

CHARTING THE PASSAGE OF Legislation

What the Public knows

Bills can start in either the House of Commons or the Senate. Bills that require new money to be spent, must start in the House.

Second reading is where the principle of the bill is debated. The sponsor speaks, as do critics and any other parliamentarians who is interested in the bill. Then it goes to a vote.

Bills that successfully pass second reading (2R) are sent to a committee for study. Committee members can amend (change) the bill and/or attach observations (points they feel are important to highlight).

When the committee is done its study, it needs to report back whether or not there were amendments and observations made. The report then has to be adopted by the Chamber.

Once it passes report stage, the sponsor, critics and parliamentarians get to debate the substance of the bill (potentially as amended) before voting again.

If the bill started in the House and passes all stages, it moves onto the Senate and vice versa. All legislation must pass through both Houses.

In the Senate, there is only one official critic noted; in the House of Commons, each recognized party has a critic role assigned. Debates and votes are the same in both Chambers.

Usually, the second committee to look at a piece of legislation will try to fill in any potential gaps from the first study, while calling back key witnesses, like the Minister and their officials. This committee can also amend the bill and/or add observations

This stage is the same in both Chambers.

This is the final debate round on a piece of legislation and, like in the previous Chamber, there can be last-minute amendments made prior to voting.

Once a bill has made its way through both Chambers and been voted through, it receives Royal Assent granted either through a ceremony or written declaration by the Governor General or the Chief Justice

Insiders' Perspective

The sponsor and the critic must speak in the House of Commons. In the Senate, this is not a rule but is the convention.

In the House, opposition parties can hold up legislation by putting up lots of speakers forcing the Government to pass time allocation and/or closure motions. Opposition days also add days to the movement of bills.

In the Senate, a critic can continue to claim they are not ready to speak and continually reset the clock every 15 sitting days.

There are many ways to delay a bill in committee - everything from filling up the witness lists to add meeting days to introducing countless amendments that must all be individually debated and voted on. Committees can add observations and even choose to report against a piece of legislation.

Those opposed to a bill can use the same tactics in 2R at report and 3R. Opposition members can also try to amend or reject a report.

In addition to the usual delay tactics, amendments can be introduced at 3R that must now also be debated and voted on. Standing votes can be triggered to take up more time and force additional sitting days be devoted to the consideration of the bill.

The parliamentary schedule is a major factor to be considered as it adds to the math when trying to calculate how long the passage of a bill will take. Trying to account for potential delay tactics at the various stages is not enough.

The Senate, for instance, only sits Tuesdays-Thursdays unless they have been called back for additional days. There are whole weeks dedicated to Parliamentarians doing constituency work called "non-sitting weeks" where both Chambers do not sit.

Then there is the issue of timing. The House of Commons has more rules governing their Order of Business that limit the amount of time available to debate legislation in a given day, while the Senate has dinner breaks and can only sit until midnight.

It is important to understand that there are many tactics that can delay the consideration of controversial legislation and it takes years of experience to understand how the many different and complex factors can affect the passage of a bill through the legislative process.

The backroom realities of how legislation is passed is not something that could ever fully be captured in writing. This infographic is only meant to serve as a glimpse behind the curtain for members of the public. It is hoped that this information is helpful for individuals and organizations advocating for legislative change to address their issues and concerns.

