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| --- | --- | --- | --- | --- | --- |
| Complexity | Characteristics | Estimated timing | What timing allows for | Factors that affect timing | Urgent bills |
| Low | * small to moderate number of provisions to be drafted or amended (up to 20) * easy to identify what amendments are needed * some analysis or research may be required * can be addressed by applying well‑established or readily determinable drafting practices * will usually require only 1 or 2 drafts to finalise | **1-2 months** | **The estimated timings are from first instructions to providing a final copy for Cabinet**  The estimated timings allow for—   * drafting (for information about the drafting process, see [Developing Legislation and Working with PCO](https://www.pco.act.gov.au/__data/assets/pdf_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf)[[1]](#footnote-1), pp 19-20). The extent of consequential amendments or transitional amendments may increase the time required to draft * clearance within your directorate * undertaking quality assurance checks to prepare a final version of the bill (for information about the QAC process, see [Developing Legislation and Working with PCO](https://www.pco.act.gov.au/__data/assets/pdf_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf), p 21) * your bill to be prioritised appropriately with other bills on the Legislation Program and other drafting and editing work of the office | **Many factors beyond the time needed to draft a bill affect the time it takes to develop a bill**  Examples include—   * how well developed the policy is—unresolved policy issues will generally increase drafting time, sometimes significantly * whether you have policy approval—changes in the policy approach once drafting has started will generally increase drafting time, sometimes significantly * how clear and complete your instructions are (for information about preparing instructions, see [Developing Legislation and Working with PCO](https://www.pco.act.gov.au/__data/assets/pdf_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf), pp 15-18) * 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 [Developing Legislation and Working with PCO](https://www.pco.act.gov.au/__data/assets/pdf_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf), pp 11-12) * 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 * your capacity to respond to drafts and queries from your drafting team | **If your bill is urgent, we can work with you to ensure your bill meets the required timeframe**  However, be aware that compressing the time to develop a legislative proposal or draft a bill of medium or high complexity may **impact the quality of the overall product**, for example, by—   * reducing our capacity to help you identify gaps, solve problems and find the best legislative solution * 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 * reducing our capacity to undertake quality assurance checks and ensure consistency with the statute book and current drafting practice   **Risks** of compressing the time to develop legislative proposals or draft bills include—   * comments from the Scrutiny Committee requiring a response from your Minister * increased likelihood of the need for Assembly amendments * legislation that doesn’t operate as intended or needs to be subsequently amended   We can work with you to identify **options to reduce these risks**, including whether elements of the legislative proposal can be progressed separately (for example, a bill dealing with consequential and transitional amendments) |
| Medium | * may involve a reasonable number of provisions to be drafted or amended (20 to 80), or smaller number of complex amendments/smaller complex bill * reasonable amount of work may be required to identify what the policy intention is or what amendments are needed * reasonable amount of analysis or research required * may involve a degree of originality or careful application of precedents and drafting practices | **3-6 months** |
| High | * generally involves a large number of provisions to be drafted or amended (over 80), but may involve a smaller number of highly complex amendments * significant work may be required to identify what the policy intention is or what amendments are needed * significant analysis or research required to identify appropriate legislative solution * often involves significant political or other sensitivities * involves a high degree of originality or careful application of precedents and drafting practices | **6 + months** |

1. https://www.pco.act.gov.au/\_\_data/assets/pdf\_file/0003/2216037/Developing-Legislation-and-Working-with-PCO.pdf [↑](#footnote-ref-1)