

Explain The Differences Between Act, Ordinance And Enactment; And What Is The Process Of Bill Become

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Understanding the legislative framework of a country is essential for grasping how laws are created, implemented, and enforced. Terms like "Act," "Ordinance," and "Enactment" are frequently used in legal and governmental contexts, but they have distinct meanings and implications. Additionally, the process through which a bill becomes a law involves several stages, ensuring thorough scrutiny and consensus before it is enacted. In this article, we will explore the differences among these legal terms and detail the procedural steps involved in transforming a bill into a law.

What Is an Act, Ordinance, and Enactment? Definitions and Differences

Definition of an Act

An Act is a formal written law passed by a legislative body, such as a parliament or congress. Once enacted, it becomes part of the statutory law of the land and is binding on all individuals and entities within its jurisdiction. Acts are usually comprehensive and may cover broad areas such as criminal law, civil law, taxation, and more.

Characteristics of an Act:

- Enacted by the legislative authority (e.g., Parliament)
- Requires approval through a legislative process
- Signified by the title "Act" (e.g., The Civil Rights Act)
- Has a long-term, binding legal effect
- Can only be amended or repealed through a formal legislative process

Definition of an Ordinance

An Ordinance is a temporary law promulgated by an authority during a period when the legislature is not in session. It is used to address urgent matters that require immediate legal intervention. Ordinances have the same force and effect as an Act but are limited in duration and scope.

Characteristics of an Ordinance:

- Issued by the executive authority (e.g., President, Governor, or Mayor)
- Usually enacted when the legislature is not in session
- Valid for a limited period, typically until the legislature reconvenes
- Can be extended or replaced by an Act
- Used for emergency or urgent legislative needs

Definition of Enactment

An Enactment is a generic term that refers to any law or legislative measure that has been formally passed or enacted. It encompasses both Acts and Ordinances, as well as other legislative instruments such as statutes, regulations, and bylaws.

Key Points about Enactments:

- A broad term for laws that have been officially enacted
- Can be in the form of Acts passed by the legislature or Ordinances issued by the executive
- Represents the culmination of legislative or administrative authority transforming proposals into binding laws

Differences Between Act, Ordinance, and Enactment

Aspect	Act	Ordinance	Enactment
Source	Legislature (e.g., Parliament)	Executive (e.g., President, Governor)	General term covering all laws that have been passed or enacted
Duration	Permanent (until repealed or amended)	Temporary (valid until the legislature reconvenes)	Can refer to any formal law, temporary or permanent
Formality	Requires multiple stages of legislative approval	Usually issued in urgent circumstances, less formal process	Broad term for any law-making instrument
Examples	The Income Tax Act	Emergency Ordinance issued during crises	All laws, including Acts, Ordinances, and Regulations

The Process of a Bill Becoming a Law

Transforming a legislative proposal (bill) into a binding law involves a detailed, multi-stage process designed to ensure thorough examination, debate, and approval. This process varies between countries but generally follows a similar pattern. Below, we outline the typical stages involved in the passage of a bill into an Act.

Stage 1: Drafting of the Bill

The process begins with the drafting of a bill, which can be initiated by government departments, individual legislators, or committees.

Key points in drafting:

- Identifying the need for new legislation or amendments
- Preparing a detailed draft with provisions, clauses, and objectives
- Consulting relevant stakeholders and legal experts

Stage 2: Introduction of the Bill

Once drafted, the bill is introduced into the legislative body.

Types of introduction:

- First Reading: Formal presentation without detailed discussion
- Second Reading: General debate on the bill's principles and purpose
- Third Reading: Final approval or rejection, often after amendments

Stage 3: Committee Stage

The bill is referred to a specialized committee for detailed examination.

Activities in this stage:

- Review clause-by-clause
- Gather evidence, hold hearings, and seek expert opinions
- Suggest amendments or modifications

Stage 4: Consideration and Amendments

The committee reports back, and the bill, along with any amendments, is debated.

Key points:

- Members may propose further amendments
- The bill is scrutinized for consistency, legality, and feasibility

Stage 5: Passage in the Legislative Body

The bill is put to a vote.

Voting process:

- Majority approval is required
- If approved, it moves to the other house (in bicameral systems)

Stage 6: Consideration by the Other House

In systems with two chambers, the second house repeats the process: introduction, committee review, and voting.

Possible outcomes:

- Approval without amendments
- Approval with amendments
- Rejection, leading to further negotiations

Stage 7: Conference and Final Approval

If the two houses disagree, a conference committee may reconcile differences.

Final steps:

- Both houses agree on the final text
- The bill is sent for the final approval

Stage 8: Presidential or Executive Assent

Once both houses approve, the bill is sent to the executive authority (e.g., President or Governor) for assent.

Possible actions:

- Sign the bill into law (becomes an Act)
- Veto the bill (reject it)
- Return the bill for reconsideration (in some systems)

Stage 9: Commencement and Publication

After approval, the law is officially published in the government gazette or official journal and becomes effective on a specified date.

