

ADVISORY PAPER NO. 2 - QUESTIONS AND MOTIONS

Recommendations of the Needs Assessment Report (page 12)

- **The notice required for questions (and motions) should be reduced from 30 days to no more than 14 days.**
- **The unparliamentary practice of the Government deciding which questions and motions tabled by Opposition Members should appear on the Order Paper should cease.**
- **Government backbenchers should be encouraged to participate in question time and table their own questions.**

Notice required for questions can be dependent on a number of matters not least of which is the proposed times of meeting. There is also the matter of how notices are lodged. At present the Standing Orders of the National Assembly are far too prohibitive or restrictive and seek to limit Members who legitimately desire to obtain information.

If the recommendation is to be met there are a number of ways this could be done:

- (a) **Standing Order 16 (4) could be simply amended by omitting “*thirty days*” and substituting “*fourteen days*”;**
- (b) **Standing Order 16 (4) could be amended by substituting a number of alternatives for “*thirty days*” for oral questions down to 10.30 a.m. on the day on**

which the question is to be asked.

2.

This practice reflects that of New Zealand where the Standing Orders limit the number of questions to be asked each day to 12 and they are allocated on the basis that is proportional to party membership in the House i.e., the Government always gets a majority of questions (see the third recommendation); and

- (c) **Questions could be divided into two categories: questions without notice and questions on notice which could be handled in a number of ways.**

Questions without notice is that time of the day when questions are called on and any Member rising in their place can ask a Minister a question. Where this procedure is practised the call is usually alternated from side to side by the Speaker who also ensures that no Member, except perhaps the Opposition front bench or particularly the Leader of the Opposition, dominates the period. The period is limited by time which in Guyana is currently 45 minutes. This procedure also equates to supplementary questions which are without notice and permitted in Parliaments which require notice of oral questions such as the UK House of Commons. See Standing Order 18 (2). The other side of this process is to have questions on notice. In Papua New Guinea these questions and subsequent answers are published in a dedicated document titled the "*Question Paper.*"

3.

Other Parliaments place the questions on the Notice Paper but most of these Parliaments do not have an Order Paper as well and this matter will be addressed later.

Generally it can be said of these latter types of questions that they seek detailed information which cannot be provided in an oral question period.

Other Standing Orders would need to be amended subsequently. For example some of the provisions of Standing Orders 17 and 18 attempt to allow Ministers to refuse to answer questions. All questions that are permitted by the Speaker should be answered. The Speaker ensures they are within the Standing Orders. On the other hand it is legitimate for a Minister to answer a question as he or she sees fit. It would be in order for the Minister to reply that the exercise of extracting the information required would be too costly or in another similar way. It is not available to a Minister to invoke Standing Order 18 (3) because the Speaker would have taken a number of these matters into account when allowing the question in the first place.

Parliaments which have questions on notice have generally applied a time limit for a response to be given.

4.

This has varied between 90 and 120 days and there is usually provision for the Speaker or the Member to follow-up with the Minister the reason for not answering the question. These procedures prevail without taking account of the sitting pattern.

There could be benefits to both Government and Opposition in the Guyanese situation, if any, of these alternatives or a combination of some of them were adopted.

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