

CHUKA



UNIVERSITY

FACULTY OF LAW

SUPPLEMENTARY EXAM AUGUST 2023

BLAW 123 LEGISLATIVE DRAFTING

Answer question 1 and any other two questions

1. Mbunge, a first time Member of Parliament, intends to introduce a Private Members Bill in Parliament to provide for rules and procedures on exercising “the right to peaceful demonstration and picketing”. Mbunge has no experience in drafting a Bill and is advised by his personal assistant to seek legal advice from his lawyer, Advocate Wagner to assist him in drafting the proposed Bill. Advocate Wagner instructs you to Draft a Bill that he will present to Mbunge.

Draft a Bill with:

- i. Preliminary provisions: short title; long title; objects of the Bill (6marks)
 - ii. Substantive provisions (10 marks)
 - iii. Final Provisions: transitional provisions and savings (4marks)
2. Explain five (5) standards that a drafter should comply with to ensure that the target audience public is able to understand the contents of a Bill. (20 Marks)
3. Using relevant examples explain the following three (3) elements of a Legislative sentence:
 - i. Predicate (8marks)
 - ii. Subject (6marks)
 - iii. Circumstance (6marks)
4. Using the rules of syntax, punctuate the following provisions:
 - a. A County Executive Committee member for finance may with the approval of the county executive committee and county assembly by order in the Gazette declare a county corporation an authority or any other body whose functions fall under that county government to be a county government entity for the purposes of this Act (10 Marks)

b. The National Treasury shall comprise of the Cabinet Secretary the Principal Secretary and the department or departments and office or offices of the National Treasury responsible for economic and financial matters. (10 Marks)

5. Discuss any five (5) constitutional and statutory provisions that a Drafter is required to reference when drafting new law (20 Marks)