Additional notes:

- Some laws specify the date of commencement
- Enactments can also be promulgated as ordinances in urgent cases

Additional Aspects of the Legislative Process

Amendments and Repeals

Laws are not static; they can be amended or repealed as needed.

Process for amendments:

- A new bill proposing amendments
- Follows the same legislative process as the original bill
- Requires approval by the legislative body and assent

Role of the Judiciary

Courts interpret laws, ensuring they align with constitutional principles and do not infringe on rights.

Summary of Key Differences in the Process

- Acts are permanent laws passed after a comprehensive legislative process.
- Ordinances are temporary laws issued by executive authorities during legislative recess.
- The enactment process encompasses the entire spectrum of law-making, including Acts, Ordinances, and regulations.

Conclusion

Understanding the distinctions between an Act, Ordinance, and Enactment, as well as the process through which a bill becomes law, is fundamental in comprehending how legislative systems function. Acts serve as the primary, permanent legal instruments enacted by the legislature after rigorous scrutiny. Ordinances provide a mechanism for swift, temporary legislation during emergencies or recesses. The broader term "Enactment" covers all laws that have been formally established by authoritative legislative or executive processes.

The journey of a bill from proposal to law involves multiple stages designed to ensure legislative quality, democratic participation, and legal soundness. Whether through the detailed parliamentary procedures for Acts or the emergency provisions for Ordinances, these processes uphold the rule of law and facilitate effective governance. By understanding these mechanisms, citizens and legal practitioners can better appreciate how laws shape society and protect rights, maintaining the balance between legislative authority and individual freedoms.

Frequently Asked Questions

What is the primary difference between an Act, an

Ordinance, and an Enactment?

An Act is a law passed by the legislative body at the national or state level, an Ordinance is a law enacted by a local government or municipal authority, and an Enactment is a general term that refers to the process or act of making laws, often used interchangeably with Act or Ordinance depending on context.

How does an Ordinance differ from an Act in terms of scope and authority?

An Ordinance generally has a limited scope, applying only within a specific locality or municipality, whereas an Act has a broader scope, applying across the entire state or country; also, Acts are enacted by higher legislative bodies, while Ordinances are issued by local authorities.

What is the typical process through which a Bill becomes an Act?

The process involves several stages: proposal or introduction of the Bill, discussion and amendments in legislative committees, passage by both legislative chambers, and finally, the assent or signature by the executive authority (such as the President or Governor) to become an Act.

Can you explain the main steps in the legislative process for a Bill to become law?

Yes, the main steps include: drafting the Bill, introduction in the legislature, committee review, debate and voting on the Bill, approval by both legislative chambers, and finally, approval or assent by the executive authority to enact it as law.

What role does the executive play in the process of a Bill becoming an Act?

The executive (e.g., President or Governor) reviews the Bill after it passes the legislative chambers and either gives their assent (signs the Bill into law) or exercises veto power to reject it, thereby influencing whether the Bill becomes an Act.

Are there differences in the legislative process for local Ordinances compared to national Acts?

Yes, local Ordinances are typically enacted by municipal or local councils through a simpler process involving proposal, discussion, and voting within the local body, whereas national Acts require a more formalized process involving multiple stages in the national legislature and approval by the

executive.

Additional Resources

Explain The Differences Between Act, Ordinance And Enactment; And What Is The Process Of Bill Become

Understanding the legislative process and the terminology associated with law-making is fundamental for grasping how a society governs itself. The terms Act, Ordinance, and Enactment are often used interchangeably in casual conversation but have distinct meanings and implications in legal and governmental contexts. Additionally, comprehending the process through which a bill becomes law provides insight into the functioning of legislative bodies and the checks and balances that ensure laws are carefully crafted and implemented. This article aims to clarify these concepts, highlighting their differences, features, and the procedural journey from a bill to an enacted law.

Differences Between Act, Ordinance, And Enactment

Before delving into the process of how a bill becomes law, it is essential to understand the core distinctions among Act, Ordinance, and Enactment. While these terms are related, they serve different functions within the legal framework.

What is an Act?

An Act is a formal written law passed by a legislative body such as Parliament or State Legislature. It is the highest form of law in the jurisdiction and has been subjected to a comprehensive legislative process, including debate, amendments, and voting.

Features of an Act:

- Legally binding: It creates enforceable legal obligations.
- Formal process: Requires approval by the legislative assembly and assent by the head of state (President or Governor).
- Published officially: Comes into effect upon publication in the official gazette.
- Duration: Can be temporary or permanent, depending on its nature.

Pros:

- Establishes clear, authoritative laws applicable uniformly.

- Provides a comprehensive framework for governance.
- Can be amended or repealed through legislative procedures.

Cons:

- Lengthy legislative process, often slow to adapt.
- May be inflexible once enacted.
- Can be complex, requiring legal expertise to interpret.

What is an Ordinance?

