



Seek Truth & Ensure Justice

**RULES OF PROCEDURE FOR DRAFTING AND REVIEWING
OF BILLS AND DELEGATED LEGISLATIONS 2018**



Seek Truth & Ensure Justice
Royal Government of Bhutan

Foreword

Pursuant to Sections 54 to 60 of the Office of the Attorney General Act (Act), the Office of the Attorney General (OAG) is mandated to draft or review bills or delegated legislations (legal instruments) referred by the government. In correlation to these important functions, one of the core missions of the OAG is to draft *“high quality laws”*.

In furtherance to the objectives and for effective performance of the drafting and reviewing functions, this Rules of Procedure is framed in exercise of the power granted under Section 101 of the Act to stipulate: the process for drafting or reviewing legal instruments executed in collaboration with the concerned organizations from which the proposal to draft or review legal instruments are originating; the content of policy guidelines; and the responsibilities of drafters.

The OAG and the concerned organizations collaborating with the OAG will observe the requirements under this Rules of Procedure and aspire towards achieving higher quality of drafting and reviewing of legal instruments.

Therefore, the Rules of Procedure for Drafting and Reviewing of Bills and Delegated Legislations is adopted and issued on this 28th of February 2018 which shall come into effect on the 30th of March 2018.

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RULES OF PROCEDURE FOR DRAFTING AND REVIEWING OF BILLS AND DELEGATED LEGISLATIONS 2018

In exercise of the power vested by section 101 of the Office of the Attorney General Act of Bhutan 2015, the Attorney General hereby frames and issues the Rules of Procedure for Drafting and Reviewing of Bills and Delegated Legislations 2018 as follows:

CHAPTER I PRELIMINARY

Title

1. These rules are the Rules of Procedure for Drafting and Reviewing of Bills and Delegated Legislations 2018.

Commencement

2. These rules come into force on the 14th Day of 2nd Month of the Earth Male Dog Year corresponding to the 30th of March 2018.

Application

3. These rules apply to:
 - (1) an attorney of the Office of the Attorney General authorized to carry out the drafting or reviewing of a bill or delegated legislation for the government; and
 - (2) a ministry, government agency or constitutional office collaborating with the Office in drafting or reviewing of a bill or delegated legislation.

Purpose

4. The purpose of these rules are to:
 - (1) streamline the process of drafting and reviewing of a bill and delegated legislation in the Office, and the ministry, government agency or constitutional office collaborating with the Office in drafting or reviewing of a bill and delegated legislation;
 - (2) provide clear time frames for drafting and reviewing of a bill and delegated legislation;

- (3) specify the responsibility of a drafter for drafting and reviewing of a bill and delegated legislation; and
- (4) stipulate on the contents of Clear and Detailed Policy Guideline through Drafting Instruction and supporting documents for drafting and reviewing of a bill and delegated legislation.

CHAPTER II DRAFTING AND REVIEWING DIVISION

5. The Drafting and Reviewing Division of the Office shall be responsible for drafting and reviewing of bills and delegated legislations.
6. Notwithstanding rule 5 of these rules, the Attorney General may assign to a relevant attorney from another Division in the Office to draft or review a bill or delegated legislation.

CHAPTER III PROCESS FOR DRAFTING OF BILLS

Directives to draft bills

7. A proposal to the Office by a requesting agency to draft a bill shall be routed through the Cabinet.
8. If the proposal is made to the Office directly, the Office shall inform the requesting agency to route the proposal through Cabinet.
9. If the Cabinet approves the proposal of the requesting agency, then it shall direct the Office in writing to draft the bill.
10. The directive to draft the bill from the Cabinet to the Office shall provide:
 - (1) Clear and Detailed Policy Guideline through Drafting Instruction if the proposal to draft the bill originates from the Cabinet; or
 - (2) Clear and Detailed Policy Guideline through Drafting Instruction submitted to the Cabinet by the requesting agency and approved accordingly, if the proposal originates from the requesting agency.

