MERCURY

Advanced Legislative Drafting and Impact Assessment

31 October – 11 November 2027
Kuala Lumpur (Malaysia)



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Advanced Legislative Drafting and Impact Assessment

Ref: 121200_1079434 **Date:** 31 October – 11 November 2027 **Location:** Kuala Lumpur (Malaysia) **Fees:** 8000 Euro

Advanced Legislative Drafting and Regulatory Impact Assessment is a 2-week course for government counsel, draftspersons and analysts who already write bills or regulations and now need to test them before adoption. It joins provision-level drafting with impact assessment, consultation planning and clause-by-clause scrutiny, and you take back a Bill Impact and Scrutiny File for a measure from your own institution. Mercury Training Center delivers this advanced legislative drafting course.

About This Course

Many bills reach ministers or committees with clear wording but untested costs, unclear burdens and gaps that only appear after enactment. This course answers that gap. You should already prepare draft instruments or advise on them. You practice on real-style bills, impact worksheets and consultation responses, revising each draft in small review panels.

Who It Is For

- Government counsel and draftspersons who turn instructions from ministries into bills and regulations.
- Analysts who prepare impact statements, cost estimates and option comparisons for new rules.
- Committee and secretariat staff who scrutinize draft bills before debate or approval.
- Reform team and law commission members who plan amendment packages across several statutes.
- Compliance and regulatory advisers who check that new provisions can be enforced in practice.

This course is not for newcomers who have never drafted a provision; a foundation course in drafting and the policy cycle suits them better. It also does not suit readers who need only contract wording skills; a commercial contract drafting course fits them better.

Competencies You Will Build

- Provision Architecture: you structure objects, definitions, duties, offenses and transitional clauses so each one does a single job.
- Impact Analysis: you compare options, estimate costs and benefits, and record the evidence behind each figure.
- Consultation Design: you plan who is consulted, when and how, and show how responses changed the draft.
- Clause-by-Clause Scrutiny: you test a bill for conflicts, gaps, enforceability and unintended effects.
- Interagency Negotiation: you resolve disagreements between ministries over wording and responsibilities.
- Post-Enactment Review: you set indicators and review points that show whether the measure works.

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What You Will Be Able to Do

By the end of the course you will be able to:

- Given drafting instructions from a ministry, prepare a bill outline with definitions, operative provisions and commencement clauses.
- Using an option appraisal template, compare a regulatory, a non-regulatory and a no-change option for one problem.
- From compliance cost data, estimate the burden on businesses and citizens and summarize it in an impact statement.
- Given a set of consultation responses, sort them by theme and draft the changes and the response note.
- Using a scrutiny checklist, review a draft bill and list conflicts with existing statutes and enforcement gaps.
- From an enacted measure, design monitoring indicators and a post-implementation review plan.

Course Content

Day 1: The Hierarchy of Norms and Drafting Quality

- Constitutional, Administrative and Statutory Hierarchy Applied to a New Instrument
- Primary Statutes, Secondary Regulations and Directives Compared by Purpose
- Failure Cases Caused by Ambiguity, Omission or Overlap
- Ethics, Transparency and Accountability Duties of the Draftsperson
- Life Cycle of a Bill from Instructions to Commencement

Day 2: Provision Architecture

- Objects, Scope and Definitions Clauses for a Licensing Bill
- Mandatory, Discretionary and Prohibitive Wording Choices
- Offense, Penalty and Enforcement Provisions Linked to an Enforcing Body
- Transitional, Savings and Repeal Provisions for Replacement Statutes
- Numbering, Sequencing and Cross-Reference Conventions

Day 3: Plain Language and Explanatory Material

- Plain Language Techniques for Sentences, Lists and Conditions
- Explanatory Notes and Clause Commentaries for Decision-Makers
- Legal Justification Memos for Cabinet or Board Submissions
- Drafting Checklists and Templates for Common Instrument Types
- Comparative Law Review to Benchmark a Draft Against Other Jurisdictions

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Day 4: Problem Definition and Option Appraisal

- Problem Statement and Intervention Logic for a Proposed Rule
- Regulatory and Non-Regulatory Instruments Compared for One Problem
- Evidence Gathering and Baseline Data for Impact Estimates
- Feasibility Screening for Political, Social, Economic and Legal Risk
- Inclusive and Gender-Sensitive Language Checks in New Rules

