

HANDBOOK OF LEGISLATIVE PROCEDURE UNDER MACAU PARLIAMENTARY LAW

“Good legislation is legislation that embodies a good government. If solely well made — by reducing the meaning of such expression to compliance with techniques (v.g. drafting or systematisation) — such legislation may also reflect a bad government.”

ANTÓNIO MANUEL HESPANHA³

“[T]o try to recover and highlight ways of thinking about legislation that present it as a dignified mode of governance and a respectable source of law. I want us to see the process of legislation - at its best - as something like the following: the representatives of the community come together to settle solemnly and explicitly on common schemes and measures that can stand in the name of them all, and they do so in a way that openly acknowledges and respects (rather than conceals) the inevitable differences of opinion and principle among them. That is the sort of understanding of legislation I would like to cultivate.”

JEREMY WALDRON⁴

“Sometimes one forgets that making laws, correcting them, adapting them, requires prior knowledge of the legislative techniques and the subject-matters over which one acts [...]. One cannot be a legislator by accident, but only when and if one is prepared for, and deserves to be in, power.”

MANUEL LEAL-HENRIQUES⁵

“In these issues, as in all others, good legislation must always be to the benefit of the population of the MSAR, whether it stems from the Government or from the Legislative Assembly’s own initiative.”

THIRD STANDING COMMITTEE OF THE MACAU LEGISLATIVE
ASSEMBLY⁶

³ António Manuel Hespanha, ‘Leis bem feitas e leis boas’ (2009) 50 *Legislação* 31.

⁴ Jeremy Waldron, *The Dignity of Legislation* (Cambridge University Press 1999) 2.

⁵ Manuel Leal-Henriques, ‘A revisão de 2013 – apresentação e análise crítica’ in Pedro P Sena and José Manuel Figueiredo (coords), *Estudos Comemorativos XX anos Código Penal – Código Processo penal de Macau* (Fundação Rui Cunha 2016).

⁶ TSC, Report No. 1/IV/2012, “Evaluation and study with a view to the possible enactment of a Law on Medical Malpractice”.

PART 1

INTRODUCTION
