

## 2019 Meeting of the Pacific Legislative Drafters' Technical Forum

### Country progress against the Regional Action Plan for Sustainable Legislative Drafting Capacity Building in Pacific Island Countries

Country	Current capacity	Goal 2 Development / update of drafting resources	Goal 3 Knowledge, skills and capacity developments	Goal 4 Legislative implementation of treaty obligations	Goal 5 Improved Access to Laws
<b>1. Cook Islands</b>	<p><b>Crown Law Office</b></p> <ul style="list-style-type: none"> <li>• No specific division, but 2 legal staff share drafting responsibilities.</li> <li>• NZ PCO Pacific Desk assist on major legislative drafting projects.</li> </ul>	<ul style="list-style-type: none"> <li>• The New Zealand PCO Pacific Desk has renewed its arrangement with the Cook Islands to provide legislative drafting assistance.</li> <li>• The 2012 Guide to Preparing Instructions for the Drafting of Legislation and Solicitor General's Directives (Directives) are still in force and working well for the Cook Islands.</li> <li>• Recruitment of external drafting consultants and local private lawyers by government ministries to draft policy and legislation are still on-going.</li> <li>• Crown Law Office has strongly enforced compliance of the Guide and Directives so government ministries are now aware they must first</li> </ul>	<ul style="list-style-type: none"> <li>• PCO conducted 2 training sessions this year on drafting regulations. This was for members of the Cook Islands Law Society (CILS). Crown Law staff were provided training separately for the first session and joined the CILS lawyers in the second training.</li> <li>• The training covered plain language drafting, the importance of clear instructions, how to use the regulations template and basic drafting techniques.</li> <li>• As a result of the above training:               <ul style="list-style-type: none"> <li>○ CLO has 2 staff who will be involved in legislative drafting work, in particular assisting ministries in formulating drafting instructions before liaising with PCO or the Ministries' technical assistants; and</li> <li>○ CLO legal staff have been encouraged to draft regulations.</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• Section 33 of the Legislative Services Act 1968-69 provides that legislation must be available for sale at Parliament. The Minister of Finance has the discretion to exempt anyone from paying for legislation,</li> <li>• Crown Law Office recently revived the Consolidating Legislation Project by employing a part time intern to complete the project which began in 2009 and halted in 2011.</li> <li>• Crown Law Office provides legislation on request, mainly to</li> </ul>

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		<p>obtain Cabinet approval of policies and a directive that CLO draft the legislation before drafting instructions are prepared and drafting commences. On receipt of the Cabinet Minute CLO is made aware in the first instance that a Ministry is preparing drafting instructions and that Cabinet has directed CLO to draft the legislation. CLO can manage the drafting either internally with the technical assistance obtained by a Ministry or instruct PCO. More importantly, ministries are now aware that a bill and its regulations must be drafted together for the Act to operate properly.</p> <p>1.</p>	<ul style="list-style-type: none"> <li>• PCO provides ongoing training and mentoring of new drafters and legal officers.</li> </ul>		<p>private law firms and government ministries.</p> <ul style="list-style-type: none"> <li>• All new and revised legislation passed by Parliament can be found on PaLii.</li> </ul>
2. Federated States of Micronesia	<p><b>Department of Justice</b></p> <ul style="list-style-type: none"> <li>• No specific division or dedicated staff. Drafting</li> </ul>	<ul style="list-style-type: none"> <li>• The FSM Department of Justice (DoJ) adopts a general guide of drafting, consisting eight steps: <ul style="list-style-type: none"> <li>○ obtain a clear understanding of the goal of the department, agency, or</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Limited drafting personnel with legislative drafting skills. The numbers of lawyers and legislative counsels for both Executive and Congress remain the same, the number never increases nor decreases. Need in-house lawyers for line departments.</li> </ul>	<ul style="list-style-type: none"> <li>• It is a challenge for the National Government to have clear guides and tools for legislative implementation</li> </ul>	<ul style="list-style-type: none"> <li>• The FSM codes are up to date and compiled and accessible on the FSM Supreme Court’s website @ <a href="http://www.fsmsupremecourt.org">www.fsmsupremecourt.org</a>.</li> </ul>

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	<p>work is shared.</p> <ul style="list-style-type: none"> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<p>policy maker proposing the bill;</p> <ul style="list-style-type: none"> <li>○ discuss the potential impact of a law that would achieve the state goal;</li> <li>○ research internal standards;</li> <li>○ research laws, practices and policies in other jurisdictions;</li> <li>○ draft with respect to issues of substance as well as form;</li> <li>○ format;</li> <li>○ solicit review; and</li> <li>○ draft an executive summary of the bill.</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity building in certain areas of law, particularly captive insurance, maritime, money laundering, extradition, petroleum, climate change, and fisheries still remain a challenge, however, a newly hired attorney will join the FSM DOJ in September to assist the office of the FSM Registrar of Corporation with its corporate laws.</li> <li>• Limited legislative drafting trainings/opportunities. DoJ lawyer undertook the 3 months pacific policy twinning program in 2016.</li> <li>• DoJ will conduct two – three in country policy drafting workshops and trainings to DOJ, State AGs and Legislative counsels from Congress and State Legislatures in September and onward. These events will be assisted by Australian expert drafters and with funding support from the Australian Government.</li> <li>• DoJ has not participated in any PDL program and is keen to encourage young lawyers to apply for enrolment into the program.</li> <li>• DoJ was to send a lawyer to do the PILON Litigation Skills last year, but failed to do so due to a temporary</li> </ul>	<p>of treaty obligations because of the FSM government set up (national and state governments). Each have their own different agenda. To streamline this process, it will be lengthy because it will require a lot of constitutional amendments and national and state codes amendments.</p>	<ul style="list-style-type: none"> <li>• However, there is a need to update the website and also a need to consolidate and update various laws in FSM (four state governments and the national government) from 2014 to present as it was back in 2014 that the different national and state codes were updated and consolidated.</li> </ul>