11. Upon receipt of the directive, along with Drafting Instruction from the Cabinet, the Office shall inform the Cabinet or the sponsoring ministry, as the case may be, to designate a Drafting Instructor in writing to facilitate the Office in any matter related to drafting of the bill. However, if the proposal originated from a government agency or constitutional office, the sponsoring ministry may authorize the concerned government agency or constitutional office to designate the Drafting Instructor.
12. The Drafting Instructor shall be the focal person for the official correspondences between the Office and the Cabinet or the sponsoring ministry, as the case may be, thereafter.

Drafting Instruction

13. The Drafting Instruction shall be in writing and contain the following:
 - (1) the background document, information or facts and the problem that the proposed law is intended to deal with;
 - (2) a copy of the report or a reference, if a law review taskforce or a committee suggested the proposed law;
 - (3) a copy of the judgment or legal opinion, if the proposed law arises out of an error or a problem in the law that was pointed out in the court judgment or the legal opinion;
 - (4) state whether the proposal is derived out of Article 9 of the Constitution;
 - (5) comprehensive objectives intended to be achieved;
 - (6) state how the objectives are to be achieved including implementation strategies;
 - (7) if a new entity, institution or authority is to be established, details of its name and organization;
 - (8) state the powers and duties of relevant persons under the proposed law;
 - (9) state the enforcement provisions including search and seizure power, administrative penalty and license suspension;

- (10) suggest penalty for an offence created by the proposed law and state the rationale for the same;
- (11) state to whom the proposed law is intended to apply;
- (12) state whether some persons will be exempt from the proposed law;
- (13) state whether there is a need to make the proposed law retroactive;
- (14) state whether a "sunset" provision is required;
- (15) state whether a transitional provision is necessary and the type of transitional rule to be set out;
- (16) state whether any other existing legislation or delegated legislation needs to be amended as a result of the proposed law;
- (17) if the proposed law will take the form of amending legislation indicate the section that must be amended, where known;
- (18) if the proposal is to amend or repeal a provision of an existing law, state the reason of the need of a new provision, or the amendment or repeal of an existing provision;
- (19) state if authority to make delegated legislation is required and the scope of the delegated legislation;
- (20) if another ministry or agency is affected, indicate whether they have been consulted;
- (21) references to the experience and legislation in other jurisdictions that may be useful for the drafter;
- (22) state foreseeable implication and difficulty, whether legal, administrative or social;
- (23) if a matter related to the proposed law is unresolved, indicate what it is and when it will be resolved; and
- (24) state whether the proposed law will be practicable or enforceable.

Assignment of work

14. Upon receipt of the directive from the Cabinet to draft a bill along with the Drafting Instruction, the Attorney General shall mark the assignment to the Director of the Legal Service Department, Chief of the Division or a relevant attorney of another Division of the Office within three working days.

15. If the assignment is marked to the Director of the Legal Service Department, the Director shall mark the assignment to the Chief of the Division within three working days.
16. If the assignment is marked to the Chief of the Division, the Chief shall identify an attorney in the Division to work on the assignment within five working days.
17. The concerned attorney (hereafter referred to as 'drafter') shall record the assignment including assignment date and name of the drafter in the register maintained with the Division.
18. If upon the scrutiny of the drafter, the Drafting Instruction provided under this Chapter is incomplete or inadequate, the Office shall in writing seek for further Drafting Instruction from the Cabinet.

Planning of drafting

19. The drafter shall:
 - (1) prepare a work plan for drafting the bill; and
 - (2) in consultation with the Drafting Instructor constitute a technical committee from the relevant stakeholders if the subject matter of the bill is technical in nature, to seek for technical assistance during the drafting process.

Drafting of Bills

20. The drafter shall prepare first draft of the bill within six months from the date of assignment of the drafting work.
21. If the subject matter of the bill is complex, technical, lengthy or the quality of the Drafting Instruction is incomplete or inadequate, the drafter shall prepare first draft of the bill within twelve months from the date of assignment of the drafting work.
22. Throughout the drafting process, the drafter shall consult with the Drafting Instructor on any pertinent issue that require further information or clarification.

