STATUTES are laws made by government legislators. Statutes are also called ‘acts’ or ‘legislation’. Statutes often have associated ‘regulations’ – also called ‘subordinate legislation’ – which have the same legal status as acts, but tend to cover the more detailed aspects of statutes. Statute law is different from CASE LAW which refers to decisions on legal cases made by judges in courts. Both statutes and cases are ‘primary’ legal sources which are binding.

Key links on this guide are included on the Library’s Law web guide.

Please see these other in-depth Library guides for info on other legal topics:
- Case Law
- Constitution and Charter of Rights and Freedoms

Who can create statutes?
The Parliament of Canada in Ottawa has the authority to make laws on certain types of matters (e.g. banks) and provincial legislatures, such as the BC Legislative Assembly in Victoria, can create statutes on other matters (e.g. hospitals). The provincial governments can also delegate some by-law making powers to local governments such as municipalities. The “Distribution of Legislative Powers” section of Canada’s Constitution Act, 1982 (originally called the British North America Act, 1867) lays out the powers of the federal government in section 91. Provincial powers are named in section 92. All constitutional documents are available on the Department of Justice’s Laws website:

http://laws-lois.justice.gc.ca/eng/Const/

FEDERAL STATUTES:
Guides to the federal legislative process

Brief guides:
- The Legislative Process: From Government Policy to Proclamation
  Library of Parliament, 2009
  http://www.parl.gc.ca/Content/LOP/ResearchPublications/prb0864-e.htm

LEGISinfo FAQ’s
Parliament of Canada
http://www.parl.gc.ca/LegisInfo/Faq.aspx?Language=E&Mode=1

In-depth guide:
- Compendium of House of Commons Procedure: Legislative Process
  http://www.parl.gc.ca/About/House/Compendium/web-content/c_g_legislativeprocess-e.htm
Federal law-making in a nutshell

Both elected Members of Parliament (MP’s) in the House of Commons, and appointed Senators in the Senate have the authority to propose new laws or changes to existing laws (called ‘amendments’). Most such proposals come from Cabinet Ministers in the governing party. Laws involving spending or taxation can only be introduced in the House of Commons. Proposed laws are called ‘bills’ until they pass through all of necessary stages for approval and then become ‘acts’ (statutes).

There are several types of bills:

- **Government**: these ‘public’ bills reflect the governing party’s policies and are introduced by a cabinet minister; they would affect all Canadians, if passed
- **Private**: would affect only specific individuals or organizations
- **Private Members’**: though public in scope, they are sponsored by a backbench MP or member of an opposition party, rather than a cabinet minister; these rarely pass into law

Bills are briefly introduced in the ‘First Reading.’ During the ‘Second Reading’, members debate the main principles of the bill and then refer it for closer scrutiny to a committee which reports back with any recommended changes before the ‘Third Reading’ and final vote. If it passes, it then goes through the same process in the other chamber. Usually, this means that the bill goes from the House of Commons to the Senate, which is known as the “House of sober second-thought” for this reason. If the bill passes in both chambers, it becomes an ‘act’.

All federal laws must receive Royal Assent from the Governor General of Canada before they can take effect. Even then, an act may not ‘come into force’ immediately. Some statutes include ‘commencement’ sections which state that all or parts of the act will not come into force until a specific date, or until proclaimed so “on a day to be fixed by order of the Governor in Council.”

All bills are numbered in the order that they are introduced, and by type. Bills introduced in the House of Commons start with the letter C for Commons (e.g. C-11). Those first introduced in the Senate start with the letter S (e.g. S-4). ‘Government bills’ are always numbered from 2-200, in the order that they were introduced. Private or opposition bills are numbered from 201 onward.

| Number: | C-11 |
| Title: | An Act to Amend the Copyright Act |
| Short title: | Copyright Modernization Act |
| Introduced: | September 29, 2011, in the 41st Parliament, 1st Session |

**McGill-style legal citation for this bill:**

Bill C-11, An Act to Amend the Copyright Act, 1st Sess, 41st Parl, 2011.

Bill numbers start over for each session of Parliament which means that there will be a new Bill C-2, C-3, etc., in every session. This can be very confusing if you’re searching for a specific bill, and only know the number. For example, in the session before (40th Parliament, 3rd session), Bill C-11 was the ‘Balanced Refugee Reform Act’.

If a bill does not pass in both chambers before Parliament is dissolved for an election or prorogued by the Governor General, it ‘dies on the order paper’ and must start all over again.
How to track the progress of federal legislation

LEGISinfo
Parliament of Canada
http://www.parl.gc.ca/LegisInfo/Home.aspx

An excellent online tool from the Parliament of Canada that provides information about every bill introduced since 1994. You can track a bill from its introduction in the House of Commons or Senate through to its enactment and coming into force.