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			moratorium restricting international travel.		
3. Fiji	<p><b>Legal Drafting Section, Office of the Attorney General</b></p> <ul style="list-style-type: none"> <li>• 14 staff consisting 9 legal officers, 1 proof reader, 2 technical officers, and 2 typists.</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<ul style="list-style-type: none"> <li>• Since the 2015 Meeting, the Legal Drafting Section has prepared: <ul style="list-style-type: none"> <li>○ a draft legislative drafting rules guide which sets out basic drafting rules;</li> <li>○ Bill and Regulations templates;</li> <li>○ proofing notes; and</li> <li>○ a list of correct British spelling which is followed when consolidating our laws or drafting legislation.</li> </ul> </li> </ul>	<p><b>Drafting Resources</b></p> <ul style="list-style-type: none"> <li>• Since the 2015 meeting, the Legal Drafting Section has expanded from 6 staff members (4 legal officers, 1 proof reader, and 1 technical officer) to 14 (9 legal officers, 1 proof reader, 2 technical officers, and 2 typists).</li> <li>• Fiji has also worked with 3 consultants over the past 2 years, namely Mr De Silva (Sri Lanka), Mr Jayantha Fernando (UNCITRAL), and Ms Victoria Aitken (Commonwealth Secretariat).</li> </ul> <p><b>Rotation of Legal Officers</b></p> <ul style="list-style-type: none"> <li>• Since 2016, the Office also began providing rotation of legal officers between the different sections (litigation, contracts and legal drafting) to ensure more exposure to all working areas of the Office. The rotation is at the discretion of the legal officer. Rotation usually occurs every 3 or 6 months depending on the legal officer's request and the Supervisor's approval.</li> </ul>	<ul style="list-style-type: none"> <li>• Fiji intends to continue working on clear guides and tools for the legislative implementation of treaty obligations such as: <ul style="list-style-type: none"> <li>○ continuing support in relation to streamlining processes and requirements for developing model provisions and other legislative support material or resources;</li> <li>○ creating and practicing</li> </ul> </li> </ul>	<p><b>2016 Revised Edition of the Laws of Fiji</b></p> <ul style="list-style-type: none"> <li>• This was the most substantial project undertaken by the AGO. On 9 Dec 2016, the Fijian Government launched the Revised Edition of the Laws of Fiji, after nearly 18 months of hard work. The last revised edition of the laws in Fiji was prepared in 1985, over 30 years ago.</li> <li>• The revised edition was prepared under the authority of the Revised Edition of the Laws Act 1971. In February 2016, Parliament passed the <i>Revised Edition of the Laws (Amendment) Act 2016</i> to modernise the revised edition of</li> </ul>

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			<p><b>Mentoring Programme</b></p> <ul style="list-style-type: none"> <li>• Since 2016, AGO implemented a Mentoring Programme whereby all senior legal officers are assigned one or two legal officers to mentor.</li> <li>• The Legal Drafting Section has 3 senior legal officers and 6 legal officers. Each of the senior legal officers are assigned 2 legal officers each to mentor.</li> </ul> <p><b>Capacity development opportunities</b></p> <ul style="list-style-type: none"> <li>• 2017: 10 in-country training opportunities so far, including five internal drafting trainings on: the Interpretation Act 1967 (Ms Lyanne Vaurasi); Basic Legal Policy Development Training (Ms Glenys Andrews); Statutory Interpretation Discussion (Ms Victoria Aitken); Legislative Drafting Process and Statutory Interpretation Discussion (Ms Victoria Aitken), and Drafting Exercises (Ms Victoria Aitken).</li> <li>• In-country meetings include the 17<sup>th</sup> AG's Conference – Law at the Cutting Edge (Fiji, 2015), and three trainings in 2016, including a national workshop on Small Arms and Light Weapons/Arms Trade Treaty (Fiji</li> </ul>	<p>coherent processes for developing compliant legislation; and</p> <ul style="list-style-type: none"> <li>○ developing and sharing best practices and standard legislative provisions.</li> </ul>	<p>the laws. The amendments facilitated the publication of the revised edition in the loose-leaf format and also allowed for amendments to a piece of legislation to be incorporated regularly without the need to reprint the entire legislation.</p> <ul style="list-style-type: none"> <li>• Fiji partnered with LexisNexis in 2015 to undertake the consolidation process.</li> <li>• In August 2017, Fiji began its first service update, i.e. updating the laws up to 28 February 2017.</li> <li>• Fiji is also currently working on a website to ensure that the consolidated laws are available online for public access. The Office intends to update the law on an</li> </ul>

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			<p>Ministry of Defence, National Security and Immigration).</p> <ul style="list-style-type: none"> <li>• USP PDL: In 2016, four legal officers completed the course, which brings the total to 8 out of 9 legal officers of the Legal Drafting Section who have successfully completed the course.</li> <li>• 2016 international trainings: Pacific Legal Policy Twinning Program (AGD, Canberra), Traditional Knowledge Training (WIPO, Geneva), and attendance of Senior Officials of Law Ministries meeting (Commonwealth, London).</li> <li>• 2017 international trainings: 11, including the Pacific Protection Learning Program (UNHCR, Australia), Selected Issues in Fiscal Law and Governance (IMF, Washington), Pacific Islands Maritime Boundaries Coordination Workshop (Sydney), Fisheries Monitoring, Surveillance and Reporting Legal Regimes (FFA, Honiara), Pacific Response to Cybercrime (AGO, Tonga), NZ Accident Compensation Corporation and the Earthquake Commission Meeting to help draft the Accident Compensation Act 2017</li> </ul>		<p>ongoing basis and to have updated laws readily available online.</p> <p><b>Other sources</b></p> <ul style="list-style-type: none"> <li>• All new Bills and Acts can be retrieved from the Government Printer (hardcopy) at a cost and the Parliament of the Republic of Fiji website <a href="http://www.parliament.gov.fj">www.parliament.gov.fj</a>.</li> <li>• The Parliament website has e-copies of Bills from 2015 – 2017 and e-copies of Acts from 2014 – 2017.</li> <li>• The Government Printer also provides hardcopies of recent subsidiary legislation at a cost.</li> <li>• Laws (from 2009 onwards) are also accessible on Fiji</li> </ul>

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			(NZ), Strengthening the Regulatory Infrastructure for Radiation, Transport and Waste Safety (Vienna), and CERT Australia Site Visit (Cyber Security) (AGD, Brisbane).		Government website <a href="http://www.fiji.gov.fj">www.fiji.gov.fj</a> . • AGO ensures that Parliament and the Department of Information receives e-copies of all laws to upload onto respective websites.
4. Kiribati	<b>Office of the Attorney General</b> <ul style="list-style-type: none"> <li>In the process of establishing a specific drafting section. Drafting tasks are currently shared amongst legal officers.</li> <li>Continued reliance on technical assistance</li> </ul>	<ul style="list-style-type: none"> <li>A standard Manual on drafting is still not yet produced since 2014 and this is very much needed by Office of the Attorney General (OAG) in Kiribati especially at present as OAG is moving towards establishing a specialised drafting division/unit. The usefulness of such drafting manual is that it simply provides a simple guide to a drafter as to how he or she will go about his or her normal legal drafting responsibilities.</li> <li>The OAG will encourage the use of a standard drafting manual upon production to minimise difficulties and challenges a drafter</li> </ul>	<b>Establishment of new Ministry of Justice</b> <ul style="list-style-type: none"> <li>A recent development establishing a new MOJ who deals with policy matters while OAG remains the principal legal adviser to government. Under the newly amended Constitution, the Attorney General's role as an ex-officio has been abolished, thus the Attorney General no longer sits in Cabinet and is no longer involved in policy matters but focuses on legal matters only as a public civil servant.</li> </ul> <b>Legislative drafting capacity within OAG</b> <ul style="list-style-type: none"> <li>Drafting continues to be undertaken on an ad hoc basis due to lack of a specialised legal drafting division.</li> </ul>		

