

Training on Legislative Drafting concept, principles, procedure and techniques

**December 1-2/2023
Addis Ababa, Ethiopia**

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Introduction: Who are we?



- * **Name**
- * **Educational background**
- * **Work experience ...**
- * **What You like most.....**
- * **What You hat most**





GROUND RULES & EXPECTATIONS



Energize r Team

- ▶ **Team Members**

- ▶ 1. -----
- ▶ 2. -----

Time Managers

▶ Time manager (s)

▶ 1. _____

▶ 2. _____



A graphic consisting of a solid blue rectangle at the top, which transitions into a white area below. The transition is achieved through several overlapping, wavy, semi-transparent blue lines that create a sense of depth and movement.

What Do you Expect From this training?

- ★ Describe the nature of legislation and legislative drafting in general
- ★ Explain the duties and responsibilities of legislative counsel (drafter)
- ★ Present an overall picture of why legislative texts take the form they do

Objectives /ፍላጎጥ

- * list and recognize the factors that Influence the way legislation is expressed
- * Appreciate the practical steps you can take to facilitate the task of legislative drafting.
- * use the correct expressions to describe the main feature of drafting language

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What is legislative drafting all about? Essential Questions You Need to Answer

- ★ What is legislative drafting?
- ★ Why is legislative drafting important?
- ★ Who should draft legislation?
- ★ What are the advantages of a centralised drafting office?

Essential Questions You Need to Answer

- * What are the drawbacks of a centralised drafting office?
- * How is legislative drafting viewed by users of legislation?
- * What are the responsibilities of legislative counsel?
- * How do we fulfil these responsibilities? (*Guiding Principles for Legislative Counsel*)

Essential Questions You Need to Answer

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- ★ To whom should legislation be addressed?
- ★ What should be our aims as legislative counsel?
- ★ Are there any constraints on the legislative counsel?
- ★ What are the differences between legislative and non-legislative commands?

Essential Questions You Need to Answer

- ★ What more is needed to create legislative prohibitions?
- ★ How should we choose the right expression?
- ★ What work practices will facilitate drafting? (*Drafting Work-practice Tips*)

Legislations

- ★ **Legislation deals with legal rights, liabilities, duties and powers - that is, with legal relationships between various classes of persons in the community and between the State and the members of the community**
- ★ **has the legislative power to make the rules or provisions conferred on it by or under a Constitution; and**
- ★ **has followed a legally prescribed or recognised process of law-making.**
- ★ **There are two basic forms of legislation:**
- ★ ***primary* legislation; and**
- ★ ***subsidiary* legislation.**

Legislation

- * Constitutions invariably state which body or bodies have the power to make primary legislation.
- * in a **unitary state**, this power is typically vested in the national legislature (for example Parliament or a National Assembly);
- * in a **federal system**, the power is shared between the national (federal) and the state (provincial) legislatures according to a division of authority set out in the Constitution

Legislation

- * in a **dependent territory**, power to make primary legislation on local matters rests with the local legislature (for example a Legislative Council), but it may also be exercised or overridden by the legislative authorities in the metropolitan country;
- * in a **military regime**, the legislative power as provided for in the Constitution has usually been assumed by a Military Council and is exercised by the authority of its own decree.

What forms does primary legislation take?

- ★ The Constitution typically prescribes the basic features of the enactment process for primary legislation,
- ★ The power can be delegated under policy and principles, legal framework, rule of primary legislations,

Which bodies have power to make subsidiary legislation?

- ★ Primary legislative subject to the Constitution (for example in federal jurisdictions certain exclusive powers may be reserved to the federal or state legislatures).
- ★ This power permits the enactment of legislation (“**enabling legislation**”) delegating a limited legislative power to other bodies, even when, as is usually the case, the Constitution is silent on the matter. Those bodies may exercise that power by issuing their own legislation, commonly referred to as **subsidiary legislation**.

Validity of subsidiary legislation

- * Other terms describing this form of legislation include:
 - * **delegated** legislation;
 - * **subordinate** legislation;
 - * **secondary** legislation.
- * **Subsidiary legislation is only valid if it is made by authorized body, complies with the statutory requirements (procedural) and made for proper purpose.... Good faith**

Ethiopian cases

- *Analyze the primary and secondary/subordinate/subsidiary/ legislation in Ethiopia, considering the authority of both the federal and state governments, as well as the corresponding federal and state laws.