Responsibility of drafters

23. A drafter of a bill shall:
- (1) ensure that the proposed law is consistent with the fundamental rights enshrined under Article 7 of the Constitution;
 - (2) ensure that the proposed law is consistent with the Constitution, the existing laws and the fundamental principles of fairness;
 - (3) ensure that the language is simple, clear and effective;
 - (4) ensure that the format and numbering of the proposed law is consistent with the prevailing drafting manuals and guidelines in force;
 - (5) ensure that the proposed law is worded consistently with the existing laws;
 - (6) advise the Drafting Instructor on potential issues that arise during the drafting process;
 - (7) assist the Drafting Instructor to decide on the enforcement issues, if any;
 - (8) raise issues on transitional provisions, if required; and
 - (9) conduct meetings with the technical committee, if a technical committee is constituted under these rules.
24. A drafter shall decide in consultation with the Drafting Instructor on the following issues that may arise:
- (1) whether the proposed law complies with the Constitution, existing laws and fundamental principles of fairness;
 - (2) whether the proposed law contains an unusual offence or penalty provision not consistent with the sentencing pattern under the Penal Code of Bhutan;
 - (3) whether substantive legal matters are omitted from the proposed law to be covered in the delegated legislation;
 - (4) whether the courts are excluded from the decision-making in which they are normally involved;
 - (5) whether substantial degree of administrative discretion is conferred on officials which may attract unrestricted power; and
 - (6) if the proposed law is to apply retroactively and affects the rights or impose liabilities, the fairness of such a measure.

In-house discussion

25. Within one month after first draft of the bill is ready, the drafter shall discuss first draft of the bill within the Division or Office and seek comments on it.
26. After the in-house discussion, necessary changes shall be made to first draft of the bill and it shall be reviewed by another drafter from the Division within two weeks which may be extended to one month having regard to the complexity, technicality or length of the draft bill.

Finalization of first draft of the bill

27. After the review is complete under rule 26 of these rules, the main drafter shall finalize first draft of the bill.

Dispatch of final draft of the bill

28. Upon finalization of first draft of the bill, the drafter shall obtain the sign and seal of the Attorney General and dispatch it to the:
 - (1) Cabinet, if the proposal to draft the bill originated from the Cabinet; or
 - (2) sponsoring ministry, if the proposal to draft the bill originated from a requesting agency, with a copy to the Cabinet.
29. The drafter shall maintain a copy of final draft of the bill with the Division for future reference and record.

Presentation to Cabinet or sponsoring ministry

30. The drafter shall make presentation on final draft of the bill, on a date agreed in consultation with the Cabinet or the sponsoring ministry, as the case may be, to the:
 - (1) Cabinet, if required by the Cabinet and the proposal to draft the bill originated from the Cabinet; or
 - (2) sponsoring ministry, if required by the sponsoring ministry and the proposal to draft the bill originated from a requesting agency.
31. One or more attorneys from the Division may accompany the drafter to assist with the presentation.

Consultation

32. After submission of final draft of the bill to the Cabinet and the presentation by the Office on their request, if the proposal to draft the bill originated from the Cabinet, the Cabinet may direct the Office to conduct a consultation meeting and the Office shall conduct such consultation meeting with the relevant stakeholders.
33. After the submission of final draft of the bill to the sponsoring ministry and the presentation by the Office on their request, if the proposal to draft the bill originated from a requesting agency, the bill may be submitted to the Cabinet by the sponsoring ministry.
34. After the submission of final draft of the bill by the sponsoring ministry to the Cabinet, if the Cabinet directs the Office to conduct a consultation meeting, the Office shall in collaboration with the sponsoring ministry conduct such consultation meeting with the relevant stakeholders.
35. After the consultation meeting is conducted, necessary changes shall be made to final draft of the bill and the drafter shall obtain the sign and seal of the Attorney General and dispatch it to the:
 - (1) Cabinet, if the proposal to draft the bill originated from the Cabinet; or
 - (2) sponsoring ministry, if the proposal to draft the bill originated from a requesting agency, with a copy to the Cabinet.
36. The drafter shall maintain a copy of final draft of the bill with the Division for future reference and record.

Prioritization of drafting

37. Notwithstanding the time frames mentioned under these rules, if the Cabinet directs the Office to draft a bill on urgent basis, the drafter shall accord priority to such urgent proposal and draft the bill.

Drafting of bills by other Divisions

38. If a bill is drafted by other Divisions of the Office, the same procedure shall be followed.

Legal opinion on the legislative proposal

39. The Office may provide legal opinion to a ministry, government agency or constitutional office on the legal aspects of a legislative proposal, if the request is routed through the Cabinet.

CHAPTER IV

PROCESS FOR DRAFTING OF DELEGATED LEGISLATIONS

Directives to draft delegated legislations

40. A proposal to the Office by a requesting agency to draft a delegated legislation shall be routed through the Cabinet.
41. If a proposal is made to the Office directly, the Division shall inform the requesting agency to route the proposal through the Cabinet.

Delegated legislations to be issued under the authority of a law enacted by Parliament

42. If the Cabinet approves the proposal of a requesting agency to draft a delegated legislation to be issued under the authority of a law enacted by Parliament, then it shall direct the Office in writing to draft the delegated legislation, with a copy of the letter to the requesting agency.
43. Thereafter, the sponsoring agency shall provide the Office with Clear and Detailed Policy Guideline through Drafting Instruction.

Delegated legislations to be issued in exercise of powers consistent with the Constitution but not provided by law enacted by Parliament

44. The directive to draft a delegated legislation to be issued by the Executive organ of the government in exercise of powers consistent with the Constitution but not provided by law enacted by Parliament, from the Cabinet to the Office shall provide:
 - (1) Clear and Detailed Policy Guideline through Drafting Instruction if the proposal originates from the Cabinet; or

- (2) Clear and Detailed Policy Guideline through Drafting Instruction submitted to the Cabinet by the requesting agency and approved accordingly, if the proposal originates from the requesting agency.
45. Upon receipt of the directive and Drafting Instruction, the Office shall inform the Cabinet or the sponsoring agency, as the case may be, to designate a Drafting Instructor in writing to facilitate the Office in any matter related to drafting the delegated legislation.
46. The Drafting Instructor shall be the focal person for the official correspondences between the Office and the Cabinet or the sponsoring agency, as the case may be, thereafter.

Drafting Instruction

47. The Drafting Instruction shall be in writing and contain the following:
- (1) the primary legislation according to which the delegated legislation is sought to be drafted, if there is a primary legislation;
 - (2) background document, information or facts and the extent of the proposed law;
 - (3) comprehensive objectives intended to be achieved;
 - (4) state to whom the proposed law is intended to apply;
 - (5) state whether some persons will be exempt from the proposed law;
 - (6) state how the objectives are to be achieved including implementation strategies;
 - (7) procedures and processes;
 - (8) the stipulation of fine, if any and the rationale for the stipulated amount;
 - (9) if the enforcement of provision requires involvement or collaboration with another ministry or agency, indicate whether they have been consulted; and
 - (10) foreseeable implication and difficulty in procedural enforcement.

Assignment of work

48. Upon receipt of the directive from the Cabinet to draft a delegated legislation along with Drafting Instruction from the Cabinet or the sponsoring agency, as the case may be, the Attorney General shall mark the assignment to the Director of the Legal Service Department, Chief of the Division or a relevant attorney of another Division of the Office within three working days.
49. If the assignment is marked to the Director of the Legal Service Department, the Director shall mark the assignment to the Chief of the Division within three working days.
50. If the assignment is marked to the Chief of the Division, the Chief shall identify an attorney in the Division to work on the assignment within five working days.
51. The concerned attorney (hereafter referred to as 'drafter') shall record the assignment including assignment date and name of the drafter in the register maintained with the Division.
52. If upon scrutiny of the drafter, the Drafting Instruction provided under this Chapter is incomplete or inadequate, the Office shall in writing seek for further Drafting Instruction from the Cabinet or the sponsoring agency, as the case may be.