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	for major tasks.	<p>encounters in the course of performance of his or her drafting responsibilities.</p> <ul style="list-style-type: none"> <li>• OAG again requests and welcomes assistance for the development of a drafting manual (and guidelines, templates) to complement the skills already acquired by legal officers.</li> <li>• Yet to apply a standard clause that will regulate how a consultant performs his/her legal drafting work, but OAG supports this idea because it will produce a best or high-quality drafting result. A consultant should have proper qualifications and be required to complete properly his or her work before being paid for such work. The OAG aims for tight control over the work of Technical Advisers or consultants through the utilisation of a clause requiring full payment only upon the draft being approved.</li> </ul>	<p>Attention is focused on legal advice, civil and criminal litigation. External assistance is relied on for legal drafting.</p> <ul style="list-style-type: none"> <li>• With plans for creating a new legal drafting section, OAG will focus on building capacity of legal officers, including continuous utilisation of the PDL training. This will solve many of the challenges currently faced, including lack of specialisation.</li> </ul> <p><b>Capacity development</b></p> <ul style="list-style-type: none"> <li>• The main sources for legislative drafting capacity building of legal officers are in-house drafting training, the annual PDL program, and the attachment program with the Australian AGD.</li> </ul>		



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5. Nauru	<p><b>Legislative Drafting Section, Department of Justice</b></p> <ul style="list-style-type: none"> <li>• 2 legislative drafters</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul> <p><b>Office of the Clerk of the Parliament of Nauru</b></p> <ul style="list-style-type: none"> <li>• Employs a Legislative Counsel providing legislative drafting assistance.</li> </ul>	<p><b>Legislative Drafting Manual</b></p> <ul style="list-style-type: none"> <li>• In 2015, the drafting section worked with the PIFS and Samoa to develop a drafting manual.</li> <li>• The Legislative Drafting Manual was launched in 2016 and is the guide for drafting all legislation in Nauru. It is a mandatory reference for all involved in legislative drafting, including consultants and policy officials.</li> <li>• The Section complies with drafting best practices and techniques to ensure that legislation is clear, precise, easy to read and conceptually appropriate. The manual contains drafting instructions guideline and checklists for policy makers and instructing Departments.</li> <li>• The Section, in conducting trainings, advises Departments on the need to provide clear drafting instructions. Prior to drafting, the Section communicates with the relevant departments and</li> </ul>	<p><b>Current capacity</b></p> <ul style="list-style-type: none"> <li>• The Legislative Drafting Section is housed within the Department of Justice and Border Control. The Section consists 2 legislative drafters. The Section also operates ‘on the job’ training mode in order to build capacity and strengthen knowledge.</li> <li>• The Section is responsible to and reports weekly to the Secretary for Justice and Border Control. Specific functions include: <ul style="list-style-type: none"> <li>○ drafting and preparing legislation and subsidiary legislation for Cabinet and Parliament;</li> <li>○ preparing Cabinet submissions for Government Ministries;</li> <li>○ providing advice to Parliament, Cabinet and Government;</li> <li>○ maintaining the legislation archive – RONLaw; and</li> <li>○ other work allocated by the Secretary.</li> </ul> </li> </ul> <p><b>Capacity development</b></p> <ul style="list-style-type: none"> <li>• The Section conducts capacity building amongst Departments and Parliamentarians on the legislative drafting process in Nauru.</li> </ul>	<ul style="list-style-type: none"> <li>• In terms of streamlining of development of model laws in the region, Nauru legislative drafters are kept up to date with developments from regional and international bodies and consultant drafters in nationalising the model laws.</li> <li>• Where possible, drafters attend relevant trainings and have discussions with relevant departments and regional offices in the drafting of a national legislation to</li> </ul>	<p><b>RONLaw website</b> <a href="http://ronlaw.gov.nr">http://ronlaw.gov.nr</a></p> <ul style="list-style-type: none"> <li>• The RONLaw is the Government online legislation website and is maintained by the Section. It is an effective tool in ensuring that the laws of Nauru are made available to any person, including judges, lawyers, pleaders, students, researchers, or the general public.</li> <li>• The Section ensures the site is continuously updated after each Parliamentary sitting, Cabinet approval of subsidiary legislation and when each Gazette is published.</li> <li>• Free online access and downloads, which makes laws public friendly.</li> </ul>

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		<p>encourages the policy drivers to provide clear and proper drafting instructions so that ‘good’ laws are drafted.</p> <ul style="list-style-type: none"> <li>Ongoing issues continue with non-compliance with the Manual, last minute instructions, and expanding legislative program, including numerous amendments to one law.</li> </ul>	<ul style="list-style-type: none"> <li>The Principal legislative drafter regularly delivers such in-house trainings on the development of legislation and subsidiary legislation, together with the awareness of proper drafting instructions being provided to the section. More training required on administration of legislation.</li> <li>Legal practitioners are consulted and workshopped on Bills during the Continued Legal Education sessions that are conducted monthly by the Department of Justice, before such Bills are submitted to the Cabinet and eventually the Parliament.</li> </ul>	<p>domesticate regional/international standards and requirements.</p>	<ul style="list-style-type: none"> <li>Links to PacLii, which Nauru continues to support.</li> </ul> <p><b>Consolidation of Laws</b></p> <ul style="list-style-type: none"> <li>The Section also undertakes frequent consolidation of laws and updates. Consolidations are aimed to be done annually, subject to the directive of the Secretary and under the supervision of the Principal Legislative Drafter. Consolidations are thoroughly checked by the Section and approved before they are uploaded on RONLaw.</li> <li>The <i>Law Revision and Consolidation Act 2019</i> was recently passed by the Parliament of Nauru. This Act provides for the revision and</li> </ul>

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					<p>consolidation of the written laws of Nauru as well as allowing for the publication and distribution of the revised and consolidated laws in print and electronic formats. The Department of Justice is collaborating with Lexis-Nexis to assist with consolidation of laws and updates.</p> <p><b>Contact Details:</b></p> <p>Legislative Drafting Section (Department of Justice – Nauru)  Ms Kerryn Kwan  Principal Government Lawyer (Legislative Drafting)  Email: <a href="mailto:kkwan.mfla@gmail.com">kkwan.mfla@gmail.com</a>  Phone: 674 5572940</p>