What is legislative drafting?

- * Drafting is the act of transforming or “translating” policy into formal written rules or “provisions”
- * the policy itself is often refined or even rethought
- * New legislation has to fit with the existing laws

What is legislative drafting?

- * Policy is converted into legislative provisions.
- * To avoid or minimize loopholes and contradictions in legislations, thereby minimizing the possibility of abusing laws/corruption
- * Dick (*Legal Drafting in Plain Language*, 3rd ed., p.5) suggests that “legal drafting is legal thinking made visible”

Why is legislative drafting important?

- ★ Legislation is central to the process of change, for example in a move from one form of economic system to another or from one form of government to another.
- ★ This process is undoubtedly affected by the quality of the instruments and by the speed with which they are drawn up and put into effect. Success may depend on
- ★ the quality of input from persons with specialist legal skills and knowledge

Why is legislative drafting important?

- ★ the excellence of the prior research into the legal and practical implications of the policy options
- ★ the satisfactory integration of the new legislative scheme with the overall legal system
- ★ Yet many States are handicapped in making the legal changes they require by their lack of the personnel and procedures needed to produce innovative legislation.
- ★ Many countries repeatedly report the scarcity of persons with skills in legislative drafting.

Who should draft legislation?

- * Based on Jurisdictions the parliamentary model is inherited practice separating legislative drafting from policy-making.
- * Policy is for the Ministry responsible for the subject area.
- * Drafting is treated as a distinct legal activity to be carried out by a cadre of specialist legal officers – *legislative counsel* – assigned primarily or exclusively to this work. Example, British Commonwealth.

Who should draft legislation?

- * Although the sharp distinction between policy and drafting functions is maintained in many places, notably Australia and Canada, it is less pronounced in many others where legislative counsel have significant responsibilities for policy-making as well as drafting.
- * A centralised drafting office serving the needs of the Government is now a settled feature of parliamentary drafting. Ethiopia?

What are the advantages of a centralised drafting office?

- ★ All drafting is undertaken by a cadre of **specialist government lawyers** – (legislative counsel)
- ★ The service is operationally independent of other Ministries
- ★ High standards of drafting are set, leading to greater consistency and better quality in the legislation
- ★ Centralising the activity makes the best use of limited resources and ensures that the task is in the most competent hands.

What are the drawbacks of a centralised drafting office?

- ★ Sometimes lack specialist knowledge of particular fields of law
- ★ As there are few legislative counsel
- ★ A distinct cadre of specialists may begin to see themselves in elitist or superior terms.
- ★ Single drafting office can impose serious time pressures and unsatisfactory compromises and expedient solutions in order to complete the task according to the timetable

Principles of “Traditional” Legislative Drafting

- ★ Never use one word where you can use more words to express the same meaning
- ★ Different words mean different things
- ★ Every word has meaning/effect
- ★ Ordinary meaning in the context (overriding general principle)

What are the responsibilities of legislative counsel?

Function	Associated tasks
Analyse	understand the policy and proposals by examining the instructions in detail
	carry out any required background research
	clarify the instructions
	initiate consultations to refine the policy and proposals
Design	advise on the practicability of achieving the policy objectives
	decide on the legislative approach
	work out the legislative scheme and requirements
	prepare an outline for the overall structure of the legislation
Compose	draft the legislative text
	revise and redraft following consultations
Scrutinise	check each draft for accuracy, certainty and consistency
	remove errors of substance and ambiguities of syntax and expression
Manage	meet deadlines in the legislative timetable
	monitor progress of the legislative text through the enactment process
	draft amendments required as the text proceeds
	check all versions of the printed text
	prepare the text for final approval and publication

How do we fulfil these responsibilities? (*Guiding Principles for Legislative Counsel*)

- ★ You owe duties to:
 - ★ your client (who may be your employer, including a government employer);
 - ★ your profession as a lawyer and legislative counsel
 - ★ the law, its underlying values and the system of written law (the statute book).

How do we fulfil these responsibilities?

(Guiding Principles for Legislative Counsel)

- ★ Take nothing for granted: test the proposals of others with your own analysis.
- ★ Do not reject entirely proposals that appear unworkable; find and offer a better way forward.
- ★ Be prepared to listen and question, and to accept valid criticism and helpful suggestions.

