



Social Studies: Notes

Making the Laws of The Bahamas



Vocabulary Words

unconstitutional - against the law	media - different means of communicating, for example radio, television, newspaper
debate - to discuss something	First Reading - term to describe introduction of a Bill to Parliament
select committee - government committees elected to study a parliamentary bill	Act of Parliament - Bill that has been officially approved to make it a law

In Commonwealth countries, and in a number of other countries, there are two types of law: common law and statute law.

- **Common law** is unwritten law, while **statute law** is written down.
- Laws can also be subdivided into civil and criminal laws.
- **Civil law** deals with disputes between private citizens.
- **Criminal law** concerns offences punishable by the State.



When the government decides that a new law is needed, the minister who is responsible for the department that proposes the new law, discusses it with **government lawyers**, called **legal draftsmen**, whose special task it is to write laws.



- They must make sure that the new law follows the rules of the constitution.
- If it does not, it would be **unconstitutional**, and could not be enforced.
- Also, the new law must not conflict with any existing laws

Many Bahamian laws are based on British laws. While our laws are written in English, it is not a form of English that we usually use. They are written in legal language, which has its own vocabulary and special meanings.

When the intended new law, called a **Bill**, has been drafted the lawyers in the cabinet study it carefully. If they do not think the Bill is worded correctly they return it to the legal draftsmen for re-writing. When the wording of the Bill satisfies the whole cabinet, copies are made and passed to other people in Parliament to review it.

The minister whom the Bill most concerns gives Parliament notice that he wants MPs to discuss or **debate** the Bill at a later sitting.

- It is read by Parliament for the first time. This is the **First Reading** of the Bill.
- From this time copies of the Bill are available for all MPs to study.



By the time the Bill comes for debate in the House of Assembly, the public will have learnt about it from the **media** (newspapers, radio and TV).



- This helps MPs to find out what people feel about the **Bill**.
- When a law is very important and complicated, there may be a long period between its **First Reading** and parliamentary debate.

The discussion in Parliament begins when the minister asks for the Bill to be read a second time. He or she explains why the government feels the law is necessary, and may give examples of how people have been affected because the law does not yet exist.

If the opposition agrees on most points with the government, there is little debate, but when a Bill is very important, and people have very different views about it, there will be a great deal of discussion.

- A Bill is usually **read three times** before it is passed.
- Sometimes a Bill is referred to a special group of people a **select committee**, for further study.

At the end of the debate a vote is taken and, if the majority of MPs are in favor of the Bill, it is passed to the Senate for final approval.

- When the Bill has been approved, it is **signed by the Governor-General**, and becomes an **Act of Parliament**.