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6. Palau	<p><b>Attorney General's Office</b></p> <ul style="list-style-type: none"> <li>No specific drafting unit within the AG's Office.</li> <li>Continued reliance on technical assistance for major tasks.</li> </ul> <p><b>Legal Counsel offices of the Senate and the House of Delegates</b></p> <ul style="list-style-type: none"> <li>Drafting responsibilities are undertaken within offices of the Legislature, including the</li> </ul>	<ul style="list-style-type: none"> <li>Palau is working to revise and update its 1981 legislative drafting manual. Unfortunately, little progress has been made in this effort since our last report.</li> </ul>	<ul style="list-style-type: none"> <li>The Chief Legal Counsel for the House of Delegates is attempting to develop a training on legislative drafting, for the benefit of all junior OEK legal counsel, and for interested attorneys in other offices. The materials developed for this training will remain available to future generations of attorneys in Palau. There is not much formal drafting training available on-island.</li> <li>While Palau is not big enough to create specialised drafting divisions, Palau has dedicated drafters within our legislative legal counsel positions. There is significant turnover in these positions, but the attorneys who remain seem to rapidly develop legislative drafting proficiency.</li> <li>A variety of factors seem to hamper Palau's ability to retain experienced attorneys, especially in drafting positions. Of the attorneys doing legislative drafting at the national level, there is currently only one with a full year of experience in Palau. This lack of continuity creates a host of problems, most significantly an inability to accumulate institutional knowledge. Additionally, long-term</li> </ul>		<ul style="list-style-type: none"> <li>Palauan government agencies work to make legislation accessible to the public, but there is room for improvement.</li> <li>The Senate legal counsel's office maintains a public website, <a href="http://www.palaulegal.org">www.palaulegal.org</a>, which contains most national statutory and constitutional law.</li> <li>There is also a searchable CD, available for purchase, containing Palau's statutory and case law.</li> <li>Palauans also pay relatively close attention to legal developments as they occur. Many legislative debates are televised live and re-broadcasted later, and major legislation is</li> </ul>

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	respective offices of Legal Counsel for the House of Delegates and Senate.		goals like those expressed in the Regional Action Plan are difficult to achieve with constant turnover.		covered thoroughly in the two local newspapers.
7. Papua New Guinea	<b>Office of Legislative Counsel</b> <ul style="list-style-type: none"> <li>5 drafters consisting First Legislative Counsel, two Second Legislative Counsels, one Assistant Legislative Counsel, and the Commissioner of Revised Laws.</li> </ul>	<b>Legislative drafting manual</b> <ul style="list-style-type: none"> <li>In 2016, the Office of Legislative Counsel embarked on developing its first ever office manual on legislative drafting. The office is yet to complete this project. Consultation was carried out with the other entities involved in the legislative process in terms of their roles in the process. All entities have given feedback except for the National Parliament and the National Executive Council. Counsels in charge of the manual are still working on completing the manual. This includes the compliance checklist.</li> </ul>	<b>In-house mentoring</b> <ul style="list-style-type: none"> <li>The Office places significant value on senior mentors, particularly since three senior draftsmen have recently retired from the office. Former First Legislative Counsel (over 25 years of experience) has remained as Commissioner for Revised Laws. He continues to provide mentoring and technical advice and vets draft Bills and Regulations. He has an unrestricted practicing certificate and operates as a consultant in Legislative Drafting. However, it is difficult to retain his services on a long-term basis.</li> <li>In early 2017, the Chief Secretary to Government and the First Legislative Counsel drafted a Terms of Reference to engage a qualified consultant from</li> </ul>	<ul style="list-style-type: none"> <li>Increasing number of treaties and conventions that PNG has become party to, the latest being in August 2016 when Parliament enacted the Paris Agreement. Most common practice is to attach the instrument as a schedule in the Principal Act or Regulation.</li> </ul>	<ul style="list-style-type: none"> <li>The Commissioner of Revised Laws is in charge of updating all laws. The Commissioner is still in the process of sourcing funding to recruit additional lawyers and support staff to carry out revision of laws and updating and consolidating all laws.</li> </ul> <b>Website</b> <ul style="list-style-type: none"> <li>An official website is yet to be developed. The IT team is working on this. More resources are needed to support this.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Three Assistance Legislative Counsel positions are vacant.</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<ul style="list-style-type: none"> <li>• Meantime, the Office uses simple drafting guidelines for educating policy officials in government entities on the legislative process and the requirements expected of policy makers.</li> <li>• Continued challenge of receiving draft Bills, Regulations and NEC decisions as drafting instructions.</li> <li>• The Office ensures all laws across all levels of government are consistent and are in harmony with each other.</li> <li>• Support is needed to achieve projects in a timely manner.</li> </ul>	<p>Australia to mentor counsels but this is yet to be effected.</p> <p><b>Capacity development</b></p> <ul style="list-style-type: none"> <li>• In-house trainings are informal, in terms of “<b>YOU LEARN BY DOING</b>”. The learning process happens throughout vetting of drafts by the Commissioner or the First Legislative Counsel. While Counsels draft Bills, Regulations and Statutory Instruments in all areas of law, Counsels are not specialised in a particular area of law.</li> <li>• Lack of other training or refresher course opportunities due to inadequate or very little funding support from the Department over the years.</li> <li>• In early August, the Office began exploring the option of renewing the contract or alternatively request for assistance to facilitate its needs.</li> <li>• In 2014, a legal officer did the PDL D course.</li> <li>• Early 2017, another counsel travelled to India for a one-month Parliamentary course with funding from the Indian embassy in Papua New Guinea.</li> </ul>	<ul style="list-style-type: none"> <li>• The Attorney General’s Department is responsible for signing treaties and conventions on behalf of government (Parties to the contract). OLC has advised of the need for time to look at the instruments in order to attach it correctly into the Principal Legislation and to understand the legislative implications involved. This practice has seen instructing agencies giving last minute instructions thus leaving counsels</li> </ul>	<p>Submissions have been made to various donor agencies such as the UNDP.</p> <ul style="list-style-type: none"> <li>• Continuing challenge with lack of information technology support systems (infrastructure) for storing laws electronically, making laws accessible to the public, and for legislative drafting tools such as the enact system. This is crucial for ensuring access to laws by the people of Papua New Guinea.</li> </ul>

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			<ul style="list-style-type: none"> <li>• The Second Legislative Counsel attended the 2017 Biennial CALC Conference in Melbourne and Sydney.</li> <li>• August 2017, counsel attend and participate in the 2017 Drafters Forum in Tonga.</li> <li>• All trainings and conferences are dependent on outside sponsorship funding.</li> <li>• The office has explored overseas secondment opportunities, including with the Canberra Office of Parliamentary Counsel. The first and Second Legislative counsels have attended work attachments via the Australian AGD Twinning program.</li> <li>• Increased awareness for government lawyers especially at Provincial and Local Government levels for job rotations in order to assist in drafting work. This arrangement sees good exposure not only for OLC but also for other lawyers who lack drafting skills. This rotation will be on a counter funding basis and cost sharing.</li> </ul>	<p>little time to properly vet.</p> <ul style="list-style-type: none"> <li>• OLC assists the AG's Department on legal advice on treaties/conventions, despite not being engaged in open forums for adopting treaties and conventions.</li> </ul>	
8. Pitcairn Islands	Attorney General's Office	<ul style="list-style-type: none"> <li>• Pitcairn has been a member of PILON since 2012. The 2017</li> </ul>	<ul style="list-style-type: none"> <li>• The role of Attorney General was created in 2010 under the Pitcairn Constitution. At that time the former</li> </ul>	<ul style="list-style-type: none"> <li>• UK responsible for international treaty</li> </ul>	<ul style="list-style-type: none"> <li>• Annual law revisions carried out and published under</li> </ul>