How do we fulfil these responsibilities? (*Guiding Principles for Legislative Counsel*)

- ★ Keep at it, but sleep on it (concentrate fully on the task, but leave time for further reflection)
- ★ Only your best will do, but perfection is rarely possible in the time available.
- ★ Remember the lessons of experience; keep your best precedents but don't try to memorise the details of your earlier work.

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To whom should legislation be addressed?

- * We should consider our audience.
- * the Government, and in particular the client Ministry, that is putting forward the policy to be expressed in the legislation;
- * legislators who enact the legislation
- * those who are to administer the legislation (for example, public authorities) or enforce it (for example, the police);

To whom should legislation be addressed?

- ★ the sector of the community that constitute the principal users of the legislation, including:
- ★ those who are to comply with the legislation (for example, the general public or particular classes of the public or commercial enterprises)
- ★ those who will be protected by the legislation or will benefit from it, and so have an interest in its enforcement;
- ★ those who must advise as to its requirements (for example, legal practitioners or other professionals)
- ★ judges, who must decide disputes as to its meaning or application.

What should be our aims as legislative counsel?

- *the intentions of the policy-makers are exactly met
- *as far as possible, both those general policy aims and the particular applications of the new policy are realised.

Exercise

- * The Supreme Court has released guidelines that specify the revocation of driving licenses for court drivers who engage in offenses and face corresponding penalties three times in a month.
- * Finally, judges were subject to the cases. Do you think? are they drivers.
- * ዳኞች አሽከርካሪ ናቸው ወይስ አይደሉም



*** Are there any constraints on the legislative counsel?**

How does legislative expression compare with other forms of communication?

- ★ Legislation, however, must be expressed in generalised language of a more abstract nature.
- Examples: the biblical commandment -"Thou shall not kill" - prohibits the termination of human life but is not intended to refer to the slaughter of animals or the destruction of insects or flowers. We know this because of the context in which the commandment was originally made and continues to be used.

What more is needed to create legislative prohibitions?

- ★ Legislative provisions that create prohibitions must:
- ★ state the precise terms and limits of the prohibition in general language; and
- ★ Prescribe the exact classes of persons who are subject to the prohibition and the legal context in which, and the circumstances when, the prohibition applies.
- ★ NO STANDING ON THE BUS, PENALTY 25 Birr
- ★ መቆም ከልክል ነው፣ ማን፣ መቼ፣ እንዴት፣ መቀመጥስ

How should we choose the right expression?

- ★ Great care is taken to avoid language forms and grammatical structures that are ambiguous or are capable of more meanings than are intended
- ★ We might have to add so many qualifications or exceptions to any prohibition that would be easier to draft a positive command as what must be done, rather than what must not be done, in the particular circumstances.

▪

How should we choose the right expression?

- ★ The offence is then committed by those who do not do what the provision requires.
- ★ መኪና ውስጥ መቆም የተከለከለ ነው NO
STANDING ON THE BUS
- ★ መኪና ውስጥ ሁሉም ሰው (?) ልቀመጥ ይገባል (?)
Everyone shall have seats on
the bus.

What work practices will facilitate drafting? (*Drafting Work Practice Tips*)

- Make sure you are well-equipped for drafting:
- ★ Provide yourself with plenty of space, a large flat desk with a lot of room for your papers, good light and ventilation and, if possible, protection from interruptions.
- ★ Have a computer with Internet access and word-processing capability (for example, MSWord or WordPerfect) that can generate a publishable text.
- ★ Have your reference material close to hand, in particular

Make sure you are well-equipped for drafting:

- * the Constitution of your jurisdiction and related documents;
- * the Interpretation (or General Clauses) Act of your jurisdiction;
- * an up-to-date set of the legislation in force in your jurisdiction (this may be publicly available on-line from a government or publicly-funded website);
- * a good dictionary and thesaurus;
- * Suggestions for other useful reference works are contained in the **Bibliography** in the **Supplementary Materials**.

(Drafting Work Practice Tips)

- ★ Allow yourself plenty of time
- ★ do not leave preparation to the last moment;
- ★ start writing early and produce as many drafts as are needed and time allows;
- ★ take time to consider your drafts and have second thoughts.

(Drafting Work Practice Tips)

- ★ Analyse your instructions and prepare an outline of the legislative text before writing it and keep your notes and outline handy for reference.
- ★ Proof-read your drafts rigorously at every stage, checking repeatedly for:
 - typographical and substantive errors,
 - ambiguities in syntax, grammar or use of words,
 - inconsistency with other provisions.
- Invite colleagues to comment on your draft.

