



**Research Paper**

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# **COMPARATIVE INFORMATION ON THE PROCEDURES OF ASSEMBLY QUESTIONS**

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This paper is prepared for Members of the Committee on Procedures of the Northern Ireland (NI) Assembly to facilitate their understanding of the procedures and practices of Assembly Questions both in the NI Assembly and other legislatures.

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## SUMMARY OF KEY POINTS

This paper details the current procedures underpinning Assembly Questions in the Northern Ireland (NI) Assembly and other Legislatures. By reviewing the procedures and practices in other Legislatures, a number of issues have been identified which the Committee on Procedures may wish to consider further.

The following provide a summary of those key issues:

- The first issue relates to the five day notice period Members of the NI Assembly have to table an oral question. This notice period starts 14 working days before the Question Time in which the question is to be asked and ends 9 working days before the question is to be asked. The Committee on Procedures may wish to consider further the option of moving the five day notice period closer to the chosen Question Time to help improve topicality of Question Time.
- Another issue which the Committee on Procedures may wish to consider further is the method by which questions are selected. Under the current procedures, there will be a number of questions tabled which will not reach the Order Paper at all. The Committee on Procedures may wish to consider a more efficient method for selecting questions for oral answer, for example choosing the name of Members who wish to pose a question.
- This leads on to another issue which the Committee may want to consider further, that is the total number of questions published on the Order Paper. On several occasions during Question Time in Session 2007-08, over half of the questions on the Order Paper were not reached. Therefore the Committee may wish to consider reducing the number of questions chosen as this may improve the efficiency of Question Time and reduce the disappointment of Members when questions are not reached.
- A final issue which the Committee on Procedures may wish to consider further is the allocation of specific time limits on questions, Ministerial responses and supplementary questions asked during Oral Question Time. Placing time limits on questions and responses may help to alleviate the issue of questions not being reached and may also challenge Ministers more in their responses.

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## **INTRODUCTION**

This briefing is prepared for Members of the Committee on Procedures to facilitate their understanding of the procedures and practices of Assembly Questions. The Committee are currently reviewing Assembly Questions in the Northern Ireland (NI) Assembly and have agreed upon the Terms of Reference for their Inquiry. The aspects of Assembly Questions which the Committee will review are Oral Questions, Written Questions and Priority Written Questions. With regards to Oral Questions the Committee have agreed to examine the following:

- the methodology for selection of questions, the number of questions on the Order Paper and the number of questions answered during question time,
- the rota for Ministers including the frequency of questions to the First Minister and deputy First Minister,
- the time bands allocated for question time,
- the length of Ministerial responses,
- the length of supplementary questions and response, and
- the method for allocation of supplementary questions.

The Committee on Procedures has also agreed to review the following aspects of Written Questions:

- the process for the tabling of written and priority written questions including assessing whether the limits should be increased or decreased,
- the extent to which Government Departments achieve the targets for answering written questions, and
- the criteria for admissibility of Priority Written Questions.

Section 1 of this briefing paper provides a summary of current procedures and practices of Assembly Questions within the NI Assembly. For comparative purposes Sections 2, 3, 4, 5, 6 and 7 respectively concern practices and procedures of Assembly Questions in other Legislatures. Included in this comparative element are the procedures of another devolved administration, the Dáil Éireann, the House of Commons at Westminster, the House of Commons of the Canadian Parliament in Ottawa, the Legislative Assembly of Ontario and the Norwegian Parliament, the Storting. Section 8 of this briefing paper identifies a number of potential issues which the Committee on Procedures may wish to consider. Finally Section 9 of this paper provides a table containing comparative information on procedures of Assembly Questions in the NI Assembly and other Legislatures.

Assembly Questions are an aspect of Assembly procedure which can be used by Members to seek information or press for action from the Government. Assembly Questions oblige Ministers to defend and explain the work, policy decisions and actions of their Departments. Within the NI Assembly at present, Members have the option to pose an oral question to the Government at the appropriate time during Chamber proceedings. Members may also request a written response to questions from Ministers. The practices and procedures surrounding these two types of Assembly Question in the NI Assembly will be outlined in further detail.