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	<ul style="list-style-type: none"> <li>Both the AG and Assistance AG (only two staff members of the office) are directly involved in legislative drafting.</li> <li>Currently does not source external drafting service.</li> </ul>	<p>Drafters' Forum meeting is it's the first for Pitcairn to attend.</p> <ul style="list-style-type: none"> <li>No official drafting guide in place for Pitcairn. Comparative guides (most commonly NZ) utilised to assist with compliance with legislative drafting best practices.</li> <li>Currently detailed drafting instructions are often developed in conjunction with AG's office through direct consultation with community and other stakeholders.</li> <li>Simplified guidance regarding legislative process created (2014) for Island Council to assist with and improve quality of proposals for legislation.</li> <li>Further "Desk Manuals" proposed to assist with clarity of legislative proposals.</li> </ul>	<p>legal adviser became the Attorney General by operation of law. In approximately 2014, the office of Assistant Attorney General was added, to help with capacity, in particular with legislative drafting.</p> <ul style="list-style-type: none"> <li>In addition, recent training offered to members of the Island Council has included training that assists with legislative drafting capacity. This includes training in human rights requirements; and specific professional development for relevant offices in particular areas, for example in Marine Management, to assist with policy development (and drafting instructions) in that area.</li> <li>Funding made available for attendance at annual Drafters' Forum and training.</li> <li>No in-house training currently provided.</li> <li>No current participation in regional mentoring programmes.</li> </ul>	<p>obligations for Pitcairn.</p> <ul style="list-style-type: none"> <li>Currently provide legislative compliance reviews and drafting and implementation plans and proposals to extend treaties, reviewed by UK officials.</li> </ul>	<p>authority of AG's office.</p> <ul style="list-style-type: none"> <li>Pitcairn Laws website regularly maintained (new laws published typically within 1 month of passing).</li> <li>Free access to all current legislation via website; and subscription service.</li> <li>Free access to court decisions via website.</li> <li>No current access to historic versions of laws.</li> </ul>
9. Republic of the Mars	Attorney General's Office	<ul style="list-style-type: none"> <li>There is continuing lack of a cohesive approach to legislative drafting. Such a cohesive approach would</li> </ul>	<p><b>Retention</b></p> <ul style="list-style-type: none"> <li>Lack of a mentorship system or a passing off of knowledge, which weakens capacity building efforts in</li> </ul>		<p><b>Nitijela website</b></p> <ul style="list-style-type: none"> <li>The recently established Nitijela website gives public</li> </ul>



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<p><b>Maldives</b></p>	<ul style="list-style-type: none"> <li>No dedicated officer in the AGO. Drafting work is shared amongst all legal officers.</li> <li>Continued reliance on technical assistance for major tasks.</li> </ul> <p><b>Office of Legislative Counsel</b></p> <ul style="list-style-type: none"> <li>One Legislative Counsel in the Office of the Legislative Counsel of the Nitijela. Currently vacant</li> </ul>	<p>minimise the passage of bad laws that have good intention. A cohesive approach refers to a systematic way of formulating legislation from the very beginning, including Drafting Instructions that include comprehensive analysis and research. Lack of a cohesive approach can result in bad law.</p> <ul style="list-style-type: none"> <li>An example of a bad law with good intention is the seatbelt law of the RMI, which requires seatbelts for the driver and front passenger (including a mother holding her infant baby), but does not address similar safety requirements for an infant child. A cohesive approach to legislative drafting would've provided for both the safety of the mother and the child.</li> </ul>	<p>this area. This is a current challenges as RMI's long-time Legislative Counsel has resigned and gone into private practice. This has left no one to continue the work, and therefore a huge gap in the delivery of drafting services, although services of private attorneys or the civil division of the Attorney General's office is used.</p> <ul style="list-style-type: none"> <li>There is an urgent need to fill the vacant Legislative Counsel post, a need that could have been dealt with if there was a mentorship program in place already.</li> <li>RMI realised ongoing challenges to capacity building is retention of experienced staff, who usually move on to another ministry or agency with a more competitive package.</li> </ul> <p><b>Addressing challenges</b></p> <ul style="list-style-type: none"> <li>Usual challenges can be overcome with increased capacity building, regional networking and sharing of knowledge, active engagement of policy makers to the goals of legal drafting in the region, public education, civil society engagement, and so forth.</li> </ul>		<p>access to bills being considered by the Nitijela, existing legislation, amendments, repealed legislation, and other general and useful information.</p> <ul style="list-style-type: none"> <li>In addition to the public website, live coverage of parliament debates are beamed out to the nation, including live coverage on the radio.</li> <li>Recognised need to improve education and active engagement of civil society throughout the legislative development process. Consider exploring a strategy to increase public engagement in the development of laws.</li> </ul>

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10. Samoa	<p><b>Legislative Drafting Division, Office of the Attorney-General</b></p> <ul style="list-style-type: none"> <li>• 11 drafters, including the Attorney General.</li> <li>• Headed by the Chief Legislative Drafter.</li> <li>• One part-time assistant.</li> <li>• 3 vacancies for law clerks.</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<p><b>Awareness of Drafting Manual and Directives</b></p> <ul style="list-style-type: none"> <li>• Despite there being a drafting manual and directives, there is continued challenges with Government Ministries and Corporations having little awareness on drafting requirements and processes.</li> <li>• The Legislative Drafting Division recognises the need for more awareness raising, but balanced with the heavy work load and high demands faced by the Division.</li> <li>• As to awareness that now exists, feedback received whether formally or deduced from daily work is that the manual is really complicated and not necessarily client or instructor friendly. These incidents are already being noted for the review of the Manual or possibly a separate Manual for clients.</li> </ul>	<p><b>Trainings</b></p> <ul style="list-style-type: none"> <li>• Beginners Training on basic legislative drafting skills</li> <li>• Draft instrument presentations and discussion by responsible drafters on draft instruments assigned. This technical training is a new initiative in which informative presentations on draft legislation are presented to members of the AGO. This has proven rewarding as it is a first test of the practicality of the draft instrument as it provides an opportunity for other lawyers to critique the draft instrument before it is finalised.</li> <li>• 2 annual trainings for Samoan advocacy.</li> <li>• Awareness trainings with other divisions as to the impact of case law on drafting as well as court procedures (Prosecution Training).</li> <li>• Monthly in-office trainings on legislative drafting topics where in-house counsel in Government ministries are all invited to attend.</li> <li>• Regional Technical Development - Two (2) drafters are undertaking the PDL D programme;</li> </ul>		<p><b>Annual Consolidation Project</b></p> <ul style="list-style-type: none"> <li>• The annual consolidation of Acts for 2016 was done and completed before 31 December 2016. The consolidated Acts were then distributed in CDs to Ministries and other bodies and agencies. This project is an indication of there being improvement in public access to laws as set out in <i>Goal 5.1</i> of the Regional Action Plan. A slight change will be implemented in 2017 where the consolidation will be completed and distributed in January 2018. This is to accommodate for the last Parliamentary</li> </ul>