Follow these word-processing practices:

- ★ ensure that each page of text carries a distinctive directory/file reference (for example in a footer), so that you or others can readily retrieve it from the computer;
- ★ be sure to back up your work to a secondary source (for example a USB key or external hard-drive) at the end of each working session, make sure that it carries an appropriate label, and keep the source safely in another place;
- ★ do not confine your scrutiny to the text on screen. Print your drafts and check the text from the printed copy. It is easier to overlook flaws on screen.

Follow these word-processing practices:

- * do not rely exclusively on an electronic spell- or grammar-check. Always carry out a personal scrutiny too.
- * make use of any templates that have been developed in your jurisdiction for formatting draft legislation;
- * if the draft will go directly to a printing shop or bureau after it leaves your computer, ensure that it complies with their requirements.

Follow these word-processing practices:

- * do not rely exclusively on an electronic spell- or grammar-check. Always carry out a personal scrutiny too.
- * make use of any templates that have been developed in your jurisdiction for formatting draft legislation;
- * if the draft will go directly to a printing shop or bureau after it leaves your computer, ensure that it complies with their requirements.

Be systematic in your approach and your procedures:

- * Make sure each page of your draft, and each separate provision, is appropriately numbered so that the text can be kept in an order;
- * As points strike you that will require to be attended to at a later stage, make a written note in a notebook or comments embedded in the text so that the point is not forgotten;
- * Keep your notes, drafts and other working documents systematically filed; number each draft and date all the documents that you produce. (this enables you to recover any of the material promptly, particularly material that you may have discarded and later think may be useful).

In what form should instructions be given?

☐ Formal, oral or written, any procedure.... Direction, minimum standard

- What questions should instructions answer?

☐ Policy issues are to be dealt with, in particular

- the objectives to be achieved,
- the basic approach to be adopted,
- the basic principles to be implemented, and
- the fundamentals of the scheme to be put in place.

- What is to be done if instructions are incomplete?

Analysing Instruction

- ❑ What should we be looking for when analysing instructions?
- ❑ What questions might we ask ourselves so as to understand instructions?
- ❑ What should answers to such questions provide?
- ❑ What questions might we ask ourselves so as to ascertain the elements?
- ❑ What should answers to such questions provide?
- ❑ How might we approach the task of analysis
- ❑ What other analytical aids can we use?

PREPARATION OF OUTLINES

Procedures and techniques of legislative drafting

Stage 1: WHY?

- ★ Be clear for what purpose this sentence is to be enacted

Procedures and techniques of legislative drafting

Stage 2: WHO?

Identify in precise terms the **legal person who**, or **thing which**, is to be the **subject of the provision** and make that person or thing the **grammatical subject** of the principal predicate.

Read the pro.1234/2013 article 2/9 and 5/1p
person vs Individuals, ... legal person, or
natural person, whom we want to predicate?

Procedures and techniques of legislative drafting

Stage 3: WHAT and HOW?

- The principal predicate should state how the grammatical subject is to be affected by the rule, for example, whether the legal person is to be vested with a right, power, privilege, duty, or liability and the nature of it. In such a case, this is expressed by a verb with the appropriate auxiliary (for example, "shall" "must" or "may"). If the sentence is declaratory, choose a verb that states the legal effect required.
- ★ Choose a verb for the principal predicate, with the correct auxiliary if required and any grammatical object that it controls, to state what is required of the subject or how the subject is affected by the rule.

Procedures and techniques of legislative drafting

Stage 4: WHERE and WHEN?

- ★ Add dependent clauses or phrases that indicate the context in which the provision operates or the events that cause it to take effect.
- You should also consider whether:
 - ★ there are any territorial limits to the provision or any qualifications to indicate the place or places where it is to have effect

WHERE and WHEN?

- ★ The provision, or any elements in it, is to be subject to some requirement as to timing (for example, whether it must be performed within, before or after a stated time or event).
- ★ Add phrases that indicate any qualifications as to place or time. If these are detailed or significant, consider dealing with them in their own sentences.