Drafting of delegated legislations

53. The drafter shall prepare first draft of the delegated legislation within three months from the date of assignment of the drafting work.
54. If the subject matter of the delegated legislation is complex, technical, lengthy or the quality of the documents provided is incomplete or inadequate, the drafter shall prepare the first draft within six months from the date of assignment of the drafting work.

55. Throughout the drafting process, the drafter shall consult with the Drafting Instructor on any pertinent issue that require further information or clarification.

Responsibility of drafters

56. A drafter of a delegated legislation shall:
- (1) ensure that the proposed law is consistent with the Constitution, the primary legislation if there is a primary legislation, the existing laws and the fundamental principles of fairness;
 - (2) ensure that the proposed law does not deal with substantive matters relevant to be covered under legislations;
 - (3) ensure that the proposed law does not amend an existing legislation;
 - (4) ensure that the proposed law does not prescribe for penal offences;
 - (5) ensure that the proposed law does not confer powers of enforcement including entry, search, seizure or arrest if such powers are not given under the primary legislation or if there is no primary legislation with regard to the proposed law;
 - (6) ensure that the language is simple, clear and effective;
 - (7) ensure that the proposed law does not sub-delegate powers to others unless authorized by the primary legislation or if there is no primary legislation with regard to the proposed law;
 - (8) ensure the format of the proposed law is consistent with the prevailing drafting manual and guidelines in force;
 - (9) ensure that the proposed law is worded consistently with the existing laws; and
 - (10) advise the Drafting Instructor on potential issues that may arise during the drafting process.

In-house discussion

57. Within one month after first draft of the delegated legislation is ready, the drafter shall discuss first draft of the delegated legislation within the Division or Office and seek comments on it.

58. After the in-house discussion, necessary changes shall be made to first draft of the delegated legislation and it shall be reviewed by another drafter from the Division within two weeks which may be extended to one month having regard to the complexity, technicality or length of the draft delegated legislation.

Finalization of first draft of the delegated legislation

59. After the review is complete under rule 58 of these rules, the main drafter shall finalize first draft of the delegated legislation.

Dispatch of final draft of the delegated legislation

60. Upon finalization of first draft of the delegated legislation, the drafter shall obtain the sign and seal of the Attorney General and dispatch it to the:
- (1) Cabinet, if the proposal to draft the delegated legislation originated from the Cabinet; or
 - (2) sponsoring agency, if the proposal to draft the delegated legislation originated from the sponsoring agency, with a copy to the Cabinet.
61. The drafter shall maintain a copy of final draft of the delegated legislation with the Division for future reference and record.

Presentation to Cabinet or sponsoring agency

62. The drafter shall make a presentation on final draft of the delegated legislation, on a date agreed in consultation with the Cabinet or the sponsoring agency, as the case may be, to the:
- (1) Cabinet, if required by the Cabinet and the proposal to draft the delegated legislation originated from the Cabinet; or
 - (2) sponsoring agency, if required by the sponsoring agency and the proposal to draft the delegated legislation originated from the sponsoring agency.
63. One or more attorneys from the Division may accompany the drafter to facilitate with the presentation.

Consultation

64. The consultation meeting on the draft delegated legislation shall be conducted by the Cabinet or sponsoring agency, as the case may be, if required.

Prioritization of drafting

65. Notwithstanding the time frames mentioned under these rules, if the Cabinet directs the Office to draft a delegated legislation on urgent basis, the drafter shall accord priority to such urgent proposals and draft the delegated legislation.

Drafting of delegated legislations by other Divisions

66. If a delegated legislation is drafted by other Divisions of the Office, the same procedure shall be followed.

Legal opinion on the proposal

67. The Office may provide legal opinion to a ministry, government agency or constitutional office on the legal aspects of the proposal on drafting delegated legislation, if the request is routed through the Cabinet.