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			<ul style="list-style-type: none"> <li>• International Trainings – Drafters also been part of the Twinning Policy Champions program with Australian AGD.</li> <li>• Continuous on the job mentoring through Chief Legislative Drafter and other senior drafters on a daily basis.</li> </ul> <p><b>Retention</b></p> <ul style="list-style-type: none"> <li>• The AGO has implemented the increase in salary incentive which has so far worked in retaining the current senior lawyers. However, this is not sustainable. The other solution now being developed is a succession work plan that ensures within certain time frames each drafter is exposed to a range of work qualifying for different levels within the Division. The goal is to ensure there are no gaps left behind by senior drafters when they leave. Rather than promotion based on years of experience, evaluations will now be competency based.</li> </ul>		session in December 2017.
<b>11. Solomon Islands</b>	<b>Drafting Division, Attorney General's Chambers</b>	<ul style="list-style-type: none"> <li>• Drafting manual developed in-house.</li> <li>• Semi-automated electronic template for formatting Bills and Regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Eight AGC lawyers completed PDL. Only 2 in drafting division. Two in 2016 were sponsored by Commonwealth Secretariat. Four in</li> </ul>	<ul style="list-style-type: none"> <li>• Currently there is limited regional support for implementation</li> </ul>	<ul style="list-style-type: none"> <li>• 2017 Consolidation project (Its digitalisation, formatting &amp; consolidation) lead by</li> </ul>

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	<ul style="list-style-type: none"> <li>4 drafters, headed by the Legal Draftsperson.</li> <li>Continued reliance on technical assistance for major tasks.</li> </ul> <p>2019 updates</p> <ul style="list-style-type: none"> <li>Still 4 drafters since last update in 2017.</li> <li>AGC is looking at recruiting a new drafter in 2019.</li> </ul>	<ul style="list-style-type: none"> <li>Instrument checklist.</li> <li>Electronic filing, file registers &amp; central allocation of work.</li> <li>A guideline for instructing officers in the process of developing a Bill.</li> <li>CLE and hands-on training on drafting techniques using plain language.</li> <li>AG issued directions regarding the engagement of consultant drafters.</li> <li>No database of consultant drafters.</li> </ul> <p><b>Recommend:</b></p> <ul style="list-style-type: none"> <li>Create a database of consultant drafters for AG to draw from.</li> <li>Welcomed materials from other countries for improving the quality of drafting instructions.</li> </ul> <p>2019 updates</p> <ul style="list-style-type: none"> <li>AGC has a database of consultant drafters for AG to draw from. This is to ensure that all laws are consistent, drafted in</li> </ul>	<p>2017, of which three are sponsored by the Commonwealth Secretariat.</p> <ul style="list-style-type: none"> <li>Four lawyers attended a 2 days' Legal Policy Development Training, 2017.</li> <li>First time for a drafter to attend a CALC conference was the 2017 Biennial Conference in Melbourne.</li> <li>First time for a drafter to do LLM studies in International Maritime Law in Malta.</li> <li>In 2017, first time lawyer from litigation swapped to drafting.</li> <li>Australian Gov't Solicitor training program for AGC lawyers on legal reasoning and advice writing.</li> <li>CLE done fortnightly. CLE materials kept in common shared drive.</li> </ul> <p><b>Recommend:</b></p> <ul style="list-style-type: none"> <li>Mentoring of junior drafters by senior drafters.</li> <li>Major challenge is external and poor policy development skills in Ministries. Suggest if regional bodies could assist in providing policy development trainings.</li> <li>Secondment program include 2 seconded to the Commonwealth Office of Parliamentary Counsel in</li> </ul>	<p>of treaty obligations.</p> <p><b>Recommend:</b></p> <ul style="list-style-type: none"> <li>Need for regional collaboration to create guidelines for legislative implementation.</li> <li>Inter-departmental collaboration needed at local level for domestication.</li> <li>PIFS to compile a regional best practices guide and share to PILON/PIF websites for country access.</li> </ul> <p>2019 updates</p> <ul style="list-style-type: none"> <li>Regional collaboration is slowly</li> </ul>	<p>Lenore Hamilton, former Director of PacLII. Still ongoing. Will be published on PacLii soon. Funded by DFAT.</p> <ul style="list-style-type: none"> <li>Laws are sent to PacLii as they are made. Solomon Islands strongly supports as an extremely useful tool and source of law at the regional level.</li> <li>Legislation Index on PacLii is updated every time a law is passed. This is the best way to work out the current state of law.</li> </ul> <p><b>Recommend:</b></p> <ul style="list-style-type: none"> <li>Radio programs awareness on the schedule of bills before Parliament.</li> <li>More can be done with creating social platforms for sharing</li> </ul>

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	<ul style="list-style-type: none"> <li>• Soon to formally appoint a legal publication officer.</li> <li>• Still rely on technical assistance.</li> </ul>	<p>plain language and the level of competency reflected.</p> <ul style="list-style-type: none"> <li>• Randomly circulate materials to colleagues via email obtained at drafting forums/conferences.</li> <li>• Drafting materials stored in the drafting electronic common drive.</li> <li>• CLE documents stored in the common drive.</li> <li>• SI drafting guidelines/standards stored in the common drive.</li> <li>• Access to statutory interpretation books provided by the Australian Government.</li> <li>• Legislation index updated in February 2019 and stored in the drafting common drive.</li> <li>• Drafters register and allocate instruments on rotational basis 2017-2018.</li> </ul>	<p>Australia. This was very beneficial and useful.</p> <ul style="list-style-type: none"> <li>• In 2017, AG emphasised the need for capacity training for AGC lawyers. PIF/DFAT/regional bodies to directly inform AG of training/mentoring opportunities.</li> </ul> <p>2019 updates</p> <ul style="list-style-type: none"> <li>• Continuous CLE done on fortnightly/monthly basis.</li> <li>• A drafter attended the Australasian PCC and CALC (Pacific) drafting conference/workshop in Canberra, Australia, 2018.</li> <li>• A drafter attended the Legislating for Climate Smart Disaster Risk Management in the Pacific – Workshop for legislative drafters and policy makers in the Pacific in Suva, Fiji, 2018.</li> <li>• A drafter participated in the Pacific NCD legislation framework consultation workshop in Suva, Fiji, 2019.</li> <li>• A drafter is currently on study leave to do Masters in legislative drafting.</li> </ul>	<p>improving but still needed.</p> <ul style="list-style-type: none"> <li>• Still need to directly engage with other government agencies but improving in terms of communication through email.</li> <li>• Access to PILON/PIF organised conferences/workshop still ongoing.</li> </ul>	<p>information, synergising local efforts amongst Government ministries for improving drafting quality, as well as regional contribution of useful ideas through regional templates and meeting forums.</p> <p>2019 updates</p> <ul style="list-style-type: none"> <li>• Legislation consolidation program funded by DFAT is still ongoing.</li> <li>• Access to laws through Paclii and Parliament website.</li> <li>• Legislation index on Paclii updated in the last 2 years.</li> <li>• Laws published in the SIG Gazette</li> </ul>

