



# Primary and secondary legislation

## Hierarchy of norms in CR

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# Structure

- Primary legislation
  - General Acts
  - Personal and Local Acts
- Secondary legislation
- Hierarchy of norms in CR

- It's very important to distinguish between various level of legislation
- The legislation with which most people are familiar is *statute law*
- Bills proposed in Parliament become *Acts*
- => these acts may either be *general* or *personal*
- Both of these are sometimes known as

## **Primary legislation**

# Primary legislation


- is legislation made by the legislative branch of government
- In the United Kingdom, and other Commonwealth countries, primary legislation is known as an Act of Parliament, and in the United States, it is (at federal level) an Act of Congress.


# General Acts

- Apply to everybody, everywhere within the legal system
- There are several different legal systems within UK; one for England and Wales, one for Scotland and one for Northern Ireland
- A legal rule in a statute can only be changed by another statute


# Personal and Local Acts

- Apply either to particular individuals or (more usually) to particular areas
- The most common example of local legislation is that which applies to individual cities

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- Sometimes Parliament cannot decide exactly what the law should be on a point
  - => in such cases Parliament may pass an Act giving somebody else the power to make law in the appropriate area
  - Such power is often given to government ministers or local authorities
  - => this is the most common example of what is known as *delegated* or

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- The Act (sometimes called Parent Act) will determine the area in which law can be made, it may say something about the content of the law , but the details of that law will be left to the person or body to whom legislative power is delegated



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- They may also have the power to change the law from time to time
  - Most delegated legislation is published as a statutory instrument
  - Most of the social security system is based on delegated legislation

# Secondary legislation

- = **Delegated legislation** (also referred to as **subordinate legislation**) is law made by an executive authority under powers given to them by primary legislation in order to implement and administer the requirements of that primary legislation.
- It is law made by a person or body other than the legislature but with the legislature's authority.

# Hierarchy of norms in CR

- Gradual arrangement of legal system according to importance of legislation

# Statutory provisions

- Constitution and constitutional laws



- Laws and legal measures



# Subordinate legislation

- Government Regulation



- Ministerial Decrees



- Decrees governing units (e.g. Community)

# Sources

- Chromá Marta; New introduction to Legal English; Volume I
- <http://en.wikipedia.org>

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Thank you for your  
attention