How to find current federal statutes

Acts of the Parliament of Canada - cited as SC, for Statutes of Canada
Annual bound volumes are available at the Surrey campus library: REF KE 89 C36
Also available online: http://laws-lois.justice.gc.ca/eng/AnnualStatutes/index.html

Once a statute passes, it is given a title (usually the ‘Short title’ from the Bill) and a separate chapter number in that calendar year’s volume(s) of the annual Statutes of Canada (SC). Acts are numbered in the order that they are passed, which is usually different than the Bill number.

  e.g. Jobs and Economic Growth Act, SC 2010, c 12.

Revised Statutes of Canada, 1985 – cited as RSC 1985
Loose-leaf binder available at the Surrey campus library: REF KE 89 C361 – no longer updated

Occasionally, because it became difficult to keep track of all the changes to laws from year to year, Parliament would ‘consolidate’ and ‘revise’ the statutes. That means that it would incorporate all the amendments to every law in one place (consolidation), and then rearrange them alphabetically to include newly-added laws and remove those that had been repealed, update the language, and re-number the whole set of laws accordingly (revision). Each new set of laws was called the Revised Statutes of Canada (RSC) and became the basis for all subsequent amendments. This huge task was last done in 1985. To keep up-to-date, changes were made by adding or removing pages from the loose-leaf RSC binder volumes. Computers have made it unnecessary to do this laborious updating by hand.

Statutes that were on the books when the last revision was done in 1985 are cited to the RSC even though they may have been amended many times since then.

  e.g. Bank of Canada Act, RSC 1985, c B-2.

Department of Justice: Laws: Consolidated Acts
http://laws-lois.justice.gc.ca/eng/acts/

The federal Department of Justice maintains this official online collection of consolidated laws. Each law shows all of the changes that have been made since the last major revision in 1985. It is updated weekly, and is considered to be an official source of Canada’s laws.
How to find current federal regulations

Statutes tend to lay out the principles of a law while accompanying regulations provide more details. This ‘subordinate legislation’ is a form of primary law with the same legal force as an act. Not all statutes have regulations.

Canada Gazette, Part II
Available in print format at the Surrey campus library: REF KE 123 – 132
Also available online: http://www.gazette.gc.ca/rp-pr/p2/index-eng.html

This traditional source of federal regulations is published by the Privy Council Office every two weeks. Both print and online versions have an excellent cumulative index.

Consolidated Regulations of Canada - cited as CRC 1978
Available in print format at the Surrey and Richmond campus libraries: REF KE 119 1978
As with the Statutes, the regulations have been periodically ‘consolidated’ and ‘revised’, with ongoing loose-leaf updates. The last full revision was in 1978.

Department of Justice: Laws: Consolidated Regulations
http://laws-lois.justice.gc.ca/eng/regulations/

A convenient, up-to-date and official source of consolidated regulations; all amendments are incorporated into the regulations.

| Regulations are given titles and numbers to help identify and locate them. |
| Customs Diplomatic Privileges Regulations, CRC, c 522. |
| These regulations were included in the Consolidated Regulations of Canada volumes in 1978. They may have been amended since then, but they are still cited to the CRC. |
| Atlantic Fishery Regulations, SOR/86-21. |
| These regulations were created under Statutory Orders and Regulations (SOR) number 21 in 1986, after the 1978 Consolidated Regulations of Canada were published. |
BRITISH COLUMBIA STATUTES:

The process of a bill becoming a statute is almost the same provincially as it is federally, but there are fewer steps since there is only one House in the provincial Legislative Assembly. Elected representatives are called Members of the Legislative Assembly or MLA’s.

There are several types of bills:

- **Government (Public)**: these bills reflect the governing party’s policies and are introduced by a cabinet minister; they would affect all British Columbians, if passed
- **Private**: would affect only specific individuals or organizations; sponsored by any MLA
- **Member’s**: though public in scope, they are sponsored by a backbench MLA or member of an opposition party, rather than a cabinet minister; these rarely pass into law

Guides to the BC legislative process

**In-depth guide:**

*Legislation Made Easy* (3rd ed.) by Beverley Nash. [BC Registrar of Regulations]

BC Crown Publications

Available at the Surrey, Richmond and Langley campus libraries: **JL 430 N37 2010**

<table>
<thead>
<tr>
<th>All bills are numbered in the order that they are introduced, and by type. As at the federal level, bill numbers start over for each session.</th>
</tr>
</thead>
<tbody>
<tr>
<td>- <strong>Government Bills</strong> are always numbered from 1-200</td>
</tr>
<tr>
<td>- <strong>Members’ Bills</strong> are numbered from M 201 to M 400</td>
</tr>
<tr>
<td>- <strong>Private Bills</strong> are number from Pr 401 onward</td>
</tr>
</tbody>
</table>

McGill-style legal citation for a BC bill:

Bill 12, Teachers’s Act, 4th Sess, 39th Leg, 2011, BC.