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		<ul style="list-style-type: none"> <li>Central drafting email makes communication and work efficient and reliable.</li> <li>Propose to develop an online data base.</li> </ul>	<ul style="list-style-type: none"> <li>Train local staff to digitalise, format and consolidate laws.</li> <li>Still need to arrange secondment program to the Commonwealth Office of the Parliamentary Counsel in Australia.</li> <li>Improvement in sharing training/mentoring opportunities.</li> </ul>		accessible but still need broader accessibility.
<b>12. Tonga</b>	<b>Attorney General's Office</b> <ul style="list-style-type: none"> <li>Formal team within the AG's Office. This team consists of one Senior Crown Counsel who is responsible for specific legal policy and legislative drafting, 2</li> </ul>	<ul style="list-style-type: none"> <li>The Tonga Legislative Drafting Manual came into force on 1 April 2019. This Manual was developed since 2016 with the assistance of the Pacific Islands Forum Secretariat.</li> <li>All Government Ministries, Departments and Agencies must comply with the requirements of this Manual.</li> <li>Tonga heavily relies on external legislative drafting consultants for technical areas.</li> <li>Tonga has also developed secondary instruments to assist with the translation of legislation. This includes:</li> </ul>	<ul style="list-style-type: none"> <li>10 AGO Legal staff have completed the PDL program.</li> <li>2 AGO Legal staff currently enrolled in PDL program this year.</li> <li>Support from the Legal Twinning Project (AGD, Australia).</li> <li>His Majesty's Cabinet endorsed the Attorney General's Office to conduct the Legal Policy Training annually to all government ministries, departments and agencies.</li> <li>AG's Office conducts trainings and assists other government ministries, departments and agencies with public consultations on Bills and Regulations.</li> <li>AG's Office continues to be a part of different capacity building trainings</li> </ul>	<ul style="list-style-type: none"> <li>Tonga is currently drafting a treaty process guideline and compiling a Treaty Database in consultation with the Ministry of Foreign Affairs.</li> <li>Coordination with other MDAs on policy commitments to treaty obligations</li> </ul>	<ul style="list-style-type: none"> <li>Acts &amp; Regulations accessible online on <a href="https://ago.gov.to/cms/">https://ago.gov.to/cms/</a></li> <li>English and Tongan versions both accessible.</li> <li>Notification send through social media &amp; email.</li> <li>The Revised Consolidated versions of the Tongan laws are now available on our website.</li> <li>Tonga to launch the consolidated laws of Tonga online in 2020.</li> </ul>

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	<p>interpreters for the translation of legislation and 1 IT Technician.</p> <ul style="list-style-type: none"> <li>• The Attorney General and the Solicitor General continue to be heavily involved with legal drafting in the AG's Office.</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<ul style="list-style-type: none"> <li>• Basic Guidelines to Translation</li> <li>• Translation forms</li> <li>• Draft translation dictionary</li> </ul>	<p>and forum in the region and internationally.</p>	<p>(continuous challenge).</p> <ul style="list-style-type: none"> <li>• Tonga heavily relies on international organisations for sponsorship.</li> </ul>	
<b>13. Tuvalu</b>	<b>Office of the Attorney General</b>	<ul style="list-style-type: none"> <li>• No specific legislative drafting manual.</li> </ul>	<ul style="list-style-type: none"> <li>• Despite capacity constraints, Counsels undertake minor drafting tasks. Crown Counsels are under the supervision of</li> </ul>	<ul style="list-style-type: none"> <li>• Our Explanatory Memorandum</li> </ul>	<b>Tuvalu Legislation Website</b>

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	<ul style="list-style-type: none"> <li>• No specific team within the AG's Office. Drafting work is shared amongst the 9 Crown Counsels (2 Senior Crown Counsels)</li> <li>• Continued reliance on technical assistance for major tasks.</li> </ul>	<ul style="list-style-type: none"> <li>• In 2010, the OAG established an Internal Guidelines for Preparation of Legislation, which consist a 10 steps guide for drafting legislation, however these steps are yet to update.</li> <li>• For a new bill that has been drafted through external assistance, the bill is vetted by the OAG together with assistance of a technical expertise. Bills are vetted by Crown Counsel with the endorsement of the Acting Attorney General.</li> <li>• No Checklist or Instruction Form. However, the Cabinet paper is the guiding tool when drafting a legislation for line ministries.</li> <li>• Three Crown Counsel participate in Champion Policy and as well as in country training by the Policy Champion and AGD officers.</li> <li>• Need legislative drafting programs that have templates for legislation and subsidiary</li> </ul>	<p>the Senior Crown Counsel and the Acting Attorney General when drafting amendment(s) to a legislation.</p> <ul style="list-style-type: none"> <li>• On 24 August 2017, the Public Service Commission appointed four new Crown Counsels to OAG and therefore with an increase of legal personnel, the office should be restructured to have separate divisions for drafting, civil and criminal responsibilities.</li> <li>• Financial constraints preventing in-country trainings.</li> <li>• Lack of political support.</li> <li>• There is opportunity for a short-term training in India on English Proficiency and Legal Drafting. But this has not been utilised.</li> <li>• Network sharing.</li> <li>• Secondment was recently disallowed by Government.</li> <li>• 2 Counsels have completed the PDL. Tuvalu is encouraging more Counsels to undertake the PDL.</li> <li>• Budgetary constraints preventing engagement of an expert drafter to deliver in country training. However, Crown Counsels work closely with and learn from legislative drafting consultants.</li> </ul>	<p>is available in Tuvalu and English and broadcasted on radio 12 days before Parliament.</p> <ul style="list-style-type: none"> <li>• We also have awareness programs and consultation to our outer islands.</li> <li>• Currently working on our CRPD and GAP Analysis was carried out as well as legislation audit on legislation that comply with CRPD.</li> </ul>	<ul style="list-style-type: none"> <li>• Website enables easy and free access.</li> <li>• Uploading of new legislation is done yearly after each Parliament sitting when new legislation is passed by Parliament and assented by the Governor General.</li> <li>• However, due to capacity constraints, the office has not been able to update the website in the past two years. However, with new recruitments of four crown counsels, we will be able to manage the website and ensure to be updated yearly.</li> <li>• Hard copies are available upon request from OAG, Government Notice Board, or Parliament Office.</li> </ul>



