

# LEGAL WRITING AND LEGISLATIVE PROCESSES WORKSHOP 1

 Venue : Arusha City, Tanzania

 Date : 8th to 12th April, 2019



*EALS Institute, the training wing of the East Africa Law Society (EALS), invites you to a 5-day bespoke workshop on legal writing and legislative processes.*

## ABOUT THE WORKSHOP

Legislation is technically prepared and processed and is required to be prepared in specified forms and formats. The process of developing, drafting, debating and scrutinising legislation can be intricate and protracted. The Course is intended to familiarize participants with the principles and tenets of initiating legislative proposals, translating legislative proposals into Bills and processing the Bills into Laws.

Increasingly, laws are delegating powers to make laws to Ministers, Institutions and bodies outside the Legislatures. The Course will equip lawyers and Policy makers from these institutions on the principles that govern the exercise of delegated legislative power and drafting of delegated legislation.

In Parliament, the legislative process is executed

through prescribed procedures which provide for the form and manner of presentation, scrutiny, debating or commenting on specific legislative processes and understanding the policy behind the legislation. In Common Law Jurisdictions, Parliamentary Practice and procedure is entrenched in traditions and procedures that constitute standing orders which every person dealing with legislation should be well acquainted with. The Course is intended to provide participants with practical skills and best practices in Parliamentary practice and procedures.

The Course will also give participants an opportunity to share experiences on the challenges and best practices in drafting legislation and parliamentary practice and procedures.

## Course Topics

The Course will cover the following topics

### ▶ Drafting Process

- i. The role of a person drafting legislation
- ii. Legislative Research
- iii. Legislative Plans
- iv. Stages of drafting legislation

### ▶ Translating policy into law

- i. Policy and legislation

### ▶ Legislative Language and Style

- i. Legislative sentences
- ii. Punctuation
- iii. Syntax
- iv. Ambiguity
- v. Plain language
- vi. Gender neutrality



## ▶ Structure of Legislation

### ▶ Parliamentary Practice

- i. Use of Committees
- ii. Introduction of Bills
- iii. Debate and passing of Bills
- iv. The intention of Parliament

### ▶ Bills in Committees of Parliament

- i. Role of Committees dealing with legislation
- ii. Amendments to Bills in Committee
- iii. Committee Reports on Bills

## ● ▶ Subsidiary/ Subordinate or Delegated legislation

- i. Types of subsidiary legislation
- ii. Delegation of legislative power
- iii. Drafting delegated legislation
- iv. Review of delegated legislation

## ● ▶ Introduction to the East African Community law

- i. Establishment, functions and Structure of the EAC
- ii. East African Legislative Assembly and the interface with domestic law-making bodies
- iii. East African Court of Justice
- iv. The Role of Domestic Policy and Law Makers in Advancing the EAC Integration

Course participants will get opportunity to undertake some courses at the EAC premises and interact with the regional law-makers as well as judges and secretariat staff. The course is designed to utilize lectures by key resource persons at the EAC.





## Who Should Attend

The Course is designed for Lawyers, Clerks and Parliamentary staff, Members of Parliament or Assemblies who deal with legislation and the law-making process. Members of devolved units and county governments will also find the course relevant as it covers policy and law making processes at sub-country levels. Lawyers in public institutions that have mandate to make regulations, including tax and financial sector regulators, energy sector regulators and judicial bodies will

- also find the course relevant. Lawyers in private practice are increasingly engaged to provide drafting services to public bodies.
- The training provides an opportunity for an all-round appreciation of legislative and policy-making for beginners while serving as a refresh-course for experienced practitioners. The course also provides opportunities for trainers in the subject areas to update their knowledge and skills.

## ABOUT THE FACULTY

We maintain a dynamic faculty composed of highly experienced and hands-on experts. This course will be delivered by, among others, the following experts in Legislative Drafting and Parliamentary Practice and Procedure.



## Lawrence Kamugisha

Mr. Kamugisha is an international Legislative Drafting Expert who has drafted legislation at the national, regional and international level for more than 20 years.

He has drafted legislation in Uganda, Botswana and the East African Community. He brings to the Course wide experience from several national legislative drafting offices, parliamentary practice in national and regional assemblies and numerous consultancies for Countries and regional bodies on legislative matters and parliamentary procedures.

He has drafted Constitutions in Kenya and Uganda and has trained several Members of Parliament, Legal Drafters and Parliamentary staff in legislative drafting and parliamentary practice.