## **SECTION 1 NORTHERN IRELAND ASSEMBLY**

Subject to the provisions outlined in Standing Orders, Members of the NI Assembly may ask questions of a Member of the Executive Committee, or a Member representing the Assembly Commission.<sup>1</sup> As mentioned, questions can either be in oral or written form, this is up to the Member to choose however, the procedures and practices for each type of question differ. This section outlines the procedures and practices in the NI Assembly for the following:

- 1.1 Questions for Oral Answer, and
- 1.2 Questions for Written Answer

### **1.1 Questions for Oral Answer**

Questions for oral answer are taken in the NI Assembly from 2.30pm – 4.00pm on Mondays on which there is a sitting day with Ministers from three Departments participate in Question Time each week. The First Minister and deputy First Minister answer questions every two weeks with thirty minutes being allocated to each Department.<sup>2</sup>

If a Member of the NI Assembly wishes to ask an oral question during Question Time, they must first lodge it in writing. A maximum of one question per Member per Department is permitted and the Member must indicate the day in which the question is to be asked. Members have a period of five working days to table questions to relevant Departments. This notice period ends at 3pm on the penultimate Tuesday before it is due to be answered by the Minister in the Chamber. For example if a Member wishes to ask a question on Monday 22 September 2008, the five day notice period will start on the 2 September and end five working days later on the 9 September.<sup>3</sup>

The questions which appear on the Order Paper are randomly selected by using computer software. A maximum of 20 questions for each Department are selected from all admissible questions tabled, questions not selected will fall and there will be no requirement upon the Department concerned to provide an answer. Questions selected for answer will be published two working days before that on which the answer is desired. In practice therefore, questions will be published on the Wednesday before the plenary session on the Monday.

The sequence in which initial questions are taken during Question Time is determined by a ballot carried out by the Speaker. Once a Member has asked their initial question and the Minister has responded, the Member may follow up the Minister's response with a supplementary question. The Speaker may also, at his/her discretion take additional supplementary questions from that Member or from other Members. Standing Orders of the NI Assembly do not specify time limits for oral questions, supplementary questions or Ministerial responses, this is down to the discretion of the Speaker. When the Speaker considers that the matter raised in a question has been sufficiently explored, he/she will call the next question. If a question is published but is not reached during Question Time, the Member will receive a written answer.<sup>4</sup>

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<sup>1</sup> Standing Order 19 of the Northern Ireland Assembly  
[http://www.niassembly.gov.uk/sopdf/2007mandate/Standing\\_Orders\\_July08.pdf](http://www.niassembly.gov.uk/sopdf/2007mandate/Standing_Orders_July08.pdf)

<sup>2</sup> Ibid, Pg 14

<sup>3</sup> Guidance for Members on Assembly Questions for Oral and Written Answer, 2007, Pg 7  
[http://assist.assemblyni.gov.uk/services/businessoffice/theniassembly07/Guidance/Members\\_Ques.pdf](http://assist.assemblyni.gov.uk/services/businessoffice/theniassembly07/Guidance/Members_Ques.pdf)

<sup>4</sup> Ibid pg 8.

## 1.2 Questions for Written Answer

As mentioned previously, Members of the NI Assembly may choose to have a written response to their question. Members can table questions for written answer Monday to Friday until 4pm with a maximum of five questions per Member per day permitted. The question will normally be due for answer by the relevant Minister, 10 clear working days after it is published. If it is a Priority Question, the Member can request that it be answered two to five clear working days.<sup>5</sup>

## SECTION 2 THE DÁIL ÉIREANN - THE HOUSES OF THE OIREACHTAS

Members of the Irish Parliament (Deputies) can ask questions of Members of the Irish Government on matters relating to public affairs connected with their Departments. These questions can either be answered orally during a period of time during plenary called Question Time, or the Deputy can receive a written response. Section 3 outlines the procedures and practices in the Dáil Éireann for the following:

2.1 Questions for Oral Answer, and

2.2 Questions for Written Answer

### 2.1 Questions for Oral Answer

The Dáil Éireann allocates a specific time period for Deputies to ask questions of the Taoiseach and Ministers of the Government. Questions for oral answer to the Taoiseach are usually taken from 2.30pm to 3.15pm on Tuesdays and during Leader's Questions on Wednesdays.<sup>6</sup> Questions for oral answer to other Members of the Government are usually taken from 3.15pm to 4.15pm on Tuesdays, 2.30pm to 3.45pm on Wednesdays and from 3.30pm to 4.45pm on Thursdays.<sup>7</sup>