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		<p>legislation. CLE is necessary for using drafting programs.</p> <ul style="list-style-type: none"> <li>Regarding improving the quality of legislative drafting services sourced externally, Tuvalu undertakes a Memorandum of Agreement when recruiting consultants. The method of payment is made in instalments as per deliverables of work.</li> </ul>	<ul style="list-style-type: none"> <li>Network sharing with AGD on experiences and knowledge on legislation.</li> <li>Secondment was recently removed by Government therefore we do not allow secondments. However secondments upon approval from Cabinet.</li> <li>Lack of legal personnel and high demand of work from line ministries as such our office has not be able to carry out CLE on legal drafting or to understand the use of the drafting programs.</li> <li>When people's Lawyer require assistance with outer island court tour or looking after the office, Crown Counsels from the AG's office are designated to look after the People's Lawyer Office.</li> <li>We also take in lands and family cases when directed by the AG or where there is a need for a legal representative.</li> </ul>		<ul style="list-style-type: none"> <li>Due to the poor internet connection in Tuvalu, Government has an intranet portal where all line Ministries have access to the laws of Tuvalu. This portal is under the control of the Department of Human Resource Management with the assistance of the OAG.</li> <li>All Explanatory Memorandum are available in Tuvaluan and English and radio broadcasted 12 days before Parliament.</li> <li>There are also awareness programs and consultation to outer islands as required by the Parliamentary Rules of Procedure or upon specific requests by each outer island Falekaupule.</li> </ul>

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14. Vanuatu	<p><b>Parliamentary Counsel's Unit of the State Law Office (SLO)</b></p> <ul style="list-style-type: none"> <li>10 staff consisting the Parliamentary Counsel, five legislative drafters, and two support staff (Paralegal and Gazettal Officer).</li> </ul>	<p><b>Golden rules enforced for legislative drafting</b></p> <ul style="list-style-type: none"> <li>No provisos in drafting.</li> <li>No cut and paste exercise in the processing of drafting. All drafting has to be original drafting based on drafting instructions provided by officials.</li> <li>To ensure compliance with the full drafting process to ensure provisions drafted give effect to the policy of a Bill.</li> <li>A model law is scrutinized and redrafted to suit Vanuatu.</li> <li>Officials are required to prepare policy papers for Vanuatu's legislation even if there is a model law provided.</li> </ul> <p><b>Developments</b></p> <ul style="list-style-type: none"> <li>Parliamentary Counsel currently revising the SLO Drafting Manual. SLO flow chart shows the drafting process.</li> <li>PCU workshops with</li> </ul>	<p><b>Legislative drafting process workshops</b></p> <ul style="list-style-type: none"> <li>In 2016 the PCU held 5 Legislative Drafting Process Workshops. Two workshops were held at the request of the Telecommunication and Radio Communication Regulator and Ministry of Justice. The PCU invited Government officials for the other workshops.</li> <li>So far in 2017, the PCU held a workshop with officials from the Ministry and Department of Health. In these workshops, the PCU educated officials on the drafting process, discussion of the meaning and purpose of legislation and subsidiary legislation, and ran exercises with officials on developing comprehensive policy.</li> <li>Also, upon request from Government Departments and Ministries, workshops explained the laws they administered.</li> </ul> <p><b>Capacity building</b></p> <ul style="list-style-type: none"> <li>The Unit was established with less than three legislative drafters from 1998 - 2001. Today the Parliamentary</li> </ul>	<p><b>Technical issues</b></p> <ul style="list-style-type: none"> <li>Vanuatu is currently undergoing legislative reform to meet the international recommendations for anti-money laundering and counter-terrorist financing. The Parliamentary Counsel and the legislative drafters as a team started the work on 31 Bills and later due to the work load on non FATF bills and the technicality of the FATF Bills, SLO engaged Michael Wright</li> </ul>	<p><b>Legislation Index and Statutory Orders Index</b></p> <ul style="list-style-type: none"> <li>The Unit has updated a legislation index of Acts to cater for the Acts that recently passed by Parliament. The Statutory Orders Index has been updated on subsidiary legislation. Both indexes allow quick and easy access to all Acts and Regulations, and Amendments made to Acts or Regulations.</li> <li>All laws are accessible on the PaLii website.</li> </ul> <p><b>Access to laws</b></p> <ul style="list-style-type: none"> <li>The PCU provides copies of all Acts that have been passed by Parliament and also copies of subsidiary legislation, to the</li> </ul>

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		<p>Government Departments and Ministries.</p> <ul style="list-style-type: none"> <li>• Drafting templates in macros.</li> <li>• For consultant drafters, SLO strictly enforces requirements for AG approval and for consultants to have at least 7 years' experience in legislative drafting.</li> </ul>	<p>Counsel's Unit consists of the Parliamentary Counsel and five legislative drafters and two support staff, the Paralegal and the Gazettal Officer. Legislative drafters prepare legislation using Plain English style of drafting which results in legislation of the highest quality are prepared for the Vanuatu Government.</p> <ul style="list-style-type: none"> <li>• The PCU has not been assisted by a drafting consultant or technical advisor since 2004.</li> <li>• A system in place for legislative drafters to work in pairs. This encourages group discussions, team work and expansion of skills.</li> <li>• SLO legal officers studying the PDL programme and other regional courses with the financial assistance of Strettem Rod Justice Program.</li> <li>• PCU delivers frequent in-house training with legislative drafters on technical drafting issues.</li> </ul>	<p>from Australia to assist with the drafting of the bills and Anagha Joshi, an AML/CTF expert, to assist with drafting instructions.</p> <ul style="list-style-type: none"> <li>• This has resulted in the passing of 13 Bills in the 2017 First Ordinary Session of Parliament. The remaining 18 FATF Bills are currently in the process of being finalised and to be tabled in the Second Ordinary Session.</li> </ul>	<p>public, Government Ministries and Departments and statutory bodies, on request. The office charges a fee for the copies it provides.</p> <ul style="list-style-type: none"> <li>• In 2016, there were 50 subscribers to the official gazette. A total of 93 Official Gazettes was published by the SLO in 2016 and were distributed to both subscribers and to government Departments and Ministries whenever the gazettes are released.</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Appointment of an English consolidator within the SLO.</li> <li>• Subscription fee for copy of legislation and subsidiary</li> </ul>

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					legislation in the Gazette. • SLO's continuous support to PacLii and PacLii free service online.

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