



University of Guyana Department of Law

Graduate Diploma/Master of Laws in Legislative Drafting



*Success Awaits You
@ the University of Guyana*

#Success Awaits You @ UG

This booklet gives information on the Graduate Diploma/Master of Laws in Legislative Drafting programme offered in the Department of Law at the Turkeyen Campus of the University of Guyana.

Prospective students should consult the Head of the Law Department's office where clarification is required.

Disclaimer: The Department reserves the right to make changes to the content of this publication as may be deemed necessary.

University of Guyana (Turkeyen Campus)
Faculty of Social Sciences
Department of Law

Graduate Diploma/Master of Laws in Legislative Drafting

MODE OF DELIVERY:

Online/Blended

PROGRAMME DURATION:

Graduate Diploma: One (1) Year

Master of Laws: Two (2) Years

COMMENCEMENT DATE:

September 2023

ESTIMATED COST:

\$850,000 (annually)

COHORT SIZE:

25 seats available

CREDITS:

24 Credits/42 Credits

Introduction

The University of Guyana (UG) graduate programme in Legislative Drafting is expressly designed to train participants in the skill/techniques/methods of interpreting and drafting legislation and regulations, through seminars, lectures, and hands-on workshops. It intends to draw from the existing resources and leading practitioners in the field of legislative drafting available in the Caribbean Region.

Additionally, the LL.M degree aims to focus on Legislative Drafting in the first year and end with the completion of a thesis and six credits in upper-level relevant predetermined law courses/legal research seminars in the second year.

In recent years Legislation has evolved to become one of the cornerstones of political, economic, and social transformation worldwide and the demand for legislative drafters has grown significantly. When the Commonwealth Law Ministers met in St. Vincent in November 2002, concern was raised about the high turnover of staff in legislative drafting. In the wake of such recognition, several countries and regions have introduced short legislative drafting courses to address the concern and growing needs. Yet as an academic discipline, it is relatively unexplored.

Further, recent global and regional economic development and the emergence of new trading networks among nations have created a concomitant need for more sophisticated and technically proficient legislative research and drafting. Countries entering the global marketplace and adapting to democratic influences at home and abroad need new laws regulating the environment, economic development, labor regulations, and other aspects of the free trade regime.

With a focus on regional legislative drafting practice, this programme is tailored to suit the prevalent legislative drafting practice of each member country of CARICOM. Thus, for example, participants will be equipped with the knowledge and skills required for the approximation of the national legislation with the legislation of the Caribbean Community, which is one of the basic criteria for CARICOM membership.

Entrance Requirements

- Graduate of the University of Guyana holding a LL.B degree;
- Graduate of the University of the West Indies or of any approved University holding a degree that includes such law subjects as shall satisfy the Board of Graduate Studies and Research;
- Graduate of this University - the University of Guyana, University of the West Indies, or of an approved University who, having obtained a professional legal qualification, is admitted to practice in any part of the Commonwealth, and who has also been certified as being in practice for a minimum of five years.

Programme Details

Legislative drafting encompasses the theoretical analysis and practical application of the whole process of legislating. The programme will examine issues related to the legislative process, constitutional law, the methods of drafting in a modern democratic context, legislative ethics, and law reform. It also aims to explore the concepts of harmonized legislation, and non-municipal law drafting.

Specifically, the Legislating Drafting programme will focus on eight (8) modules and themes:

LGD 4101: Module 1: (3 Credits)

Introduction to Legislative Drafting and Procedures. The major topics/areas covered in this module are the Constitutional context of legislation; Legislation and its function; and Legislation as a source of law.

LGD 4102: Module 2: (3 Credits)

This module continues the theoretical basis and works with principles taught in module 1. It focuses on legislative procedures; amending legislation; delegated legislation; influences (s) on the origins and content of legislation.

LGD 4103: Module 3: (3 Credits)

Introduction to the drafting process and constraints. This module covers the drafting process and includes drafting of a law; drafting constraints; legislative principles; rule-based approach to statutory interpretation vs. judicially-derived principles.

LGD 4104: Module 4: (3 Credits)

This module works in conjunction with module 3. It focuses on legislative syntax, structure, content, language; legislative style; legislative ethics. how active voice, base verbs, present tense, and singular numbers can be used to enhance clarity and readability in drafts of proposed legislation. The rise of short sentences, attention to the placement of words, and choice of words as techniques in achieving clarity and readability in drafts. Gender-neutral drafting, language quirks, and the proper placement of conditions, exceptions, and lists in a draft are examined.

Programme Details Cont'd

LGD 4105: Module 5: (3 Credits)

Legislative drafting structure: legislation and treaty. In this module, the focus will be on the legal requirements of drafting, which include: legislative structure and arrangement; substantive provisions; drafting subsidiary legislation.

LGD 4106: Module 6: (3 Credits)

This module goes hand in hand with work done in module 5 and focuses on drafting treaties; harmonized legislation; non-municipal law drafting. The challenges faced by a constitutional drafter: are policy development, representational democracy, and the balance between flexibility and stability in the organic law of nations. The organization and dating of administrative and regulatory instruments, structuring complex provisions, use of pronouns, question and answer organizational strategies. The use of "if-then" tables, graphics presentations, tabulation, provisos and conditions, type size, bold face, and italics, and staggered indentation of paragraphs.

LGD 4107: Module 7: (3 Credits)

Legislative drafting quality. This module emphasizes legislative quality in drafting exercises and requires the drafting of preliminary provisions in legislation and treaty. The quality of drafting instructions bears an important relationship to the quality of legislation produced by drafters. Drafting topic specific: Agricultural legislation; tax laws - what: incentives" do policymakers want to build into tax laws for such purposes as economic development, social engineering, or other objectives? Environmental law - the differing terminology and enforcement mechanisms in environmental laws that regulate air and water quality and the disposal of solid waste; election laws - law regarding voter registration, ballot security, the promulgation of election results, and post-election challenges; compliance with GATT, NAFTA, and other international trade agreements; parliamentary drafting; arbitration statutes.

LGD 4108: Module 8: (3 Credits)

Guided individual/work/presentation. Drafting of final provisions in legislation and treaty based on topics covered/discussed/studies in module 7.

Programme Details Cont'd

The second year of the LL.M degree programme will include two (2) Upper-level courses and a supervised thesis. Overall, the LL.M degree in Legislative Drafting is expected to be a fully residential programme comprising 42 credits. Students registered for this programme must complete courses in the following areas:

Capstone (24 credits)

- Legislative drafting (4 modules listed above); and

Electives (6 credits)

- Public Law I (3 credits);
- Comparative Constitutional Theory and Public Law II (3 credits);
- Advanced Administrative Law (3 credits);
- Advanced Research Seminar (3 credits); and

Thesis (12 credits)

- An essay of approximately 15,00 words in length on a preapproved topic in Legislative Drafting.



UNIVERSITY of GUYANA

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