Members of the Dáil Éireann can table a question for oral answer four days before the question is to be asked. For example, if a Member wished to ask the Minister for Agriculture a question on a Tuesday, the Member would have to table their question before 11 am on the Wednesday before the Question Time. An exception to this deadline would be that for Priority Questions which have a deadline of three days. Priority Questions are oral questions normally tabled by the spokesperson of the opposition in that area, in the example above this would be Agriculture. A Member may only table two oral questions in his/her name to any one Minister, however there is no restriction on the number of oral questions to the Taoiseach. All questions which have been tabled on time will be placed on the Order Paper, the sequence of which will be determined by a lottery. This lottery is carried out on the fourth day before the questions are to be asked, the Order Paper is then published the night before each sitting day.<sup>8</sup>

Standing Orders of the Dáil Éireann stipulate the amount of time permitted for each question should be no longer than six minutes. In practice this six minute allocation starts when the Minister gives his reply, which has a time limit of two minutes. Two supplementary questions are permitted after the initial question, which are limited to one minute each. The Minister is permitted one minute to reply to each supplementary question, therefore the total amount of time allowed for

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<sup>5</sup> Ibid

<sup>6</sup> The Speaker may permit at his/her discretion a brief question no longer than two minutes from each Leader in Opposition to the Taoiseach about a matter of topical public importance.

<sup>7</sup> Standing Orders of the Dáil Éireann

[http://www.oireachtas.ie/documents/proceduraldocuments/StandingOrders2007\\_English\\_and\\_Irish.pdf](http://www.oireachtas.ie/documents/proceduraldocuments/StandingOrders2007_English_and_Irish.pdf)

<sup>8</sup> Information gained through correspondence with the Parliamentary Questions Office of the Dáil Éireann.

supplementary questions and the replies is four minutes. This time allocation may be changed, however this is entirely down to the discretion of the Ceann Comhairle (the Speaker).<sup>9</sup>

## **2.2 Questions for Written Answer**

Members of the Irish Parliament also have the option to table a question to a Minister for a written response. Written Questions require three days notice and Members are not restricted in the number of questions which can be asked. Replies to written questions must be received on the same day as the question appears on the Order Paper.<sup>10</sup>

## **SECTION 3 THE HOUSE OF COMMONS, WESTMINSTER**

Members of the House of Commons also have the opportunity to hold the Government to account, either in the form of oral questions to Ministers in the Chamber or in the form of written questions. Standing Orders outline in broad terms the procedures governing oral and written questions in the House of Commons. However in more recent years changes have occurred as to how these procedures are carried out in practice. This section outlines the procedures and practices in the House of Commons for the following:

- 3.1 Questions for Oral Answer, and
- 3.2 Questions for written answer

### **3.1 Questions for Oral answer**

Oral questions are asked and answered on the floor of the House of Commons during a period of Chamber proceedings called Question Time. Standing Orders outline how questions will be taken during Question Time on Mondays from 2.30pm – 3.30pm, on Tuesdays from 2.30pm – 3.30pm, on Wednesdays from 11.30am – 12.30pm and on Fridays from 10.30am 11.30am. The Prime Minister answers questions every Wednesday from 12 noon until 12.30pm. The Departments, Ministers and other members who answer such questions are organised in to a rota by the Government, usually following consultation with the Whips of other parties.<sup>11</sup>

On the 25 October 2007 the House of Commons agreed to a new procedure recommended by the Select Committee on Modernisation, to provide time for Members to ask “topical” oral questions in the last 10 – 15 minutes of some oral Question Times from the beginning of the 2007-08 Session. The intention behind this new procedure was to create the opportunity for “topical and spontaneous questions” on issues of the day selected by Members. The amount of time allocated to each Department for Topical Question Time would depend on the overall amount of time that Department had for Oral Question Time. For example, the Departments of Business, Transport and Justice all have Oral Question Times of more than 40 minutes thus, Oral Question Time for these Departments and others would be made up of 45 Minutes on substantive orals and 15 minutes on topical oral questions.

