more: *Fact Sheet F4: Communicating with the Governor and the Council.*

A member (usually a minister) then introduces the bill in the second House, and it goes through all the stages already described.

Governor's royal assent and commencement

Royal assent is when the Governor, on behalf of the Queen, approves a bill which both Houses have passed. When the bill is given royal assent it becomes an Act (law).

The date the Act commences depends on the details of the Act itself (see *Fact Sheet C3: Understanding a Bill*). The Governor may need to proclaim that certain sections come into force for them to commence. Assent and proclamation dates are published in the Victorian Government Gazette.

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Fact Sheets

The Legislative Assembly Procedure Office has produced a series of Fact Sheets that explain parliamentary procedure and terminology. All Fact Sheets are available on Parliament's website www.parliament.vic.gov.au or through the Procedure Office.

Contact Details

Procedure Office, Legislative Assembly, Parliament House, Spring Street, East Melbourne, Vic 3002

Phone No: 03 9651 8563 Fax No: 03 9650 7245 Email: assembly@parliament.vic.gov.au