## Denis Kibirige

Mr. Kibirige has been drafting national, regional and international legal instruments and policy for 15 years.

He is the Legislative Draftsman of the East African Community where he is responsible for drafting legislation and providing legislative services to the East African Legislative Assembly and all other Organs and Institutions of the East African Community.

He drafted the African Union Protocol on Free Movement of Persons, Right of Residence and Right of Establishment which was adopted by the African Union Heads of State in January, 2018.

He has trained Members of Parliament in Uganda, Ethiopia, Zimbabwe and South Sudan and lawyers, policy makers and human rights advocates in policy, law making, constitutionalism and governance and legislative drafting in several African countries.

## REGISTRATION

To enable us meet the cost of putting together training resources, a fee of \$1,350 is applicable to every participant.

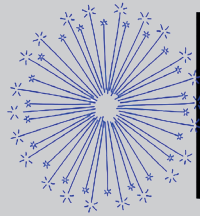
Early bird rate (for participants paying before 8th March 2019) is \$1,250.

For group bookings (an organization applying for 4 participants or more), we provide a 5% discount on each member.

**Paid-up EALS members** enjoy 10% discount on the above rates.

The fee covers daily conference package (for 5 days), day meals and refreshments, training materials, movement between training venues during the day and the networking events (welcoming and closing receptions).

Delegates are expected to cover their travel and accommodation costs to the training. We have negotiated accommodation rates with major hotels in Arusha. For assistance with hotel bookings please write to us [training@ealsociety.org](mailto:training@ealsociety.org)



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## How to Register

Delegates should register by filling out the attached form and email back to us through the email [training@ealsociety.org](mailto:training@ealsociety.org)

Payments should be made through our bank accounts details:

A/C Name: **EAST AFRICA LAW SOCIETY**

Bank: **KENYA COMMERCIAL BANK**

BRANCH: **ARUSHA**

A/C No. **3390207473**

SWIFT: **KCBLTZTZ**

Currency: **USD**

## Benefits of Training with us

All our courses are recognized by the national law societies and count towards continuous professional development requirements.

At the end of each course participants are issued with certificates of completion that are recognized by major bodies globally.

## ABOUT EALS INSTITUTE

Founded in 2017, EALS Institute has grown rapidly as a reputable center in legal studies. In its first year of operations, EALS Institute concluded unprecedented capacity building programs and partnerships. EALS Institute hosted the first major construction law workshop in the region tailored for the legal profession. Hosted in collaboration with Cornerstone Seminars, the FIDIC Contracts workshop attracted over 150 lawyers from across East Africa and laid a solid foundation for future training activities.

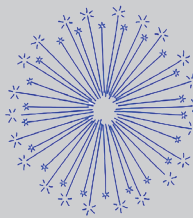
EALS Institute has concluded partnership agreements with Conference of Western Attorney Generals (CWAG) and has hosted several activities

under the partnership, notably the Kigali Workshop on Cybercrimes and Forensic Evidence. The partnership with CWAG especially targets capacity building in the justice administration sectors, targeting not only legal practitioners but also law enforcement agencies and judicial officers. Future trainings under this partnership include trial advocacy, criminal justice, white collar crimes, anti-bribery and anti-counterfeit measures.

We have also partnered with the Africa Legal Support Facility to establish the ALSF Academy as a pan-African legal capacity building mechanism.







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Through the initiative, the inaugural ALSF Academy training targeting young lawyers drawn from East Africa, Southern Africa and French-speaking Central and West Africa has kicked off.

EALS Institute has also entered into partnership with the University of Nairobi School of Law and Strathmore University School of Law to promote legal studies and mentorship of young lawyers and law students. Through our partnership with Strathmore University, we have sponsored student moot courts in the extractive industry and aim to deepen knowledge of the extractive industry among key stakeholders.

We have also entered into partnership with the Advocates for International Development (A4ID) to carry out business and human rights trainings across the region.

## ABOUT EAST AFRICA LAW SOCIETY

East Africa Law Society is the regional bar for the East African Community. Our membership comprises of all the national bars in the East African Community - the Law Society of Kenya, Tanganyika Law Society, Uganda Law Society, Zanzibar Law Society, Rwanda Bar Association, Burundi Bar Association and the South Sudan Bar Association.



**Willy Rubeya**  
**President, EALS**



**Hannington Amol**  
**Chief Executive Officer, EALS**



## CONTACT US

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