CHAPTER V

PROCESS FOR REVIEWING OF BILLS AND DELEGATED LEGISLATIONS

Directives to review bills or delegated legislations

68. A proposal to the Office by a requesting agency to review a draft bill or delegated legislation shall be routed through the Cabinet.
69. If the proposal is made to the Office directly, the Office shall inform the requesting agency to route it through the Cabinet.
70. If the Cabinet approves the proposal of the requesting agency, then it shall direct the Office in writing to review the draft bill or delegated legislation.

71. The directive to review the draft bill from the Cabinet to the Office shall provide the Office with the following background documents or information:
 - (1) the Drafting Instruction given to the drafter of the draft bill;
 - (2) explanations on the purpose of each provision of the draft bill;
 - (3) if consultation meeting has been conducted, the documents relating to the consultation meeting and the comments received on the same;
 - (4) if the comments from the consultation meeting are incorporated in the draft bill, the basis for doing so;
 - (5) if the comments from the consultation meeting are not incorporated in the draft bill, the basis for not doing so; and
 - (6) if legal opinion has been sought from the Office on the legislative proposal in relation to the draft bill, a copy of such opinion.
72. If the Cabinet directs the Office in writing to review a draft delegated legislation, the sponsoring agency shall provide the Office with the following background documents or information:
 - (1) a copy of the primary legislation under which the draft delegated legislation is sought to be reviewed, if there is a primary legislation;
 - (2) the Drafting Instruction given to the drafter of the draft delegated legislation; and
 - (3) if a consultation meeting has been conducted, the documents relating to the consultation meeting and the comments received on the same.
73. Upon receipt of the directive along with the background documents or information from the Cabinet, to review a draft bill, the Office shall inform the sponsoring ministry to designate a Drafting Instructor in writing to facilitate the Office in any matter related to reviewing the draft bill. However, if the proposal originated from a government agency or constitutional office, the sponsoring ministry may authorize the concerned government agency or constitutional office to designate the Drafting Instructor.

74. Upon receipt of the directive from the Cabinet, and background documents or information from the sponsoring agency, to review a draft delegated legislation, the Office shall inform the sponsoring agency to designate a Drafting Instructor in writing to facilitate the Office in any matter related to reviewing the draft delegated legislation.
75. The Drafting Instructor shall be the focal person for the official correspondences between the Office, and the sponsoring ministry or sponsoring agency, as the case may be, thereafter.

Assignment of work

76. Upon receipt of the directive from the Cabinet to review a draft bill or delegated legislation along with the background documents or information from the Cabinet, or the sponsoring agency, as the case may be, the Attorney General shall mark the assignment to the Director of Legal Service Department, Chief of the Division or a relevant attorney of another Division of the Office within three working days.
77. If the assignment is marked to the Director of the Legal Service Department, the Director shall mark the assignment to the Chief of the Division within three working days.
78. If the assignment is marked to the Chief of the Division, the Chief shall identify an attorney in the Division to work on the assignment within five working days.
79. The concerned attorney (hereafter referred to as 'drafter') shall record the assignment including assignment date and name of the drafter in the register maintained with the Division.
80. If upon scrutiny of the drafter, the background documents or information provided under rule 71 or 72 of this Chapter are incomplete or inadequate, the Office shall seek further background documents or information from the Cabinet or the sponsoring agency, as the case may be.

Review of bills or delegated legislations

81. The drafter shall review a draft bill or a delegated legislation within three months from the date of assignment of the reviewing work.
82. If the subject matter of the draft bill or delegated legislation is complex, technical, lengthy or the background documents or information provided under these rules are incomplete or inadequate, the drafter shall review the draft bill or delegated legislation within four months from the date of assignment of the work.
83. During the reviewing process, the drafter shall consult with the Drafting Instructor on any pertinent issue that require further information or clarification.

Responsibility of drafters

84. Depending on the relevance to reviewing a bill or delegated legislation, a drafter reviewing a bill shall have the responsibility under rule 23 and 24 of these rules and a drafter reviewing a delegated legislation shall have the responsibility under rule 56 of these rules.

