

DETERMINATION OF LEGISLATIVE INTENT

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Introduction: The legislative intent is one of key elements required to successfully interpret a legal norm in order to apply it to real life situations. However the determination of legislative intent may prove difficult as in Latvian jurisprudence there is little information regarding the process by which the legislative intent is determined or the information sources to be used during this process.

Aim: The aim of the research was to create an accurate description of the process for determining legislative intent, as well as to explain the role and meaning of legislative intent in interpreting legal norms.

Results: The result of the research is a detailed explanation of the law-making process, including the legislative process in the parliament, revealing the process behind the formation of legislative intent and identifying the sources that should be used to determine legislative intent. Also the result of research the classification of legislative intent into two different kinds was proposed and substantiated and the proposition of several criteria which need to be fulfilled in order to recognize a source of information as a material used in drafting a bill and to consequently be used as a source for determining legislative intent.

Conclusions:

1. Legislative intent consists of two different elements – the form and the content. The form is defined by the vote of the parliament. The content however is derived from the materials of the law-making process,

including the materials of the legislative process among other sources of information.

2. If a legal norm is enacted without any amendments during the legislative process, the legislator practically accepts the meaning of the legal norm that was put into it by the authors of the bill, and the legislator accepts the intent of the authors of the bill as the legislative intent.
3. The annotation of a bill is an all-encompassing source for determining legislative intent, and it allows the legislator to comprehend the whole bill drafting process and the reasoning behind the bill without the need to examine every single bill drafting material involved in the drafting process. Therefore the utmost care and attention should be exercised when drafting said annotations.
4. When determining legislative intent, it is necessary to consider not only the decision of the legislator *per se*, but also the motives, foreseeable aims and the reasoning behind it.^o