A Member may lodge a question for both Oral Question Time and Topical Question Time. When there is another Question Time held on the same day Members will be able to table a question for that Question Time also. Before the introduction of the new procedure of Topical Questions, if a Member wanted to ask a question during

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Standing Orders of the House of Commons

<http://www.publications.parliament.uk/pa/cm200708/cmstords/105/105.pdf>

Question Time they had to follow certain procedures to do so. These procedures have not changed and Members can still table questions to be asked during Question Time. To accommodate the new Topical Question Time, a number of new procedures have been introduced for Members wishing to ask a question during this time. Before these new procedures are discussed however, an outline of the procedures for normal Question Time in the House of Commons will be provided.

Members wishing to ask a question during Oral Question Time are permitted to table one question for this period. All such questions must be tabled at least three days in advance of the Question Time (except those questions for the Prime Minister and Secretaries of States which are dealt with differently). All questions to a particular Department are then subject to a random computer ballot or shuffle to decide which questions will be published and in which order they will be taken. The successful questions are published the next day in the order in which they will be called.

Question Time will begin on the given day by the Speaker calling on the Member whose name appears first on the Order Paper, the Minister then answers the question. From this point on further exchanges are unscripted however the Member who asked the initial question is normally the first to be called to ask a supplementary question. The order in which supplementary questions is entirely down to the discretion of the Speaker however he/she will usually alternate between the Government and the Opposition sides of the House. When the Speaker decides that enough supplementaries have been asked, he will call the Member who will be asking question number two. This process will begin again until the end of the Question Time.<sup>12</sup>

Members wishing to ask a question during Topical Question Time may enter their name into a ballot which takes place at the same time as the ballot for ordinary Question Time. Those Members chosen to ask a Topical Question will be notified of this and will subsequently be called by the Speaker to ask their question in the Chamber during Topical Question Time.<sup>13</sup>

Within the House of Commons, there is also a special procedure for questioning Ministers on matters of urgency. These special questions are called Urgent Questions. A Member is not required to give advance notice of this kind of question, instead notice is given to the Minister concerned. In order to ask an Urgent Question, a Member must apply to the Speaker, the Department concerned is then informed. It is up to the Speaker to decide whether to allow an Urgent Question, where these questions are allowed they are taken immediately after Question Time. These Questions however must be of urgent public importance.

### **3.2 Questions for Written Answer**

Questions for written answer are used by Members of Parliament to try and extract more detailed information from the Government than would be available from an oral question. Members may table a question for written answer but they do not, if they so wish, have to specify a date in which the question has to be answered. These types of questions are called 'Ordinary' Written Questions and the convention is that the Member can expect such a question to be answered within seven days of the question being tabled. Members may also specify if they wish, a date in which the

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<sup>12</sup> Parliamentary Questions Factsheet, House of Commons Information Office  
<http://www.parliament.uk/documents/upload/P01.pdf>

<sup>13</sup> Information gained through correspondence with the Table Office of the House of Commons, Westminster.



question must be answered, these are referred to as Named Day Questions. Such questions must be published at least two days before the date named for answer.<sup>14</sup>

## **SECTION 4 THE SCOTTISH PARLIAMENT**

Parliamentary questions in the Scottish Parliament provide a means for Members to obtain factual and statistical information from the Scottish Executive or the Scottish Parliament Corporate Body (SPCB). There are two types of question used in the Scottish Parliament written and oral, written questions being the most common type of question. Oral questions are answered on one day each week (except during recesses) and can be lodged for answer either at Question Time or at First Minister's Question Time. Emergency oral questions provide an opportunity for Members to lodge an oral question to the Scottish Executive on a matter of such importance and urgency that it merits being answered on the day it is lodged. All questions, whether addressed to the Executive or the SPCB, are lodged in the same way. The procedures governing questions for oral answer are outlined below.<sup>15</sup>

### **4.1 Questions for Oral Answer**

Subject to the provisions outlined in the Standing Orders, Question Time is held on a Thursday in the Chamber from 11.40am to 2.55pm. Question Time in the Scottish Parliament is divided into General Question Time, First Minister's Question Time and Themed Question Time. General Question Time takes place between 11.40am and 12 noon, First Minister's Question Time takes place between 12 noon and 12.30pm and Themed Question Time takes place between 2.15pm and 2.55pm. All Ministers of the Scottish Executive are present for General Question Time, the First Minister is present for First Minister Question Time every week and the relevant Ministers are present for Themed Question Time.<sup>16</sup>

