



DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **C**
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS

Constitutional Affairs

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**Parliamentary
questions in selected
legislative chambers**

NOTE





DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT C: CITIZENS' RIGHTS AND
CONSTITUTIONAL AFFAIRS

CONSTITUTIONAL AFFAIRS

Parliamentary questions in selected legislative chambers

NOTE

Abstract

This note seeks to provide an overview of the practices of questioning the executive in a selected number of legislative chambers. It takes into account the questions in both oral and written form, the level at which such right is regulated, its formal practice including the rules for their admissibility and procedures for their filtering or limiting their numbers.

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1. TYPES OF PARLIAMENTARY QUESTIONS

Different countries' procedures for asking parliamentary show many similarities. Most of the countries chambers provide for **individual oral questions** and specific **regular question time** whereby the questions are answered. Only in a few countries only previously submitted questions are admissible (Spain), which also explains very high number of questions submitted in *Cortes Generales* (up to 140.000 in 2012).

All of the chambers also provide for written individual questions in **variety of formats**. Separation of "**interpellation**" from other forms of scrutiny is variable, in countries like Finland, or Germany (major interpellation) its use relatively is very rare (couple of dozens a year) and requires support of at least one political group or sizable part of the House. This is also explained by the fact that sometimes the rules of the house allow for interpellations to be connected directly with various motions, including, in principle as well the motion of non-confidence.

Considered broadly as the ultimate right of MPs **hold the executive into account**, to **scrutinize** the action and to **obtain information** (with exception of privileged secret information) the right to ask parliamentary questions is often anchored in the constitutional text. This explains that in several constitutional traditions, this right is even broader in scope and allows for an extensive application that reaches beyond a simple right to obtain information. In countries such as Poland the members of the legislature are able to obtain information not only from the State and its organs but, group of MPs can also obtain information from companies and establishments where the State has participation, which is broadly assailable to the right of inquiry.

Finally, rules of procedure of several countries clearly favor the **committees** as the ultimate organs of scrutiny, instead of the plenary, with regular question time scheduled at each meeting. This allows for the committees to maintain a regular and rather close contact with the respective responsible political representatives and for the individual members grievances to be heard, with corresponding degree of publicity. Several chambers also allow for the committees to formulate specific questions for urgent answer either in the committee itself or in the plenary (as the rights reserved to political clubs/groups).

2. ADDRESSES OF THE PARLIAMENTARY QUESTIONS

Number of chambers allows for a specific **question time** directed either to the **Government** as a whole (Germany) or the **Prime Minister** as the representative (Ireland, Portugal or UK). There is also specific question time granted to the Prime Minister where is to answer the given question or comment on the course of action taken by the government. In the countries with broad division between party of government and party of opposition, it is the opposition that endowed with additional procedural rights in such debate (to put in additional questions or directly comment on PM statements).

The oral question time in legislative chambers time can also be organized around a specific **government department field of responsibilities**. This is typically the case of the UK, where in the House of Commons the government departments are called upon to provide evidence following a predetermined rota and questions have to concern their respective fields of responsibility. Such organisation naturally allows MPs to prepare more targeted questions and provide for genuine scrutiny of a given department instead of exercising a general and rather diffuse scrutiny of the government. Naturally, this reduces the flexibility in treatment of urgent matters in such question times and such urgencies require organisation of a specific sessions or are shifted towards the questioning of the PM.

3. LIMITATIONS

a. Admissibility

Admissibility of questions, especially of written questions is normally verified by the **Speaker / president**. Criteria focus on specificity of the question (related to current business), its clarity ("formulated in clear and concise manner"), its size (number of pages or characters, "allowing for a short answer"), its ethical content (should not contain threats or insults) or scope of competence of the government (no relating to courts, national bank or audit office nor the Bundesländer areas of responsibility (Germany)).

In some cases, is specifically prohibited (in oral questions and interpellations in particular) to address any matters that should concern matters currently under the consideration by the Chamber or the Committee.

In some circumstances, it is not allowed to ask the same or similar question to those already addressed to the government, but the rules of some of the national chambers both **exclude or allow for follow-up questions** to previously asked written questions. The quality of the enforcement of such procedures naturally depends on the resources devoted for the practical management of the questions and the margin provided for the services for less formal exchange with with the MPs and their staff, providing advice and information.

Normally, the admissibility verification doesn't provide for formal **way of appeal** – one of the exceptions between the studied countries being Sweden, where the question can be referred to the Committee on Constitutional Affairs, which can overrule Speaker's decision. Nevertheless, one can consider that many cases are subject to formal / informal consultation with Speaker's / Chamber's services that can make suggestions for its reformulation.

b. Urgent questions

Urgent oral questions are usually subject to approval by the Chamber (often under the authority of its organs President/Speaker, Bureau or Conference of Presidents). Those are often limited as it is in the case of the EP to a number of questions that can be asked during any session, with a pro-rata quota per group reflecting its numerical strength, as well as for the technical groups or single MPs representing one party.

c. Number of questions

Legislative bodies in a number of countries allow limiting the number of questions per political group (most frequently by the decision of some of the supreme organs (Conference of Presidents or Bureau). Limitations per Member are also not uncommon, be it their limitation per day of session, per part-session

UK House of Commons experiment in restricting the number of written questions

In October 2011, UK House of Commons agreed to a pilot of restrictions on the tabling of questions electronically. The deadline for submitting the WQ was set at 6.30 pm of every sitting day and daily quota on 5 tabled questions per Member, per session day tabled electronically, but without restriction on number of questions tabled by the MPs in person or by post. One of the considerations was their cost, evaluated by the services to the amount of £525 for oral and £142 for written question.

Although the introduction of the measure didn't lead to substantial decrease in the number of tabled questions, the Table office concluded it provided substantial benefits in terms of management of their flow rate and the communication with the Tabling services. Firstly the proportion of PQ tabled after 6.30 pm has decreased which enabled the services to process the PQs more efficiently and the increase in the number of MPs tabling the questions personally allowed for the tabling office to advise particular MPs more efficiently. The latter was described as the "biggest overall benefit".

4. DEFERRAL AND LACK OF ANSWERS TO THE WRITTEN QUESTIONS

a. Possibility to not answer or to defer a question

Sometimes the government or minister is allowed to state that he or she will not answer the given question (with or without a justification). This naturally engages, following the political traditions in the country his personal political capital. "Will write answer", such as in the UK House of Commons is another frequent option to defer the reply to the answer, in particular where additional research is required in providing specific information. Publicity of the scrutiny is ensured, but the information provided does not appear in official bulletin or official journal (where the rules provide for its publication).

b. Complaints about lack of answer and sanction

The most standard way to sanction the government for the lack of answer to parliamentary questions is by publication of unanswered questions in Chamber's bulletin or even in the Official Journal.

On late answers, some parliaments have deadlines fixed in their Rules of Procedure. Ministers may be asked by the Presiding Officer to explain their non-compliance with these Rules or Standing Orders. In the Belgian Parliament, each House publishes under a special rubric the list of written questions which have not been replied to within the required deadline (20 working days).

Similarly, in the Italian *Camera dei Deputati*, if the Government does not provide its answer within the 20-day time limit, the President of the Chamber, at the request of the questioner, includes the question in the agenda of the next sitting of the appropriate Committee.

In Sweden, a Member may complain about lateness of Ministerial replies to the Riksdag's Committee in the Constitution.

Several Houses have adopted procedure similar to EP, one of the most detailed is provided by the *Canadian House of Commons*, where any failure of the Government to reply to a written question within 45 calendar days is automatically referred to a standing committee determined by the Member, usually the standing committee that has the mandate covering the subject matter of the question. The Chair of the committee is then obliged by the rules to convene a meeting within five sitting days of the referral so that the committee can address the issue of the Government's failure to respond to the question.

OVERVIEW OF PARLIAMENTARY QUESTIONS IN SELECTED LEGISLATIVE CHAMBERS

COUNTRY AND CHAMBER	REGULATION	PRACTICE	STATISTICS	LIMITATIONS	FILTERING PROCESS
	Level of regulation: constitution or standing orders Types of question	Oral, Written Questions, Interpellations	MP: WQ: WQ/MP: Comment:	Time to answer Sanction Publicity	Conditions / admissibility Limits on questions /MP/session
Belgium <i>La Chambre</i>	Rules of Procedure Oral questions (individual and committee) Interpellations (individual, to single member or several ministers) Written questions	Oral questions – answered in question time, 2 min for questioner, 2 min for government, 1 rejoinder, possibility to group them in single debate Interpellations – held in the committee, interpellations of general interest might be heard in the Plenary, urgency interpellations to be held in the same week on the request 1/5 of component MPs, 10 min for questioner, 5 for additional MP, 10 for reply, 5 min for rejoinders, conclusion of the debate with - A simple motion; - A constructive motion of no-confidence; - A motion of no-confidence; - A motion of recommendation.		Oral questions – MPs have to indicate subject and minister concerned ahead of the QT, must be topical and of general interest, no follow-up motions Written questions, to be answered within 21 days Belgian Members of European Parliament can also put written questions to federal ministers (via advisory ctte on European Questions)	Number of oral questions on behalf of groups is decided by the CoP.

<p>Denmark <i>Folketing</i></p>	<p>Right to bring a debate with the approval of Folketing (Constitution)</p> <p>Practical arrangements (Standing Orders)</p> <p>Interpellations (individual)</p> <p>Written questions (individual): for shorter, concrete answers, with the objective of obtaining information</p> <p>Committee questions (on behalf of the committee)</p>	<p>Question time: questions submitted in advance, Ministers can state in advance that question cannot be answered, 1-2 minutes on question time per MP asking question, President can allow other MPs to speak</p> <p>Direct oral questions for immediate answer, beginning of QT</p> <p>Committee questions – in relation with government bills or motions (oral – at the committee meeting or written answer)</p> <p>Debate on interpellations open to all MPs, can be connected with a vote of no confidence</p>	<p>MP: 179 WQ: 14180 WQ/MP: 82</p> <p>Committee questions: 15.000 by the standing committees/ year</p> <p>Individual questions from MEPs 6-7.000 a year</p> <p>Interpellations 50-70/year</p>	<p>Interpellation (forespørgsel) – written, 10 days to answer</p> <p>Priority interpellations, filtering by the Speaker (forespørgsel), answer asap</p> <p>Direct oral questions, Speaker determines order</p> <p>Written question 6 days to answer, should allow for a short reply</p>	<p>Interpellations, contents concrete, approval by Speaker</p> <p>Priority interpellations, approval by the Speaker</p> <p>Direct oral questions, speaker determines the order</p>
<p>Finland <i>Eduskunta</i></p>	<p>Interpellations (Constitution)</p> <p>Detailed rules for PQ (RoP)</p> <p>Written questions (individual)</p> <p>Oral questions (individual)</p> <p>Interpellation (20+ MPs)</p>	<p>Written / Oral questions asked and directly answered at the Question time, Limited to 1 minute</p> <p>Interpellations, to the Government or particular minister, 20 MEPs at least, can be followed by the vote of no confidence, can be first referred to a committee (submits proposal for decision)</p>	<p>MP: 200 WQ: 499 WQ/MP: 2,5</p> <p>2007-2010 4,000 WQ 800 oral questions 13 interpellations</p>	<p>10 days to answer No approval by speaker or chamber</p> <p>Written Questions, 21 days to answer</p> <p>Interpellations, 20 MEPs at least, answered within 15 days</p> <p>Oral questions: speaker chooses the</p>	<p>Interpellations must be concrete, concern matters within Government's or relevant areas of responsibility.</p> <p>Written questions, to be submitted to speaker, speaker decides on order of debate, but no influence on questions asked</p> <p>Parliament can decide that MPs might pose a certain</p>

				MPs to speak, questions not known in advance	number per session or during part-session
France <i>Assemblée nationale</i>	Oral questions without debate Oral questions to government Written questions	Oral questions without debate, once per week, no more than 32 questions, 6 min / question. Oral questions to government, presented in writing and submitted to the Government, not controlled by the Parliament	MP: 577 WQ: 28.870 WQ/MP: 50 Steady increase, 30.000 in 2010	Written questions, 2 months to answer, published in OJ Non-answered questions selected by the party groups to be answered within 10 days. Non answered questions can be asked again.	No accusation against ministers or third parties Questions to government – no threats or insults. List of MPs presented 1hr before the meeting List of questions not answered also provided
Germany <i>Bundestag</i>	Rules of Procedure of + Rulings of Constitutional Court (right to ask questions granted constitutional status) Written and oral questions (individual questions) Major interpellation (Group of MPs) Minor interpellations (Individual MPs) Questioning of Federal Government All questions are addressed to Government as a whole	Written and oral individual questions Question time: questions for oral answer or unanswered written questions. Major and minor interpellations - party groups or at least 5% of Bundestag, objective is to receive information about general (major) or specific (minor) issue Minor interpellations in writing Questioning of Federal government, concerning the most recent government meetings (orally without previously being known) Informal questions to the government	MP: 620 WQ: 5307 WQ/MP: 8,5 Comment: No individual WQ can be tabled in Bundesrat	Major interpellation to be answered orally, within 3 weeks, unless the government announces otherwise Minor interpellations to be answered in writing within two weeks Written questions to be answered within one week, if not can be answered orally at next question time.	Areas of responsibility of the federal government, no relating to courts, national bank or audit office nor the Bundeslander areas of responsibility President to approve /reject questions / find informal agreement about reformulation No limits on major interpellations Besides questions for oral answer, each member can ask additional four questions for written answer per month.

Greece	Reports / Complaints Questions (individual or Collective)				Clear, short with the objective to get information or to verify a truthfulness of a point or ask which measure the Government intends to take in order to respond to a question of general or particular interest.
Ireland <i>Oireachtas</i>	Oral questions for answer include four categories: Questions to Taoiseach, - Leader's Questions, Priority and Ordinary Private notice questions Written questions	Questions to Taoiseach (addressed to PM), Leader's Questions (addressed by opposition leaders to PM), not tabled in advance Priority and Ordinary (to ministers), Priority only by PG, 5 questions, 6 min each Ordinary 15+50 min Private notice questions, to deal with urgent and unforeseen issues (individual) Written questions			Question on public affairs connected with a Minister's Department, or matters of public administration for which he or she is officially responsible (including bodies under the aegis of his or her Department in respect of Government policy Oral questions (individual) MPs can table max 2 per person and day No limit to written questions Private notice questions – ruled acceptable/unacceptable by the speaker
Italy <i>Camera dei Deputati</i>	Questions for answer in plenary or committee Questions for immediate answer in Committee	Oral questions for answer in plenary or in the committee, one minute per question, 3 per reply, Interpellations are questions, in writing, concerning the reasons and intentions behind the	MP: 630 WQ: 4115 WQ/MP: 6,5	Written answer in 20 days, if no reply can be included on the agenda of the committee responsible,	Conditions: Questioners can ask about whether certain facts are true or not, whether the Government has information on a fact and whether or not a piece of information is accurate, whether the Government

	Questions for written answer	Government's conduct on issues regarding aspects of its policy.			<p>intends to transmit documents or information to the Chamber, or whether it has adopted, or is about to do so, measures on a given subject.</p> <p>Questions for immediate answer in committee: one single question, formulated in a clear and concise manner on a subject of general importance, characterised by urgency or particular political topicality</p> <p>Interpellations: concerning the reasons and intentions behind the Government's conduct on issues regarding aspects of its policy. Minister declare that it cannot reply, indicating the reason for this, or that it wishes to defer the reply to another date during the following two weeks, unless the questioner allows a longer postponement.</p> <p>Urgent interpellations. Business: max 2 per group, max 1 per member</p>
Norway Storting	<p>Rules of Procedure</p> <p>Oral questions</p> <p>Written questions for written and oral answer</p> <p>Interpellations (individual)</p>	<p>Oral question time, with not known questions, no more than 2 minutes each, additional questions by MPs not more than 1 minute</p> <p>Ordinary question time (written questions known in advance), not opened to other MPs</p> <p>Interpellations – individual MPs,</p>		<p>Speaker has discretion of deciding that the question is falling outside the scope</p> <p>Written question cannot be more than A4 page</p>	<p>Minister can refuse to answer, but if not has to reply in 6 working weeks</p> <p>Reply cannot be more than 2xA4 pages</p> <p>In one week no more than 2 questions (questions for oral or written answer)</p>

		Interpellation speech no longer than 10 minutes. Government reply no more than 10 minutes. Other MPs allowed to participate. Total no more than 1.2		Interpellations, reviewed by Speaker, to be answered no later than 1 month after being asked	Interpellations cannot fall outside Government's area of responsibility or which are being considered by a Committee Questions already presented as oral questions or interpellations cannot be presented again
Poland <i>Sejm</i>	Constitution (Art. 115) Standing orders of the Sejm Interpellations (individual) Deputies questions (individual) (Oral) questions on current issues (individual) Current information (political club or 15MPs)	Question time on current issues, maximum 11 questions, 2 minutes, 1 minute rejoinder, 6 minutes answer Exercise of the Mandate of a Deputy or Senator covers more than parliamentary interpellations and questions, because it enables MPs to obtain information from many State institutions, not only from the Council of Ministers, the committees can request information and explanation from all organs of state, including social institution, establishments and enterprises (with participation of the State)		Interpellations, answer in 21 days, possible follow-up questions	Interpellations – have to relate to significant matters and those concerning state policy Deputies' questions - in relation to matters of individual nature, concerning internal and external policy pursued by the Council of Ministers and public tasks performed by the government administration.
Portugal <i>Assembleia da Republica</i>	Constitution (Article 156) Written questions Questions to government with general scope Questions to	Questions to PM – PM sets the topic	MP: 230 WQ: 3959 WQ/MP: 18 Comment: MPs made a total of 7.273 if we include other bodies to whom the WQ were	Number of written questions not answered, Assembleia publishes in January, April and June, a list of all requests made more than three months earlier and not yet	

	<p>government with sectoral scope</p> <p>Questions to PM</p> <p>Emergency debates (constitutional right) PGs on issues of urgent current public interest, which the Government shall attend and the holding of two debates on a matter of general or sectoral policy,</p>		addressed	<p>answered is published in the Journal of the Assembly.</p> <p>Oral questions – with general scope – in writing 5 days before the session, government chooses questions to answer, President in consultation with CoP determines the order</p> <p>Questions to PM – PM sets the topic, but MPs can as questions on other topics as well</p>	
<p>Spain Cortes Generales</p>	<p>Constitution (request for information)</p> <p>Questions (with oral or written answer)</p> <p>Request of information and data</p> <p>Interpellations</p>	<p>Questions for oral answer to be answered in Plenary or committee, maximum 24 questions to be entered on the debate, priorities apply by groups</p> <p>Requests for information can be submitted to any administrative body (federal, regional, local or independent authority) except to courts on cases <i>sub judicæ</i></p> <p>Interpellations are to obtain information – reasons for or intentions for a conduct by the cabinet or particular minister, in practice only urgent interpellations (submitted by the groups) are debated, max 3 interpellations are included after the Question Time, no</p>	<p>MP: 350 WQ: 140.322 WQ/MP: 400 Comment: Many questions are repeated, with a slight difference, which explains the increased number</p>	<p>Questions to be answered in 20 days following their publication, period might be extended by the Bureau, if not replied it can be entered on the agenda of the next committee meeting</p> <p>Questions for oral answer to be submitted a week ahead of the meeting, Questions might be deferred by the government (each only once)</p>	<p>Questions (always written) are filtered by the Bureau Should not be of interest to an individual person or concern strictly legal consultation</p> <p>Requests for information channelled always through the speaker</p> <p>Interpellation – in practice only urgent interpellations (by the groups) are put on the agenda and debated</p>

		more than 12 minutes, 5 min for rejoinder, motion to be submitted in 24 hours following the debate			
Sweden Riksdag	Constitution (Instrument of Government) Riksdag Act Interpellation Provision of information Specific references to the to the right of information is given to the EU Affairs Committee	An interpellation is submitted and replied to in writing. The reply is also read aloud in the Chamber by the minister concerned. A debate ensues in which not only the interpellant, but also other members have the right to take part. Oral questions are put and replied to at the Question Time, right to rejoinders Written questions are answered in writing and do not lead to a debate, recorded in Riksdag Journal	MP: 349 WQ: 748 WQ/MP: 2	Interpellation, answered within 2 weeks, if no reasons are to be given by the minister	Interpellation: specific subject, include statement of motivation, hand-signed, admissibility verified by the Speaker, can be refused for conflicts with fundamental law or the act, if challenged, to be examined by the Committee on Constitutional Affairs Written question: similar provisions as interpellations
United Kingdom House of Commons	Standing orders of the House of Commons Public Business Oral questions (individual) Urgent questions Questions to PM Question for written answer (name day/not)	Oral questions to be submitted 3 days before the QT, each department answers questions according to the predetermined rota, questions are to concern their responsibilities, order of questions determined randomly by the Computer MPs can ask supplementary questions with the same subject Oral questions submitted for oral answer and not answered will become named-day questions Questions to PM - 1 st open question about engagements, opposition can ask supplementary questions	MP: 650 WQ: 51774 WQ/MP: 80 Comment: for comparison House of Lords MP: 785 WQ: 8988 WQ/MP: 11,4	Written question – no specific obligation, but usually 7 days after being tabled 'Named day answer' question has minimum of 2 days notice Written reply can be given upon notice from Minister within 5 days	Form of questions fully determined by the Speaker, Written question 'named day"- not more than 5 questions per MP on any one day of session No questions admissible 1 hr after the sitting, but exception can be given by the Speaker Urgent questions decided by the Speaker (government provides him with background briefing)

		Will write answers – can be given by the Member of the cabinet, when it intends to reply at a later date (in particular for more extensive questions).			
European Parliament			MP: 754 WQ: 12.006 WQ/MP: 16		

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POLICY DEPARTMENT CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS **C**

Role

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