Procedures and techniques of legislative drafting

Stage 5: REVIEW DICTION

- * Revise the components of the sentence, by replacing, adding or removing nouns or modifiers until the provision is accurately stated.
- * Eg. Ambiguous modifiers of subjects: How we use “and” and “or” There are three possible meanings of this phrase, each of which could be expressed less ambiguously:
 1. Institutions that are both charitable and educational;
 2. Charitable institutions and educational institutions;
 3. Institutions that are [either] charitable or educational.

Procedures and techniques of legislative drafting

Stage 6: REVIEW SYNTAX

- ★ Reconsider the word order in the sentence, and re-arrange the components to produce the version which is easiest to read and fully intelligible and is without ambiguity.
- ★ Punctuation is to reinforce the sentence structure and to make more apparent the way that the sentence components relate to each other.
- ★ Sound punctuation facilitates reading and understanding.

REVIEW SYNTAX

- * legislation is formatted in a distinctive way
- * most jurisdictions develop drafting practices concerning the places in which particular punctuation marks should be used, with a view to consistency, especially where alternative marks could properly be used for the same purpose;
- * certain punctuation marks are almost never needed in legislation, for example: exclamation marks(!)

Procedures and techniques of legislative drafting

- * **full stop** or "period" . to indicate the end of a sentence and Abbreviation (P.M, A.M)
- * **colon** : at the end of a phrase to introduce a series of propositions that follow on that one phrase.
(*introducer*)
- * **dash** - alternative to the colon
- * **colon+dash** :- Colon+dash (:-). Some legislative drafter says "Never!" Because; it combines two different marks, both performing precisely the same function. Yet it is still part of some drafting practices.
- * **semi-colon** ; the semi-colon is used to mark off separate but linked clauses or paragraphs

Procedures and techniques of legislative drafting

REVIEW

SYNTAX

- * **Brackets** or "parenthesis" () or [] - to add further information or an explanation; to provide an incidental clarification; or to create a short definition.
- * **Comma** , at the end of a context clause and at the end of a limiting phrase.
- * **Inverted commas** or "quotation marks" " " or ' ' -to identify words or phrases that are to be subject to some legislative action. (definition, amended,)
- * **Hyphen** linking words - to join two words that together have a compound meaning.
- * **Apostrophe** with an "s" '. Contracted words : The apostrophe indicates a missing letter (for example: "doesn't" for "does not"). Possessives Such as "a dealer's licence",

Understanding basic types of legislative sentences

❖ **Conferring a right**

- ✓ A person employed in the public service of Ethiopia *is entitled to* receive a pension as provided by law.
- ★ *Note:* the highlighted words are often replaced by "shall receive". This sentence uses terminology more commonly adopted to create a duty. But the sentence is not primarily concerned with the duty-bearer. The formula in the example puts the emphasis on the subject's claim to a pension that must be honoured.

Understanding basic types of legislative sentences

❑ Conferring a power

★ The President may issue a Proclamation of a State of Emergency in Ethiopia, or in a part of Ethiopia, by an instrument published in the Gazette.

Understanding basic types of legislative sentences

- ★ **Conferring permission**
 - A person holding a fishing licence may fish in a lake in any public park.
- ★ **Conferring immunity**
 - The President may not be proceeded against in any court for any act done in the performance of the functions of the office of President or in a personal capacity during the term of office.

Understanding basic types of legislative sentences

❑ Imposing a duty

- ★ The President must transmit a copy of the instrument containing the Proclamation of a State of Emergency to the Speaker of Parliament immediately after it is published.

Note: The importance of the duty emphasised by drafting as a command.

❑ Creating a liability

- ★ A person who fails to answer a witness summons *is liable to* be proceeded against for contempt of court.
- ★ *Note:* the highlighted words are often replaced by

Understanding basic types of legislative sentences

★ Creating an administrative requirement

- ❖ An allegation that a public officer has contravened the Code of Conduct for Public Officers is to be made in writing to the Director-General of the Public Service Commission.

Note: this provision directs persons as to the proper procedure; non-compliance is unlikely to have any automatic legal consequences. Again, “must” is an accepted alternative. Many jurisdictions use "shall" rather than "is to".

Understanding basic types of legislative sentences

❑ Creating a prohibition

- ★ No person under the age of 16 years shall take part in any gaming, unless -
 - a. the gaming takes place in a private dwelling-house; and
 - b. the participation is with the permission of a parent or guardian of that person.
- ★ *Note:* prohibitions can also be created using the form “A person ... must not...”. Prohibitions that apply universally can be created using the form “It is forbidden to ...”.
- ★ The sentences that follow are written in the declaratory form.