Day 5: Regulatory Impact Assessment Methods

- Regulatory Impact Assessment Stages and the Impact Statement Format
- Cost-Benefit Analysis for Businesses, Citizens and Government
- Standard Cost Model for Administrative Burden Estimates
- Small Business and Distributional Effects Tests
- Sensitivity Analysis and Stating Uncertainty in Estimates

Day 6: Consultation Planning and Stakeholder Negotiation

- Stakeholder Mapping and Prioritization for a Draft Regulation
- Consultation Plan Design: Methods, Timing and Accessible Documents
- Analyzing Consultation Responses and Recording Changes Made
- Interagency Negotiation and Persuasion Over Contested Clauses
- Conflict Resolution When Ministries Share Enforcement Duties

Day 7: Harmonization and Risk Before Enactment

- Conflict Mapping Between New Provisions and Existing Statutes
- Harmonization Tools for Overlapping Instruments
- Scenario Planning for Multi-Phase Reform Packages
- Risk Register for Enactment Timing and Implementation Capacity
- Alignment of Draft Bills with International Commitments and Benchmarks

Day 8: Scrutiny of Draft Bills

- Clause-by-Clause Scrutiny Checklist for Committee and Secretariat Review
- Enforceability and Implementation Tests for Each Duty
- Peer Review Panels and Quality Assurance Sign-Off
- Responding to Interagency Feedback with Revised Text
- Committee Briefings and Simulated Hearings on a Draft Bill

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Day 9: Digital Drafting, Monitoring and Review

- Collaborative Drafting Platforms and Version Control for Bills
- AI-Assisted Drafting and Analysis Tools with Human Checks
- Data Analytics and Simulation to Forecast a Measure's Effects
- Monitoring Indicators and Evaluation Plans for Enacted Rules
- Post-Implementation Review and Iterative Amendment Proposals

Day 10: Bill Scrutiny Practice

- Exercise: Redrafting Day 2 Enforcement Clauses After Scrutiny Comments
- Exercise: Completing a Day 5 Impact Statement for a New Licensing Rule
- Exercise: Revising a Draft from Day 6 Consultation Responses
- Exercise: Presenting a Day 8 Scrutiny Report to a Mock Committee
- Completing Your Bill Impact and Scrutiny File

Case Studies and Exercises

The items below are suggested activities.

- Case study: a ministry of health plans to license private home-care providers; you draft the licensing provisions and estimate the compliance burden.
- Case study: an energy ministry replaces an outdated electricity statute; you map conflicts with existing laws and write the transitional clauses.
- Exercise: a municipal authority proposes new food-hygiene penalties; you compare options and recommend one in an impact statement.
- Exercise: a transport ministry receives mixed consultation responses on ride-hailing rules; you revise the draft and write the response note.

What You Take Back

The Bill Impact and Scrutiny File is the dossier you build across the two weeks for a measure from your own institution. In your first month back you complete its evidence with colleagues, run the consultation it plans, and use its scrutiny report to brief the officials who approve the draft.

- Bill outline with key provisions and explanatory notes.
- Impact statement with options, costs and benefits.
- Consultation plan and response log.
- Scrutiny report and monitoring plan.

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Quick Answers FAQ

What should you know before an advanced legislative drafting and regulatory impact assessment course?

You should already draft bills or regulations, or advise on them, and know how instruments move through approval in your institution. Basic spreadsheet skills help with cost estimates.

How does advanced legislative drafting with impact assessment differ from a foundation drafting course?

A foundation course teaches how to write clear provisions through the policy cycle. This one adds impact assessment, consultation planning, harmonization and clause-by-clause scrutiny, so a bill is tested for cost, conflict and enforceability before adoption.

When does a draft regulation need a regulatory impact assessment?

An assessment is most useful when a rule places new duties or costs on businesses, citizens or agencies, or when several options exist. Proportionate depth matters: a minor technical change needs a short note, a major reform a full analysis.

What do you take back from advanced legislative drafting and impact assessment training?

You take back a Bill Impact and Scrutiny File for a measure from your own institution, with a bill outline, an impact statement, a consultation plan and a scrutiny report.

For Your Manager

After the course, the team member can draft provisions that are clear and enforceable, assess their costs and benefits, plan consultation and scrutinize bills before approval. They return with a Bill Impact and Scrutiny File for a measure from the institution, first used to brief approving officials and to run the consultation on that draft.