#### 4.1.2 General and Themed Question Time

Members wishing to lodge a question for oral answer at General or Themed Question Time should submit their names for random selection at any time from when General and Themed Question Time have ended (normally 2.55 pm) in the third week before the week in which the question is to be asked, until 12 noon on the Wednesday of the second week before the week in which the question is to be asked. After the names of those Members wishing to ask an oral question have been lodged, a random selection of names is carried out. This is done in the order that each Question Time takes place, beginning with General Question Time. Ten names are selected for each Question Time and a name, once selected, is excluded from any subsequent selections on that day. As soon as possible, three lists of names are prepared in the order determined by the random selection.<sup>17</sup>

In the Scottish Parliament Themed Question Time is divided into two themes or subject areas with 20 minutes allocated to each theme or subject area. These subject areas reflect the Scottish Executive Departments therefore the relevant Minister for that Department will be present during that particular Themed Question Time. Members may submit their names for selection in each subject area of Themed Question Time and for one question during General Question Time. As

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<sup>14</sup> Ibid.

<sup>15</sup> Guidance on Parliamentary Questions in the Scottish Parliament, 2007  
<http://www.scottish.parliament.uk/business/parliamentaryProcedure/g-pqs/dgpg.htm>

<sup>16</sup> Chapter 13 of the Standing Orders of the Scottish Parliament  
<http://www.scottish.parliament.uk/business/so/sto-5.htm#13>

<sup>17</sup> Guidance on Parliamentary Questions in the Scottish parliament, 2007  
<http://www.scottish.parliament.uk/business/parliamentaryProcedure/g-pqs/dgpg.htm>

described above, in any given week the maximum number of times that a Member may be selected to ask a general or themed question is one.<sup>18</sup>

Once a Member of the Scottish Parliament has been notified of their name being selected, they may lodge a question only for the Question Time for which they have been chosen. Oral questions may normally be lodged at any time from the time of the random selection of names to 12 noon on the Wednesday of the week before the question is to be asked. All questions are checked against the admissibility criteria, ensuring that they relate to the subject area for which the Member's name has been selected. As soon as possible after the 12 noon deadline, a list is prepared of questions in the order determined by the random selection of names. The list is published on the Thursday one week before the relevant Question Time.<sup>19</sup>

In the Chamber when asking the question, the Member must repeat the full text of the question as printed in the Business Bulletin. The Member who asks the question may also ask one supplementary question. Additionally, at the discretion of the Presiding Officer, any Member, including the Member who asked the question may ask further supplementary questions. Oral questions not answered in the Chamber because of lack of time, or not asked because the Member is unable to be in the Chamber at the time, are treated as written questions.<sup>20</sup>

#### 4.1.3 First Minister Question Time

The procedures and practices in place for Members of the Scottish Parliament to pose questions to the First Minister differ slightly to those of General and Themed Question Time. For example, Members do not lodge their names for random selection, each Member is permitted to lodge one question for First Minister Question Time. Oral questions for this Question Time may normally be lodged at any time from the end of the preceding First Minister's Question Time until 2.00 pm on the third day before the First Minister's Question Time for which the question is being submitted (normally the Monday of the same week). All admissible oral questions are then passed to the Presiding Officer's Office. At this point in the proceedings the Presiding Officer will normally select six questions, the first two or three questions selected are normally from the leaders or representatives of non-Executive groups. Once the remaining questions are selected, the full list will be published the next day. At First Minister's Question Time any Member may, at the discretion of the Presiding Officer ask a supplementary question, however these must be on the same subject matter as the original question.<sup>21</sup>

The Scottish Parliament has a provision to enable Members to ask emergency questions they feel are of an urgent nature. A Member lodging a question of this nature may, if it is lodged by 10.00 am on a day on which there is a meeting of the Parliament, request that it be answered that day. Once an emergency question has been lodged it is passed to the Presiding Officer, who decides whether the question is sufficiently urgent to allow it to be put as an emergency question and answered at that day's meeting of the Parliament. If the Presiding Officer selects the question, the Member who lodged the question and the Executive will be notified immediately and all Members will be informed that an emergency question is to be taken.<sup>22</sup>

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Guidance on Parliamentary Questions in the Scottish Parliament 2007, Para 4.18

<http://www.scottish.parliament.uk/business/parliamentaryProcedure/g-pqs/dgpg.htm>