Understanding basic types of legislative sentences

❑ Creating an offence and penalty

- * A person who escapes from lawful custody, or assists another to escape, or to attempt to escape, from lawful custody, commits an offence and is liable to imprisonment for 7 years.

Understanding basic types of legislative sentences

□ Declaring legal consequences

A person subject to air-force law who is assigned to serve on board a Ethiopian Navy ship remains subject to air-force law.

□ Declaring legal effects

The presence or participation of a person not entitled to be present during, or to participate in, the proceedings of Parliament does not invalidate those proceedings.

Note: this rule clarifies, rather than stipulates, the legal effects of the behaviour.

Understanding basic types of legislative sentences

□ Providing a definition (Meaning for meanings)

In this Constitution, "sitting day" means a day on which Parliament actually meets.

□ Providing an explanation or interpretation

In this Act, discrimination refers to the treatment of different persons in different ways wholly or mainly because of their different races, places of origin, gender, political opinions or religious beliefs, with the consequence that one such person receives more favourable or less favourable treatment than another such person.

Understanding basic types of legislative sentences

★ Stating purposes

The objective of this Part are to protect the fundamental rights and freedoms of everyone in Ethiopia as set out in this Part, subject to the limitations on them as are prescribed by law that:

a/ are designed primarily to protect the rights and freedoms of other persons; and

b/ are reasonably justifiable in a democratic society.

□ Stating the application of rules

This Part applies to any person who holds an office in the public service of Ethiopia.

□ Constituting a body

An office of Attorney-General is established by this section as an office in the public service of Ethiopia.

Understanding basic types of legislative sentences

- ★ Making a rhetorical statement (በተጋዥ መልኩ)

The FDRE is a Sovereign State governed by the principles of democracy, social justice and respect for human dignity. The State of FDRE shall actively promote a social order that secures the ideals of Freedom, Equality and Justice.

- ★ *Note:* statements of this kind, rarely found outside constitutional legislation are likely to have more political than legal significance.

Drafting Purpose clause

A purpose clause can be:

- ★ used to set out the objectives of an entire Act and its subsidiary legislation;
- ★ attached to each or some of their individual Parts to state their aims
- ★ the first subsection of a particularly long and complicated section to indicate its objectives

Drafting Purpose clause

- Context indicator
- Aid to interpretation
- Purpose clauses may be no more than a manifesto of political objectives, quite unsuited to inclusion in a legislative instrument. Dickerson (*The Fundamentals of Legal Drafting*, 2nd ed., para.13.5) suggests that:
- Most general purpose clauses wind up as pious incantations of little practical value, because what little information they contain is usually inferable from the working text.

How To draft Purpose clause

- * State the objectives in precise and concise terms, using language that is consistent with that you use elsewhere in the legislation
- * Express the individual purposes in terms of what is to be achieved (the intended results rather than the means of achieving them);
- * Cover the essential elements of all the principal objectives
- * Focus on precise objectives so that collectively they cover the required ground

Drafting Subsidiary legislation

- * Simple than primary legislation
- * It is different from primary
- * Must authorized by enabling legislation
- * Must consistent with enabling legislation
- * The delegated power must be from correct authority

Drafting Subsidiary legislation

- *Ensure any procedural requirements before, during and after
- *The scope must be under enabling legislation
- *The approaches may be flexible
- *Understand the enabling legislation

Drafting Subsidiary legislation

- *Analyse delegated power
- *Analyse the instruction
- *Check that is authorized
- *Treat as an extension of primary legislation

Drafting Subsidiary legislation

- *Analyse delegated power
- *Analyse the instruction
- *Check that is authorized
- *Treat as an extension of primary legislation

How to Draft Repeal

- ❖ Simple Repeal – without putting the new law
- ❖ Repeal and Re-enactment : the law continued by repaealed
- ❖ Repeal and replacement _ only some provision repealed

Saving and Transitional provisions

- * Concern the FF.
 - * The institutions under repealed law
 - * Proceedings commenced but not completed (Appeal)
 - * License still in force
 - * Rights conferred such as financial allowance
 - * Subsidiary legislation
- (The emergency proclamation crimes committed during the emergency, when the emergency proclamation get cancelled ..
- ... all activities that have been under going , action taken, disposal of property, interim arrangement to new law..