

Creating New Laws

Some laws have existed for hundreds of years; others are much more recent. How are Canadian laws created? In a democratic society, many laws emerge as outcries from the public for judicial change. A prime example was a proposed bill or law that would recognize same-sex marriages. Because spousal benefits, health benefits, tax laws and other government-related policies do not always apply to same sex-couples, same sex couples have requested that these policies change in order to reflect fair treatment.

Laws are created at all three government levels: the municipal level, the provincial level and the federal level. Their laws must be within their respective jurisdictions as seen in the earlier section.

The provincial governments and the federal government are made up of two branches: the **executive branch** and the **legislative branch**. The executive branch administers the government's plans and tasks. It is the legislative branch that amends or adopts laws. Several steps are required for the government's legislative branch to pass laws. These steps are well described in the next reading assignment.

A New Law is Born

These resources explain the steps involved in passing a law or bill. Examine them carefully and make notes.

Legislative Process: Parliament of Canada –

https://www.ourcommons.ca/About/OurProcedure/LegislativeProcess/c_g_legislativeprocess-e.htm

Making Canada's Laws: Parliament of Canada -

<https://lop.parl.ca/About/Parliament/GuideToHoC/making-e.htm>

How does a bill become law? –

<https://www.parl.ca/LEGISinfo/Faq.aspx?Language=E&Mode=1#ID0E6>

How a Bill Becomes Law - https://www.youtube.com/watch?v=7VOzi3t9Ne0&feature=emb_logo

The Role of Individuals and Interest Groups

While individuals can work hard to have laws created, changed, or struck down, interest groups are better suited to undertake political action. For example, the Conservation Council of New Brunswick is an organization that advocates for the environment. Made up of citizens just like

you, the Council creates awareness of environmental problems and puts pressure on government to adopt legislation that protects our air, our land and our water. *Click the link below to read about one example of their efforts.*



Conservation Council of NB Calls to End Herbicide Spraying -

<https://www.rcinet.ca/en/2013/08/21/calls-to-end-ludicrous-herbicide-spraying-in-public-forests-in-new-brunswick/>

Here's another example—this one from Prince Edward Island—that demonstrates how individuals and interest groups have an effect on legislation. As of December 2018, failing to stop for a school bus when the red lights are flashing will cost PEI drivers their license, thanks to the efforts of individuals and groups. School bus drivers, with the support of parents and other citizens, urged the government to come up with a solution for drivers who were putting student safety at risk. The provincial law was amended so that the consequences for passing busses would be more serious.



Drivers Will Now Lose Licence if They Illegally Pass a School Bus -

<https://www.cbc.ca/news/canada/prince-edward-island/pei-legislature-school-bus-licence-1.4925800>

Task 1: Check Your Understanding: A New Law is Born

Now that you've explored the stages of passing new laws, examine the following actions and order them correctly by placing the number 1 through 7 beside each of the randomized stages. Can you sequence the steps correctly?

_____ Amendments are presented to the House of Commons.

_____ The Governor General or representative approves the bill.

_____ The bill is debated in the Senate.

_____ Second reading: the principle and object of the bill are debated, then adopted or rejected.

_____ The bill is introduced and read to the House. There are no debates or questions during this step.

_____ Third reading: The bill is debated a final time.

_____ The committee considers the bill clause by clause.

Task 2: Passing New Laws

Law 120 – Home Learning Task

Suppose that an elected representative to the government has proposed that a new law be enacted. She has raised a motion to make localized cell phone jammers mandatory for motor vehicles in New Brunswick. Jammers would activate automatically when the vehicles were in motion so that drivers would not be distracted by calls, texts, messages, and notifications from their mobile devices.

Using the medium of your choice, create a presentation which answers the following questions:

- Is this considered a government, a public, or a private bill?
- Suppose the bill becomes law, what stages would the proposed bill need to pass through before this happens? Give at least three details about what happens, the purpose, and who is involved at each stage in the process. *Remember that this bill is going through the provincial legislature, not the federal parliament. Be sure to use the web resources below to investigate the steps in passing a provincial bill.
- Are each of the steps the bill passes through of equal importance, in your opinion? Explain your reasoning.

- What is the difference between the processes of introducing this bill at the provincial level vs. the federal level?
- What opposition could be raised to attempt to stop the bill from becoming law? Give at least two examples.
- At what point along the process would this bill be in danger of being defeated?
- What happens to this bill once it becomes a law?

You may find some of the following links useful to aid you in the preparation of this presentation:

- Legislative Assembly of New Brunswick: Types of Bills - <https://www.gnb.ca/legis/publications/billbecomeslaw/bill2-e.asp>
- Legislative Assembly of New Brunswick: The Stages of a Public Bill - <https://www.gnb.ca/legis/publications/billbecomeslaw/bill3-e.asp>