<sup>22</sup> Ibid, Section 5

#### **4.2 Questions for Written Answer**

As has been mentioned Members of the Scottish Parliament may submit questions for written response. There is no limit to the number of questions for written answer that may be lodged. The Scottish Executive should normally give answers to written questions within 10 counting days<sup>23</sup> of the question being lodged.<sup>24</sup>

#### **SECTION 5 THE PARLIAMENT OF CANADA, OTTAWA**

Members of the House of Commons of the Canadian Parliament may pose questions to the Government seeking certain information, questions may be asked orally without notice or may be submitted in writing after due notice. It is worthy of note, for oral responses to questions the House of Commons has a section in its Daily Program called Question Time. Relatively little about Question Time is codified in rules, rather it has been practices, precedents and statements in the House that have helped to define its conduct.

#### **5.1 Questions for Oral Answer**

Question Time in the House of Commons occurs between 2.15pm and 3pm Monday to Thursday and from 11.15am to 12 noon on Fridays.<sup>25</sup> During question Time, only questions on matters of urgency may be addressed orally to Ministers of the Crown or to a member of the Board of Internal Economy. If in the opinion of the Speaker a question is not urgent, he/she may direct that the question be placed on the Order Paper. Questions, although customarily addressed to specific Ministers, are directed to the Ministry as a whole. There is no rota system in operation therefore it is up to the Government to designate which Minister responds to which question. Only one Minister may respond to each question and it need not be the one to whom the question is addressed. Oral questions asked during Oral Question Time are not tabled in advance.<sup>26</sup>

A Member cannot insist on an answer, nor may a Member insist that a specific Minister respond to his or her question. The Speaker does not have any authority to compel a particular Minister to respond to a question and a Minister's refusal to answer a question cannot be challenged. A Member who is not satisfied with the response to a question asked during Question Time on any day, may give notice that they intend to raise the subject of the question on the adjournment of the House. Any Member wishing to do so must notify the Speaker in writing no later than one hour after the given Question Time.

Participation in Question Time is managed to a large extent by the various political parties and their Whips. There is no maximum number of questions per Member however, generally most Members will ask one question and one supplementary question and this is left to the discretion of the party. Each party decides daily which Members will participate and provides the Speaker with a list of names and the suggested order of recognition. Although the Speaker is not bound to follow these lists they generally do so.

A rotation system is negotiated among parties, outlining the order in which the parties will be recognised and how many questions they will each ask. The rotation is

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<sup>23</sup> *Counting days are those days when the office of the Clerk is open.*

<sup>24</sup> Rule 13.5 of the Standing Orders of the Scottish Parliament

<http://www.scottish.parliament.uk/business/so/sto-5.htm#13>

<sup>25</sup> Chapter IV of the Standing Orders of the Parliament of Canada

<http://www.parl.gc.ca/information/about/process/house/standingorders/chap4-e.htm>

<sup>26</sup> Information gained through correspondence with the Clerk Assistant (House Proceedings) of the House of Commons of the Parliament of Canada.

calculated based on the proportion of seats held by each opposition party. While the Speaker is not bound to follow this rotation, generally he/she accepts to do so. At the beginning of Question Period, the Speaker recognises the Leader of the Official Opposition, who will ask a question. This lead question is then usually followed by two supplementary questions. Each of the lead questioners of the other officially recognised opposition parties are permitted an initial question and one supplementary question after this. All questions and responses in the Chamber should be no longer than 35 seconds each.<sup>27</sup>

## **5.2 Questions for Written Answer**

As mentioned, Members of the House of Commons of the Canadian Parliament can submit a question for written response, Standing Orders outline the procedures relating to these. A Member wishing to submit a written question must give 48 hours notice before it is placed on the Order Paper, a number is then assigned to the question upon submission. Before the question reaches the Order Paper it is examined by the Clerk of the House to ensure that it meets certain requirements before publication.<sup>28</sup>

Standing Orders also include a provision allowing a Member submitting a written question to indicate whether a written or oral response is desired. If an oral answer is sought, the question is superscribed; a question without a superscript indicates the Member wants a written response. The Member may also request a response to the question within 45 days of its filing. On the day for which notice is given the question is placed on the Order Paper. Each Member is allowed a maximum of four such questions standing in his or her name on the Order Paper at any one time. All four can request a response in 45 days and at most, three can be superscribed for an oral answer.<sup>29</sup>

## **SECTION 6 THE LEGISLATIVE ASSEMBLY OF ONTARIO**

Members of the Legislative Assembly of Ontario have the opportunity to question the Government in House during Question Time. They also have the opportunity to receive a written response to a question addressed to the Government. Standing Orders and common practice both govern the procedures for oral and written questions in the Legislative Assembly of Ontario. The procedures for oral questions are outlined below.