An Ordinance is a temporary law promulgated by the executive authority—such as the President or Governor—when the legislature is not in session. Ordinances are used to address urgent matters that require immediate legal intervention.

Features of Ordinance:

- Issued by executive authority: Usually in cases of emergency.
- Temporary: Remains in force until the legislature passes a law to replace it.
- Requires legislative approval: Must be approved by the legislature within a specified period, typically six weeks or two months.
- Similar in content to an Act: Has the force of law during its validity.

Pros:

- Enables swift legal action in emergencies.
- Bypasses lengthy legislative procedures temporarily.
- Ensures continuity of governance.

Cons:

- Potential for misuse of executive power.
- Can undermine the legislative process.
- Subject to legislative override, which can undermine the executive's authority.

What is Enactment?

Enactment refers to the act of passing a law or legislation. It is the process through which a bill is formally made into law, culminating in the issuance of an Act or Ordinance.

Features of Enactment:

- The legislative process that results in the creation of a law.
- Involves various stages such as proposal, discussion, amendments, and

voting.

- The final step is the formal approval or sanction (e.g., Presidential assent).

Note:

- The term enactment is also used to describe the legislation itself after it has been passed.
- It signifies the legal process of making a bill into enforceable law.

Summary of Differences:

Aspect	Act	Ordinance	Enactment
Authority Issuing	Legislature	Executive (President/Governor)	Legislative process (bill passing)
Nature	Permanent or long-term law	Temporary law	Process of passing laws
Duration	Indefinite until repealed	Valid until legislature acts	The act/process of law creation
Formality	Requires legislative approval	Issued unilaterally by executive	The legislative process itself

The Process of a Bill Becoming a Law

The transformation of a bill into an Act involves a detailed, multi-stage legislative process designed to scrutinize, amend, and approve proposed laws. Although the process varies slightly across different countries, the core stages tend to be similar.

Stages in the Passage of a Bill

1. Drafting of the Bill

- Initiated by government departments, members of legislature, or private individuals.
- Drafted carefully to incorporate legal and policy considerations.

2. Introduction or Presentation

- The bill is introduced into the legislative house (Lower House or Upper House).
- In some cases, private members or the government can introduce bills.

3. First Reading

- Formal presentation without detailed debate.
- Usually involves a title and purpose of the bill.

4. Second Reading

- The general principles and themes of the bill are discussed.
- Members debate its merits and objectives.
- A vote may be taken to proceed.

5. Committee Stage

- The bill is examined in detail.
- Amendments are proposed, debated, and incorporated.
- Committees may call witnesses or experts for opinions.

6. Report Stage

- The committee reports back to the house, summarizing findings.
- Further amendments can be proposed.

7. Third Reading

- Final version of the bill is debated.
- Members may discuss overall implications.
- A final vote is taken.

8. Passage to the Other House

- The bill is sent to the other legislative chamber (if bicameral).
- The other house repeats similar stages.

9. Consideration and Amendments in the Other House

- The second house reviews, amends, and approves the bill.
- Disagreements are resolved through joint committees or negotiations.

10. Final Approval

- Once both houses agree, the bill is sent for assent.

11. Presidential or Governor's Assent

- The bill is presented to the head of state or governor for approval.
- If approved, it becomes an Act.
- If vetoed, the bill may return to the legislature for reconsideration.

Special Cases

- Money Bills: Subject to specific procedures and restrictions.
- Urgent Bills: May be passed in a shorter timeframe with special procedures.
- Ordinances: In cases of emergency, the executive can promulgate ordinances which later require legislative approval to become Acts.

Features and Considerations in the Law-Making Process

- Checks and Balances: Multiple stages ensure thorough scrutiny.
- Deliberation: Allows debate and amendments to reflect diverse views.
- Transparency: Public hearings and debates promote openness.
- Flexibility: Amendments and revisions enable laws to adapt to changing needs.
- Time-consuming: The process can be lengthy, delaying urgent legislation.

Advantages of a Rigorous Process:

- Ensures laws are well-considered.
- Protects against arbitrary legislation.
- Facilitates consensus and legitimacy.

Disadvantages:

- May slow down urgent legislative action.
- Can be bogged down by political disagreements.
- Complexity may hinder understanding and implementation.

Conclusion

The distinctions between Act, Ordinance, and Enactment are vital for understanding the legislative landscape. An Act is a formal, permanent law passed through a comprehensive legislative process, while an Ordinance is a temporary law issued by the executive in emergencies, pending legislative approval. Enactment refers to the process of passing a bill into law. The legislative process itself involves multiple stages designed to ensure thorough review, debate, and refinement of laws before they come into effect. This process balances the need for swift action with the importance of careful scrutiny, safeguarding democratic principles and rule of law.

Understanding these distinctions and processes enhances civic awareness and fosters respect for the legal system that governs societal conduct. Whether it's the passage of a new law or the issuance of an ordinance, each step plays a crucial role in shaping the legal framework within which individuals and institutions operate.

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