How to track the progress of BC legislation

**Bills**

Legislative Assembly of British Columbia

[http://www.leg.bc.ca/legislation/bills](http://www.leg.bc.ca/legislation/bills)

Track status of bills, with link to text of bills at First Reading, Report and Third Reading stages, back to 1992. Includes tables of Ministry responsibility for Acts, by both title of Act and name of Ministry.

**QP LegalEze**

BC Queen’s Printer

[cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421](http://cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421) [Kwantlen login required]

Indicates current status of all bills, and links to Hansard debates from the Legislative Assembly.
How to find current BC statutes

Statutes of British Columbia - cited as **SBC**
Annual bound volumes are available at the Surrey campus library: **REF KEB 40 B74**

Only the print copy is the official version.

Once a statute passes, it is given a title (usually the ‘Short title’ from the Bill) and a separate chapter number in that calendar year’s volume(s) of the annual Statutes of British Columbia (SBC). Acts are numbered in the order that they are passed, which is usually different than the Bill number.

  e.g. Child Care BC Act, SBC 2001, c 4.

Revised Statutes of British Columbia, 1996 – cited as **RSBC 1996**
Loose-leaf binders at the Surrey, Richmond and Langley campus libraries: **REF KEB 41 B742**

As with the federal statutes, BC’s statutes have had periodic major revisions to incorporate all changes, update the language and re-number the statutes. The 1996 Revised Statutes of British Columbia (RSBC) set became the basis for all subsequent amendments; it was kept up-to-date by adding or removing amended pages in the loose-leaf RSBC binder volumes. In this digital age, it is unlikely that a major revision will happen again.

Statutes that were on the books when the last revision was done in 1996 are cited to the RSBC even though they may have been amended many times since then.

  e.g. Motor Vehicle Act, RSBC 1996, c 318.

**BC Laws**
[www.bclaws.ca](http://www.bclaws.ca)

Free source of consolidated BC statutes and regulations. A convenient, but unofficial source.

**QPLegalEze**

BC Queen’s Printer
cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421 [Kwantlen login required]

QPLegalEze is a comprehensive and searchable source of current and historical consolidated BC legislation taken from official sources, but not considered to be an official version itself. It includes Hansard debates; B.C. Gazettes; Tables of Legislative Changes and Historical Tables for statutes; as well as point-in-time tables for statutes and regulations which help determine what laws were in place on a certain date. Produced by the Queen’s Printer in partnership with the Ministry of the Attorney General and the Legislative Assembly.
BRITISH COLUMBIA REGULATIONS:

Statutes tend to lay out the principles of a law while accompanying regulations provide more details. This ‘subordinate legislation’ is a form of primary law with the same legal force as an act. Not all statutes have regulations. The power to make regulations is specified in the enabling Act.

Regulations are given titles and numbers to help identify and locate them.

*Strata Property Regulation, BC Reg 43/2000.*

**B.C. Gazette, Part II**

Available in print format at the Surrey campus library: **REF KEB 74 B7**

Also available online through QP LegalEze: [cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421](http://cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421) [Kwantlen login required]

This official print source of provincial regulations is published every two weeks.

*Consolidated Regulations of British Columbia* - cited as **CRBC**

Available in print format at the Surrey and Richmond campus libraries: **REF KEB 78 B75**

Loose-leaf updates. Equivalent sources are BC Laws and QP LegalEze.

**BC Laws**

[www.bclaws.ca](http://www.bclaws.ca)

Free source of BC statutes and regulations. A convenient, but unofficial source.

**QP LegalEze**

BC Queen’s Printer

[cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421](http://cufts2.lib.sfu.ca/CRDB/BSKC/resource/11421) [Kwantlen login required]

What’s the difference between a regulation and an order?

A regulation is a form of order which is explicitly called for or permitted by the enacting statute. According to the current BC Registrar of Regulations “a regulation is an order that

- Directs the way someone must act
- Limits rights and freedoms
- Sets fees
- Affects the public, rather than any individual or group
- Is more than merely administrative”

FURTHER INFORMATION

Guides to legal research

Banks on Using a Law Library: A Canadian Guide to Legal Research
Available in print format at Surrey, Richmond & Langley: REF KE 250 B37 1994
Particularly valuable for historical research

Best Guide to Canadian Legal Research
www.legalresearch.org

Legal Research & Writing by Ted Tjaden
Available in print format at Surrey, Richmond & Langley: REF KE 250 T53 2010
Accompanying website: www.legalresearchandwriting.ca

Legal citations

Canadian Guide to Uniform Legal Citation [also called the “McGill Guide”]
Available in print format at all campus libraries: REF KE 259 C35 2010

Please see these other Kwantlen Library guide to legal research. They are all available through the Library’s subject guide for Law:

http://libguides.kwantlen.ca/law

Case Law
Canadian Constitution and the Charter of Rights & Freedoms
Canadian Encyclopedic Digest

If you have any questions, please ask a librarian. We’re here to help!
www.kwantlen.ca/library/services/askalibrarian.html

Rev. October 2011 (cb/cv)