### **6.1 Questions for Oral Answer**

Oral answers to Members of the Government are given on Monday to Thursday from 10.45am to 11.45am. Members wishing to ask the Government a question do not have to give notice beforehand, rather there is a fixed rotation the Speaker observes for selecting questioners. This fixed rotation is as follows:

- The leader of the Official Opposition asks the first two questions, each of which are followed by two supplementary questions.
- The leader of the Third Party asks the third and fourth question, two supplementary questions are permitted after each.
- Question 5 is asked by a Member of the Official Opposition, this time only one supplementary question is permitted
- Question 6 is asked by a Member of the Third Party with one supplementary question permitted.

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<sup>27</sup> Ibid

<sup>28</sup> Standing Order 39 of the House of Commons of the Canadian Parliament  
<http://www.parl.gc.ca/information/about/process/house/standingorders/chap5-e.htm>

<sup>29</sup> Ibid

- The Government Party then asks question 7 with one supplementary question permitted.

Questions 5, 6 and 7 are repeated in rotation until the 60 minute time allotment has expired. Each initial question, supplementary question and Ministerial response can last no longer than 60 seconds. This rotation system is not a written procedure, rather it is based on a recommendation to the Speaker by the House.<sup>30</sup>

## 6.2 Questions for Written Answer

Members of the Legislative Assembly of Ontario may also table questions to members of the Government for written reply. Standing Orders stipulate Members may place up to a maximum of 10 questions on the Order Paper.<sup>31</sup> The Government must then respond in writing to these questions within 24 sitting days. As the Member's questions are answered he/she may replenish these with new questions, up to the maximum number of 10 questions on the Order Paper at one time.<sup>32</sup>

## SECTION 7 THE STORTING, NORWEGIAN PARLIAMENT

Members of the Norwegian Parliament have the opportunity to pose questions to Members of the Government the responses to which can either be oral or in writing. The Norwegian Parliament or the Storting, has a period of time in plenary sessions during which Members can receive oral responses from Members of the Government. There are two periods of Question Time in the Storting, Oral Question Time which takes place every Wednesday from 10am to 11am and ordinary Question Time which takes place every other Wednesday after Oral Question Time. The procedures and practices of both Question Times are described further below.<sup>33</sup>

### 7.1 Questions for Oral Answer

A Member wishing to ask a question during Oral Question Time should notify the President of the Storting in advance however these questions are not lodged in writing and there is no set deadline for notification. Questions for ordinary Question Time must be lodged in writing with the President of the Storting by 10am on the Friday before the chosen Question Time. There are no written rules governing the sequence in which questions should be asked during Question Time, this is left to the discretion of The President of the Storting. However, the custom is that the leader of the largest opposition party asks the first question followed by the leader of the second largest opposition party and so on. The main question and the Ministerial response are both limited to two minutes, after which speaking time is then limited to one minute. The questioner is then allowed one further supplementary question after their initial question. Proceedings will continue in this order until the hour for Oral Question Time has expired.<sup>34</sup>

There is no set time limit for ordinary Question Time, this depends on the number of questions lodged which varies. Standing Orders of the Storting do not stipulate the

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<sup>30</sup> Information gained through correspondence with the Clerk of Journals and Procedural Research of the Legislative Assembly of Ontario.

<sup>31</sup> Standing Orders of the Legislative Assembly of Ontario  
[http://www.ontla.on.ca/web/go2.jsp?Page=/house-proceedings/supporting-content/files/standing\\_orders&menuitem=dandp\\_proceedings&locale=en#dg78301\\_xviii\\_written\\_questions](http://www.ontla.on.ca/web/go2.jsp?Page=/house-proceedings/supporting-content/files/standing_orders&menuitem=dandp_proceedings&locale=en#dg78301_xviii_written_questions)

<sup>32</sup> Information gained through correspondence with the Clerk of Journals and Procedural Research of the Legislative Assembly of Ontario.

