

# Classification and estimated timing for development of bills

Complexity	Characteristics	Estimated timing	What timing allows for	Factors that affect timing	Urgent bills
Low	<ul style="list-style-type: none"> <li>small to moderate number of provisions to be drafted or amended (up to 20)</li> <li>easy to identify what amendments are needed</li> <li>some analysis or research may be required</li> <li>can be addressed by applying well-established or readily determinable drafting practices</li> <li>will usually require only 1 or 2 drafts to finalise</li> </ul>	1-2 months	<p>The estimated timings are from first instructions to providing a final copy for Cabinet</p> <p>The estimated timings allow for—</p> <ul style="list-style-type: none"> <li>drafting (for information about the drafting process, see <a href="#">Developing Legislation and Working with PCO</a><sup>1</sup>, pp 19-20). The extent of consequential amendments or transitional amendments may increase the time required to draft</li> </ul>	<p>Many factors beyond the time needed to draft a bill affect the time it takes to develop a bill</p> <p>Examples include—</p> <ul style="list-style-type: none"> <li>how well developed the policy is— unresolved policy issues will generally increase drafting time, sometimes significantly</li> <li>whether you have policy approval— changes in the policy approach once drafting has started will generally increase drafting time, sometimes significantly</li> <li>how clear and complete your instructions are (for information about preparing instructions, see <a href="#">Developing Legislation and Working with PCO</a>, pp 15-18)</li> <li>whether you need to consult on your legislative proposal and who you need to consult (for information about who to consult on legislative proposals, see <a href="#">Developing Legislation and Working with PCO</a>, pp 11-12)</li> <li>whether your legislative proposal engages human rights, includes offences or otherwise involves political or other sensitivities— resolving these issues during the drafting process will generally increase drafting time</li> <li>your capacity to respond to drafts and queries from your drafting team</li> </ul>	<p>If your bill is urgent, we can work with you to ensure your bill meets the required timeframe</p> <p>However, be aware that compressing the time to develop a legislative proposal or draft a bill of medium or high complexity may <b>impact the quality of the overall product</b>, for example, by—</p> <ul style="list-style-type: none"> <li>reducing our capacity to help you identify gaps, solve problems and find the best legislative solution</li> <li>reducing your time to obtain advice on issues arising from the proposal, such as human rights, offences or other legal issues, which may only become apparent during the drafting process</li> <li>reducing our capacity to undertake quality assurance checks and ensure consistency with the statute book and current drafting practice</li> </ul> <p><b>Risks</b> of compressing the time to develop legislative proposals or draft bills include—</p> <ul style="list-style-type: none"> <li>comments from the Scrutiny Committee requiring a response from your Minister</li> <li>increased likelihood of the need for Assembly amendments</li> <li>legislation that doesn't operate as intended or needs to be subsequently amended</li> </ul> <p>We can work with you to identify <b>options to reduce these risks</b>, including whether elements of the legislative proposal can be progressed separately (for example, a bill dealing with consequential and transitional amendments)</p>
Medium	<ul style="list-style-type: none"> <li>may involve a reasonable number of provisions to be drafted or amended (20 to 80), or smaller number of complex amendments/smaller complex bill</li> <li>reasonable amount of work may be required to identify what the policy intention is or what amendments are needed</li> <li>reasonable amount of analysis or research required</li> <li>may involve a degree of originality or careful application of precedents and drafting practices</li> </ul>	3-6 months	<ul style="list-style-type: none"> <li>clearance within your directorate</li> <li>undertaking quality assurance checks to prepare a final version of the bill (for information about the QAC process, see <a href="#">Developing Legislation and Working with PCO</a>, p 21)</li> <li>your bill to be prioritised appropriately with other bills on the Legislation Program and other drafting and editing work of the office</li> </ul>		
High	<ul style="list-style-type: none"> <li>generally involves a large number of provisions to be drafted or amended (over 80), but may involve a smaller number of highly complex amendments</li> <li>significant work may be required to identify what the policy intention is or what amendments are needed</li> <li>significant analysis or research required to identify appropriate legislative solution</li> <li>often involves significant political or other sensitivities</li> <li>involves a high degree of originality or careful application of precedents and drafting practices</li> </ul>	6 + months			

<sup>1</sup> [https://www.pco.act.gov.au/\\_data/assets/pdf\\_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf](https://www.pco.act.gov.au/_data/assets/pdf_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf)