

Background Brief – Comparison of Question Time across Jurisdictions

Introduction

This note provides a brief comparison of parliamentary Question Time procedures in the:

- Canada House of Commons
- New Zealand Parliament
- United Kingdom House of Commons
- Australian Senate
- other Australian legislatures.

Most Australian state and territory legislatures have adopted similar Question Time practices to those used by the House of Representatives. The exception is the Victorian Parliament, which in 2015 adopted new sessional orders that changed the operation of Question Time in both chambers. Changes included only non-government Members being able to ask questions without notice and Ministers being able to make ministers' statements of up to two minutes per statement. At the end of Question Time, Members may also ask Ministers questions relating to a constituency matter.

Similar Question Time practices, to those practiced in the House of Representatives, have also been observed in other Westminster systems including the United Kingdom, Canada and New Zealand. However, a few differences have been recognised. Most notable is the Prime Minister's Question Time adopted in the United Kingdom House of Commons. In addition, both New Zealand and the United Kingdom have adopted a process where questions are submitted in advance.

Key Question Time Characteristics across Jurisdictions

		Jurisdiction																	
		(Green shading indicates lower house; red shading indicates upper house.)																	
		Canada	NZ	UK	Senate	ACT	NSW LA	NSW LC	NT	QLD	SA LA	SA LC	TAS LA	TAS LC	VIC LA	VIC LC	WA LA	WA LC	
Types of questions	Questions from the Government	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	
	Supplementary questions	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓		
	Constituency questions														✓	✓			
	Urgent questions		✓	✓															
	Topical questions			✓															
Timing	Time limits on questions/answers	✓			✓	✓	✓	✓	✓	✓	✓				✓	✓			
	Specific Number of questions		✓	✓		✓	✓			✓			✓		✓	✓			
	Time limit on duration of Question Time	✓		✓			✓		✓		✓	✓	✓	✓	✓			✓	
Other	Ministers rostered			✓															
	Questions submitted in advance		✓	✓															

Canada House of Commons¹

On each sitting day at no later than 2:15 pm (11:15 am on Friday), a 45-minute period of oral questions takes place. While there are no formal rules establishing time limits on questions and answers, Members are allowed approximately 35 seconds to pose questions and Ministers approximately 35 seconds to respond.

Questions

The Speaker recognises (allocates the call to) the Leader of the Opposition, or the lead questioner from his or her party, for a round of three questions. The Leader of the Opposition, or a second Member from the official opposition, is then recognised for two more questions. Afterwards, lead questioners from the other officially recognised opposition parties are recognised. After this initial round of questions, the recognition pattern varies depending on party representation in the House and the number of Members in each party. Members are typically allowed to ask an initial question followed by an additional question; historically, the second question was to be supplementary, arising from the first, but this is no longer required.

Members representing the governing party are also recognised to ask questions, although not as often as opposition Members. During the final minutes of Question Period, the Speaker normally does not permit any Member an additional question in order to allow as many Members as possible the opportunity to ask a question.

In summary, when recognised in Question Period, Members are required to:

- ask a question;
- be brief;
- seek information; and
- ask a question that is within the administrative responsibility of the Government or of the individual Minister addressed.

Answers

There are no explicit rules which govern the form or content of replies to oral questions. According to practice, replies are to be as brief as possible, to deal with the subject matter raised and to be phrased in language that does not provoke disorder in the House. Several types of responses may be appropriate. Ministers may:

- answer the question;
- defer their answer (taking it on notice);
- make a short explanation as to why they cannot furnish an answer at that time; or
- say nothing.

Role of the Speaker

The Speaker has implicit discretion and authority to rule out of order any question posed during Question Period if satisfied that it is in contravention of *House of Commons Procedure and Practice: Rules of Order and Decorum*. In ruling a question out of order, the Chair may suggest that it be

¹ Information on oral questions in the Canadian House of Commons extracted from *House of Commons Procedure and Practice*, third edition, 2017; *Standing Orders of the House of Commons* as at January 2019; and the Parliament of Canada website.

rephrased in order to make it acceptable to the House. Or, the Speaker may recognise another Member to pose the next question. In cases where a question is judged out of order, the Speaker may allow a Minister to reply nonetheless.

The Speaker may also direct that certain questions posed during Question Period be instead placed on the Order Paper. These are questions which, in the opinion of the Chair, are not urgent or are of such a technical or detailed nature as to require a written response. In recent years, the Speaker has not invoked this procedure, opting instead to suggest to the Member asking the question that it may be more appropriately posed in written form, while allowing the Minister the opportunity to respond if he or she so wishes.

Given that only 45 minutes are set aside each day for Question Period, the Speaker has often suggested that shorter questions and answers would allow more Members to participate. The Speaker retains sole discretion in determining the time that individual questions and answers may take, and the Chair may interrupt any Member consuming more than a reasonable share of time in posing or responding to a question.

New Zealand Parliament²

Oral questions begin within a few minutes of 2:00 pm on each sitting day.

Questions

Questions are allocated proportionally to party membership in the House. This is done by the Business Committee, who approves a proportional allocation of question slots to parties and their rotation between parties and any independent Members. These arrangements are prepared by the Office of the Clerk, for a cycle that will roughly equate to the annual sitting period.

Oral questions are lodged with the Clerk between 10.00 am and 10.30 am on the sitting day that they are to be answered. Twelve oral questions to Ministers may be accepted each day. Although there is no set timeframe for Question Time, it usually takes between 45 minutes and over an hour.

The rules applying to questions are similar to those in the Australian House of Representatives and are set out in standing orders.

Standing orders require questions to be concise. However, *New Zealand Parliamentary Practice* notes that this requirement does not necessarily mean that a question must be short. Rather, it must be “spare” and not contain any material not strictly necessary to the bare asking of the question. The application of other rules relating to the content of questions also contributes towards the aim of conciseness.

Urgent questions are dealt with immediately after oral questions have concluded. A Member must furnish a copy of the question marked “urgent question” to the Clerk, and a copy to the Minister to whom the question is addressed. If accepted, the Speaker calls on the Member who must ask the question in the same form as submitted. It is then answered in the normal way.

Questions to non-Ministers are taken after any urgent questions have been disposed of. Questions may be put to other Members relating to any bill, motion or public matter connected with the business of the House, of which the Member has charge.

Answers

An answer must be given if it can be given consistent with the public interest. But a Minister cannot be forced to answer a question (unless the House orders the Minister to do so, in which case failure to answer could be punished as contempt). If, in the Minister’s opinion, the public interest would be imperilled by giving the information sought, then the Minister may decline to answer or give only a limited answer.

Replies to questions must be concise and confined to the subject matter of the question asked. Unlike the Australian House of Representatives, standing orders provide that answers may not contain expressions also debarred from questions i.e. arguments, inferences, imputations, epithets, or ironical expressions. Ministers also cannot make discreditable references to the House or Members in their replies.

² Information on oral questions in the New Zealand House of Representatives extracted from *Parliamentary Practice in New Zealand*, fourth edition, 2017; *Standing Orders of the (NZ) House of Representatives*, effective from 23 August 2017; and the Parliament of New Zealand website.

When it becomes apparent after an oral question has been submitted that the answer is likely to be longer or more complex than usual, the Minister answering the question may advise the Speaker accordingly and seek his or her indulgence.

At the discretion of the Speaker, a supplementary question may be asked by any Member to clarify a matter raised in an oral question or in an answer given to a question. The standing orders provide that it is entirely at the Speaker's discretion as to whom to call to ask supplementary questions, but in practice, the Speaker allows each party a "quota" of supplementary questions and parties choose how they wish to distribute their allocation.

Role of the Speaker

The Speaker's role during question time includes calling Members to ask supplementary questions, making decisions about whether questions and replies are in order, keeping Members' questions as brief as possible, preventing disorderly behaviour and ensuring that the House gets through the questions before it without allowing question time to run on unduly.

The Speaker has a role in ensuring Ministers' answers remain relevant to the subject matter of questions. Members frequently appeal to the Speaker where they are dissatisfied with an answer. However, the Speaker does not judge the quality or correctness of an answer, but is concerned to ensure only that an adequate answer is given. The test for the Speaker of the adequacy of a reply is whether or not the question has been addressed.

United Kingdom House of Commons³

Questions must be orderly and satisfy the rules of the House, the main principles of which are set out in Erskine May rather than embodied in the standing orders. Questions must either seek information or contain a press for action. They should relate to the public affairs with which a Minister is officially connected, to matters of administration for which the Minister is responsible or to proceedings pending in Parliament. Questions are out of order if they relate to opposition party policies rather than the Government's responsibilities. Parliamentary practice stipulates the rules around questions which include, but is not limited to, questions not containing arguments, expressions of opinion, inferences or imputations or offensive expressions.

Commons Question Time is the first item of business each sitting day from Monday to Thursday. Ministers appear in the Chamber to answer questions about their portfolios on a roster over a five-week cycle.

Although there is no specific time limit for Question Time, in a typical question time session, there are 25 oral questions. Question period lasts about an hour. Small portfolios may have shorter sessions. Questions which are not answered orally during the allotted Question Time receive a written answer on the day.

The UK House of Commons has four types of oral questions:

- Ministerial Questions;
- Topical Questions;
- Prime Minister's Questions; and
- Urgent Questions.

Ministerial Questions

Members tabling questions for oral answer must be submitted in writing with at least three days' notice. This is to allow government department's sufficient time to collate information and draft a reply. On the day ministerial questions are due to be asked, they are printed in 'Business Today' in the Order Paper. The order in which the questions are asked is determined by the 'shuffle', carried out randomly by a computer. Members who are called by the Speaker to ask their question do not read it out, but simply call out its number.

When the Minister has replied, the Member can ask one supplementary question. Other Members may also be called to ask supplementary questions at the discretion of the Speaker – usually alternating between the Government and Opposition. Supplementary questions do not require notice but must be on the same subject as the original question. The Minister must reply to each in turn. For larger portfolios, junior Ministers may also share the task of responding to Members.

When the Speaker decides that enough supplementary questions have been asked, he or she calls the Member who has question number two on the Order Paper. The process begins again and continues until the end of Question Time. Any oral question on the Order Paper that has not been

³ Information on oral question in the United Kingdom House of Commons extracted from Parliamentary Practice (Erskine May, Sir Thomas), twenty-fourth revised edition; House of Commons Information Office fact sheet on Parliamentary Questions; Sandford, M., Parliamentary Questions: recent issues, briefing paper no. 04148, 6 May 2015, and the United Kingdom Parliament website

answered by then receives a written answer that is printed in a subsequent issue of Hansard. Oral questions excluded at the time of the shuffle do not receive any answer.

Topical Questions

The final quarter of each oral question session is set aside for Topical Questions. Members are selected to ask Topical Questions via a separate 'shuffle'. They are not required to submit their question in advance, allowing questions to reflect recent developments. Topical Questions take the form of a question to the Minister "if [s]he will make a statement on his/her departmental responsibilities". This question may be followed by a supplementary on any matter within the department's responsibility. The Minister answers the 'responsibilities' question only on the first occasion that it is asked; for the remainder of the session, the supplementary question (i.e. the 'real' question) is the only one asked by the questioner.

Prime Minister's Questions

Prime Minister's Questions take place on Wednesdays at 12 noon for 30 minutes. Selection of Members to ask questions takes place via the 'shuffle'. In most cases they ask the Prime Minister to list their engagements for the coming week, similar to the practice in Topical Questions. This allows a supplementary on any matter whatsoever, without prior notice of the subject. As with Topical Questions, the Prime Minister answers the 'engagements' question only on the first occasion that it is asked; for the remainder of the session, the supplementary question (i.e. the 'real' question) is the only one asked by the questioner. The Speaker will typically allow the Leader of the Opposition to have up to six supplementary questions.

Urgent Questions

Urgent Questions are questions for oral answer which have not been printed on the Order Paper but which, in the Speaker's opinion, are of an urgent character and relate to matters of public importance. Any Member may apply to the Speaker on any sitting day (before a given time) to put an oral question to a Minister later that same day, that demonstrate that the matter is of urgent and topical importance they feel meets the criteria. The Speaker will consider the Member's representations and will also take into account the Minister's view of the urgency of the matter before making his or her decision, which is final. If the application is successful, the Urgent Question is taken immediately after Question Time in the Commons between Monday and Thursday, or at 11.00 am on a Friday. A Minister is expected to attend to answer the question, and supplementary questions may be called until the Speaker is satisfied that debate has been exhausted or that it is time to move on to the next business. Debate on Urgent Questions will often last for over half an hour.

Answers

As with questions, the rules regarding content of answers are a matter of practice. Answers should be confined to the points contained in the question and lengthy answers should be circulated with the Official Report instead of being given orally.

Role of the Speaker

The Speaker controls the pace of Question Time. If he or she calls too many supplementary questions the Minister will be put under close scrutiny on a few questions but the total number of questions answered orally will be small. However, if the Speaker calls too few supplementary

questions, more questions will be answered orally but the Minister may be given too easy a passage. The Speaker can also encourage more progress down the list by appealing to Members and Ministers to keep supplementary questions and answers short and succinct. The Speaker also has powers to challenge a Member or Minister whose question or answer is too lengthy or is using Question Time as an opportunity for debate.

The Speaker is the final authority on the admissibility of questions, but only to the extent that questions comply with the rules of the House. When a question has been refused and the Member concerned wishes to make representations on the matter, the practice is for these to be made privately to the Speaker and not raised by way of point of order in the House.

Australian Senate⁴

One of the ways in which Senators may seek to hold the Government accountable for its actions is by questioning Ministers. Numerous opportunities exist for Senators to ask questions of ministers, including in the Senate chamber during question time

Questions may be addressed to a Minister relating to public affairs or matters of administration for which the Minister is responsible, or in respect of which the Minister represents another Minister (from the House of Representatives). Questions may not be addressed to Assistant Ministers.

Questions may also be addressed to the President in relation to matters for which he or she has responsibility.

Questions

The current practice is for questions to be asked and answered each sitting day from 2.00 pm for a period of approximately one hour. The opportunity to ask questions is provided for in Standing Order 72(1), but there is no procedural rule requiring that Ministers answer questions. Question time is drawn to a close each day by the Leader of the Government in the Senate asking that further questions be “placed on notice” – an invitation for questions to be submitted in writing.

The standing orders provide that a Senator seeks the call (for instance, to ask a question) by rising in his or her place to address the President. In practice, however, the allocation of questions is determined by agreement. Current practice adopts the principle of proportionality endorsed by the Procedure Committee in its second report of 1995; that is, the Chair seeks to allocate questions between parties and independent Senators as nearly as practicable in proportion to their numbers in the Senate.

Time limits apply to the asking and answering of questions under Standing Order 72(3):

- the asking of a question may not exceed one minute
- the answering of a question may not exceed two minutes
- two supplementary questions are allowed, each not exceeding 30 seconds; and
- the answering of a supplementary question may not exceed one minute

Following a Minister’s reply, a Senator may ask up to two supplementary questions. Supplementary questions must relate to or arise from the answer to the original question.

Answers

In answering a question a Minister may not debate it. Rather, an answer must be confined to providing the information sought. In all cases the answer must be directly relevant to the question.

Ministers may, in responding to questions during question time, elect to take a question (or part of a question) on notice. This indicates that the Minister will seek further information and provide it to the Senate at a later time. It is established practice for Ministers at the end of question time to make

⁴ Information on oral question in the Australian Senate extracted from Standing Orders and other orders of the Senate, August 2018; Odgers’ Australian Senate Practice, fourteenth edition, 2016; Questions, Guide to Senate Procedure no. 06, June 2019, and the Australian Parliament website.

additional responses to questions taken on notice in this way. These responses, unless brief, are typically incorporated in Hansard, with the leave of the Senate, rather than being given orally.

Role of the President

The President may require that Ministers' answers be relevant, but cannot tell Ministers how they should respond to questions.

ACT Legislative Assembly⁵

Questions without Notice

In the Legislative Assembly, Question Time starts at 2:30 pm on each sitting day. During Question Time, each Member can ask a substantive question. The Leader of the Opposition generally asks the first question to a Minister of his or her choice. After the Minister's answer, a further (supplementary) question may be asked by the Member who asked the original question. The Speaker may allow a further supplementary question to be asked by any other non-executive Member, providing that it is relevant to the original question.

Question time continues until all Members wishing to ask a question have had an opportunity to do so.

Questions from Government backbenchers are usually prepared in advance to allow Ministers to highlight portfolio achievements.

NSW Parliament⁶

Legislative Assembly Questions without Notice

The standing orders the House require a minimum of 10 answers from Ministers with a minimum session time of 45 minutes, although it often exceeds this. This is to prevent Ministers giving excessively long answers and using up the available time. Supplementary questions are strictly limited to one, asked immediately by the Member asking the original question. Question Time begins between 2.15 pm and 2.30 pm and begins with a question from the Opposition to a Government Minister. Members then jump for the Speaker's attention and questions alternate between Government and Opposition with occasional opportunities for the Independents.

Legislative Council Questions without Notice

The length of Question Time is at the discretion of the Leader of the Government, but is usually an hour. There is no limit to the number of questions other than time and supplementary questions are often allowed. The President rotates question opportunities in the order of Opposition, Cross Bench, and Government. Question Time takes place at 4.00 pm on Tuesdays and 2.30 pm on Wednesdays and Thursdays.

⁵ Information on oral questions in the ACT Legislative Assembly extracted from Standing Orders and continuing resolution of the Assembly, 30 July 2019 and the ACT Legislative Assembly website.

⁶ Information on oral questions in the NSW Parliament extracted from Standing Orders and sessional orders of the Legislative Assembly, April 2016; Standing Orders and sessional orders of the Legislative Council, May 2004 and the NSW Parliament website.

Northern Territory⁷

Questions without Notice

The time limit for question time is one hour. Questions must be succinct, concise and direct and not exceed one minute. No answer will exceed three minutes.

One supplementary question may be asked per Question Time by a non-Government Member and it must be asked immediately by the same Member who asked the original question. The supplementary question may not exceed 30 seconds and the answer may not exceed one minute.

Questions may only be put to a Member who is not a Minister if the question relates to the timing, procedure or clauses of a bill, motion or other public matter connected with the business of the Assembly, of which the Member has charge. Questions may also be put to the Chair of a committee relating to the activities of that committee.

Queensland⁸

Questions without Notice

In the Queensland Parliament, Question Time usually commences at 10:30 am and concludes at 11:30 am on Tuesdays and Thursdays and occurs between 3:00 pm and 4:00 pm on Wednesdays. Question Time begins with two questions asked by the Leader of the Opposition to the Minister of his/her choice. Subsequent questions are then asked alternately by Government backbenchers and non-government Members. Questions are restricted to one minute in length and the answers to three minutes. The Speaker is advised in advance who the questioners will be and calls them in rotation.

South Australia⁹

Legislative Assembly Questions without Notice

Question Time starts at 2.00 pm in the House of Assembly on Parliament Sitting Days and may not exceed an hour. An answer to a question without notice must not exceed four minutes.

Legislative Council Questions without Notice

Question Time starts at 2.15 pm in the Legislative Council on Parliament Sitting Days.

⁷ Information on Parliamentary Questions in the NT Legislative Assembly extracted from Standing Orders and sessional orders of the Legislative Assembly of the Northern Territory, April 2016.

⁸ Information on oral questions in the Queensland Parliament extracted from Standing Orders of the Legislative Assembly, 14 June 2019, Sessional Orders, May 2019 and Queensland Parliament Tertiary Question Time factsheet.

⁹ Information on oral questions in the SA Parliament extracted from Standing Orders and sessional orders of the Legislative Assembly, May 2018 and Standing Orders of the Legislative Council, August 1999.

Tasmania¹⁰

Legislative Assembly Questions without Notice

After prayer and reflection on each sitting day, questions may be put to Minister of the Crown. Question Time is scheduled for one hour. Notwithstanding the time limit, the Speaker shall ensure that a minimum of questions without notice to be asked. This includes seven questions by the Opposition, four questions by the Government Private Members and two by other Members.