<sup>33</sup> The Norwegian Parliament Rules of Procedure, January 2008. Section 53  
[http://www.stortinget.no/english/rules\\_of\\_procedure.pdf](http://www.stortinget.no/english/rules_of_procedure.pdf)

<sup>34</sup> Information gained through correspondence with the Information Advisor of the Norwegian Parliament.

maximum number of questions which can be lodged for ordinary Question Time, however normal practice is between 20 and 40 questions. The order in which Members ask their questions is left up to the discretion of the President. During ordinary Question Time the Minister has three minutes to reply to a Member's question. After the initial question and response the questioner and the Minister are then each permitted to speak two more times, limited to one minute. Although ordinary Question Time does not have a time limit, it must end before 3pm as this is the time party groups start their weekly meetings.<sup>35</sup>

## **7.2 Questions for Written Answer**

Members of the Storting also have the option of submitting a question to a Member of the Government for written answer. Any Member of the Storting can submit a total of two questions per week for written answer. The Member of Government in which the question is addressed should submit a written reply to the President of the Storting six working days after the question was sent.<sup>36</sup>

## **SECTION 8 POTENTIAL ISSUES FOR CONSIDERATION**

The first issue which the Committee on Procedures may wish to consider further relates to the notice period for tabling oral questions. At present, the period of notice Members of the NI Assembly have to table an oral question is five working days. This notice period starts 14 working days before the Question Time in which the question is to be asked and ends 9 working days before the chosen Question Time. In practice therefore Members wishing to pose a question to a Minister must know exactly what they want to ask at least 9 working days before they have the opportunity to ask their question. This process calls into question just how spontaneous and topical questions posed to Ministers really can be.

In 2002 the House of Commons reduced the notice period for oral questions from two weeks to three days in a bid to improve topicality of oral questions. Under this notice period Members no longer have to decide what issues they want to raise ten sitting days in advance of a given Oral Question Time. There were however still occasions when issues of topical interest were not on the list of oral questions, where a relevant question was either not tabled or was unsuccessful in the ballot. To improve this situation further, during the 2007-08 Session part of the Oral Question Time was used for open questions to again improve topicality. The Committee on Procedures in the NI Assembly could therefore review the possibility of moving the five day notice period for tabling questions closer to the actual Question Time.

Another issue which the Committee on Procedures may wish to consider further is the method by which questions are selected. Currently sixty questions in total are selected for Oral Question Time, 20 questions per Department. On average there are approximately between 140 and 160 questions tabled by the Business Office for each Question Time in total. Therefore there are a vast number of questions which are not selected at all for the Order Paper and simply fall altogether. Whether questions are selected or not, all questions which are tabled in the Business Office must be checked for admissibility and formatted correctly. This means a lot of time and resources are used on a vast number of questions which will not be selected for Question Time at all.

In the Scottish Parliament if a Member wishes to table a question for oral answer they must first submit their name. If their name is chosen they are then permitted to table a question for oral answer. The efficiency of this procedure may warrant further

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<sup>35</sup> Ibid

<sup>36</sup> Ibid



consideration as time and resources are not spent checking the admissibility and format of questions which may not even be asked during the Oral Question Time.

This leads on to another issue which the Committee may want to consider further, that is the total number of questions published on the Order Paper. Over the last Session of 2007-08 during each Oral Question Time, just under half of the total questions published for each Department were answered. Reducing the total number of questions published for each Department may increase the chance of questions being reached on the Order Paper and therefore reduce the disappointment and frustration felt by Members whose questions were not reached.

Another issue which the Committee on Procedures may wish to consider further is the allocation of specific time limits on questions, Ministerial responses and supplementary questions asked during Oral Question Time. Placing time limits on questions and responses may help to alleviate the issue of questions not being reached. For example, the Committee could consider placing a time limit on the total amount of time spent on each question, including the Ministerial responses and subsequent supplementary questions.

For example in the Dáil Éireann, Standing Orders set a time limit of six minutes for each question in total. This is divided into two minutes for a Ministerial response, two minutes in total for two supplementary questions and two minutes in total for two further Ministerial responses. Due to the uniqueness of the NI Assembly and the need for party balance during Question Time, this strict time keeping may prove awkward to enforce. Therefore, the Committee on Procedures may wish to consider the option of placing a time limit on the Ministerial response. This could create more clear and concise responses and also reduce the time spent on each question, therefore increasing the likelihood of more questions being reached during Question Time.