In-house discussion

85. Within one week after the reviewing of the draft bill or delegated legislation is complete, the drafter shall discuss the draft bill or delegated legislation within the Division or the entire Office and seek comments on the draft bill or delegated legislation.
86. After the in-house discussion, necessary changes shall be made to the draft bill or delegated legislation and the draft bill or delegated legislation shall be reviewed by another drafter from the Division within two weeks which may be extended to one month having regard to the complexity, technicality or length of the draft bill or delegated legislation.

Consultation

87. The consultation meeting on the draft bill or delegated legislation sent to the Office for review shall be conducted by the sponsoring ministry or sponsoring agency, as the case may be, if required.

Finalization of the draft bill or delegated legislation

88. After the review is complete under rule 86 of these rules, the main drafter shall finalize the draft bill or delegated legislation.

Dispatch of final draft of the bill or delegated legislation

89. Upon finalization of the draft bill or delegated legislation on review, the drafter shall obtain the sign and seal of the Attorney General and dispatch it directly to the sponsoring ministry or sponsoring agency, as the case may be, with a copy to the Cabinet.
90. The drafter shall maintain a copy of final draft of the bill or delegated legislation with the Division, for future reference and record.

Presentation to sponsoring ministry or sponsoring agency

91. The drafter shall make a presentation on final draft of the:
 - (1) bill, to the sponsoring ministry on a date agreed between the drafter and the sponsoring ministry, if required;
 - (2) delegated legislation, to the sponsoring agency on a date agreed between the drafter and the sponsoring agency, if required.
92. One or more attorneys from the Division may accompany the drafter to assist with the presentation.

Prioritization of review

93. Notwithstanding the time frames mentioned under these rules, if the Cabinet directs the Office to review a bill or delegated legislation on urgent basis, the drafter shall accord priority to such urgent matters.

Review of bills or delegated legislations by other Divisions

94. If a bill or delegated legislation is reviewed by other Divisions of the Office, the same procedure shall be followed.

CHAPTER VI MISCELLANEOUS

Confidentiality

95. A drafter shall apply the code of ethics applicable to the profession and maintain the confidentiality on the content of the bill and delegated legislation being drafted or reviewed by the Office, unless there is approval from the government.

Revision

96. The Attorney General may revise these rules in consultation with the Division, if required.

Definitions

97. Unless the context otherwise requires:
- (1) “Act” means the Office of the Attorney General Act 2015;
 - (2) “delegated legislations” means any legal instrument that is framed and issued by the Executive organ of Government including its agencies under the authority of the law enacted by Parliament or any legal instrument that is framed and issued by the Executive organ of the Government in exercise of powers consistent with the Constitution but not provided by law enacted by Parliament.
 - (3) “Division” means the Drafting and Review Division of the Office of the Attorney General;
 - (4) “government agency” includes an autonomous body, a statutory body or a non-statutory body;
 - (5) “Office” means Office of the Attorney General;

- (6) “primary legislation” means a law enacted by Parliament which delegates the authority to frame and issue the delegated legislation sought be be drafted;
- (7) “rules” means Rules of Procedure for Drafting and Reviewing of Bills and Delegated Legislations;
- (8) “requesting agency” means a ministry, a government agency or a constitutional office from whom the legislative proposal or the request to draft delegated legislation or review a draft bill or delegated legislation is submitted to the Cabinet;
- (9) “sponsoring agency” means a ministry, a government agency or a constitutional office collaborating with the Office in drafting a delegated legislation or reviewing a draft delegated legislation based on a request from a requesting agency and approved accordingly by the Cabinet;
- (10) “sponsoring ministry” means a ministry under which a subject matter of policy would fall and that ministry is designated as such by the Cabinet for the purpose of:
 - (a) collaborating with the office in drafting or reviewing a bill based on a legislative proposal from a requesting agency and approved accordingly by the Cabinet; and
 - (b) introducing the bill in the Parliament once the bill is drafted or reviewed by the Office.