At the discretion of the Speaker, supplementary questions may be asked to elucidate an answer.

Legislative Council Questions without Notice

The President, at 2.30 pm each sitting Tuesday, Wednesday and Thursday shall interrupt any business and call for questions without notice.

No questions shall be asked after the lapse of 30 minutes.

At the discretion of the President, supplementary questions may be asked to elucidate an answer.

Victoria¹¹

Legislative Assembly Questions without Notice

In the Legislative Assembly, Question Time begins at 12.00 noon on Tuesday and at 11.00 am on Wednesday and Thursday each sitting week. Question Time usually lasts for around one hour.

Members (except Government Members) ask Ministers questions about government administration. There are five main questions each Question Time. Ministers have up to three minutes to answer each question.

The Speaker gives the first call to the Opposition, often the Leader of the Opposition. The Speaker allocates questions based on the size of the parties. This means that smaller parties and independent members might not get to ask a question every Question Time.

After the Minister answers each main question, the questioning Member can ask a supplementary question to the same Minister. The supplementary question must be related to the main question or its answer. Ministers have up to one minute to answer each supplementary question.

After each main question and its supplementary question, a Minister may make a Minister's Statement. Each Minister's Statement can be two minutes long. There are up to five Ministers' Statements each Question Time.

At the conclusion of oral questions without notice and Ministers' statements, five Government Members and five non-government Members may ask one oral question each to Ministers relating

¹⁰ Information on oral questions in the Tasmania Parliament extracted from Standing Orders of the Legislative Assembly, August 2017 and Standing Orders of the Legislative Council, November 2010.

¹¹ Information on oral question in the Victorian Parliament extracted from Standing Orders of the Legislative Assembly, March 2019; Standing Orders of the Legislative Council, March 2019; and the Victorian Parliament website.

to constituency matters. Replies to constituency questions must be given in writing within 30 days by delivering a reply to the Clerk. The Clerk must give the response to the member who asked the question and electronically publish the response.

Legislative Council Questions without Notice

Questions may be asked orally without notice for immediate reply. Each Member gets one minute to ask a question and the Minister has four minutes to answer the question.

At the conclusion of each answer, the Member may ask a supplementary question of the Minister to clarify the answer. Supplementary questions must be “actually and accurately” related to the original question and must relate to or arise from the Minister's response.

At the conclusion of questions without notice, up to 15 Members may ask Ministers an oral question relating to a constituency matter. The time limit for each Member asking a Constituency Question is one minute. Answers to Constituency Questions must be given to the Clerk in writing within 14 days of the question being asked.

Western Australia¹²

Legislative Assembly Questions without Notice

In the Legislative Assembly, Ministers are asked questions for approximately 40 minutes starting at 2.00 pm.

A Minister's answer must be relevant to the question asked and must not mislead the House. If a Minister's answer is prolonged, the Presiding Officer may intervene to ensure the answer is brought to a prompt conclusion.

Some questions without notice are asked by Government Members with the Minister's knowledge. These questions enable Ministers to put the Government's point of view or highlight Government achievements.

The Speaker of the Legislative Assembly may permit a supplementary question as long as it relates strictly to the original question.

Legislative Council Questions without Notice

In the Legislative Council, question time takes place for approximately 30 minutes, starting at 4.30 pm.

A Minister's answer must be relevant to the question asked and must not mislead the House. If a Minister's answer is prolonged, the Presiding Officer may intervene to ensure the answer is brought to a prompt conclusion.

In the Legislative Council, 'Dorothy Dix' questions are rarely asked and the majority of questions are allocated to Members who do not support the Government.

¹² Information on oral questions in the WA Parliament extracted from Standing Orders of the Legislative Assembly, November 2017 and Standing Orders of the Legislative Council, January 2019.

Immediately after the period for questions without notice a Member may give further brief, factual information in relation to a question already answered by that Member. A Member may provide an answer to a question without notice that was not answered previously. A Minister or Parliamentary Secretary may table documents relating to an answer to a question.

The Leader of the House may terminate questions without notice on any sitting day by requesting the President to proceed to the next item of business.

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¹³ All references were accessed in July/August 2019

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