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## BACKGROUND PAPER



# ***Question Period in the Canadian Parliament and Other Legislatures***

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***Question Period in the Canadian Parliament  
and Other Legislatures  
(Background Paper)***

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# QUESTION PERIOD IN THE CANADIAN PARLIAMENT AND OTHER LEGISLATURES

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## 1 INTRODUCTION

Question period is, for better or worse, the parliamentary proceeding that attracts the most attention from the media and the Canadian public. On each day that the House of Commons is in session, the 45-minute question period gives members of the opposition an opportunity to seek information from the government and to hold it accountable on its policies and administration of public affairs. Question period may make or end careers, unveil scandals or be used as a launching pad by the government of the day. Because there is so much at stake, the process sometimes gives rise to a lack of decorum. For this and other reasons, members of Parliament (MPs), as well as commentators on parliamentary proceedings, have been increasingly critical of question period, and possible reforms have been put forward on several occasions, including an April 2010 motion sponsored by MP Michael Chong.

Mr. Chong's motion, Motion M-517,<sup>1</sup> instructed the House of Commons Standing Committee on Procedure and House Affairs to study the rules and procedures relating to question period and to contemplate changes. These included consideration of the Speaker's power to enforce decorum, the time restrictions for questions and answers, the non-obligation of ministers to respond, the selection of MPs to ask questions by a random draw, and a roster system for ministers to ensure an equitable distribution of their time in question period. The House amended Motion M-517 to call upon the committee to look into the conventions and practices of the United Kingdom (U.K.) parliament and the legislatures of other Commonwealth jurisdictions. In 2010, the committee undertook its study, but it did not report to the House before the dissolution of the 40<sup>th</sup> Parliament on 26 March 2011.

This paper reviews the rules, conventions and practices of the Canadian Parliament in respect of question period. In addition to the House of Commons and the Senate, this paper examines processes similar to question period in other Commonwealth countries – namely, the U.K., Australia and New Zealand – as well as in Canadian provinces. All these jurisdictions share similar parliamentary and government systems; as a result, many rules in these legislatures are alike. This paper focuses on the general framework that governs question period, and does not discuss the specifics of any particular rules. As question period in some jurisdictions is intertwined with written questions, this paper also briefly reviews the rules regarding this parliamentary tool.

## 2 CANADIAN HOUSE OF COMMONS<sup>2</sup>

In the Canadian House of Commons, question period is governed by the *Standing Orders of the House of Commons* (the rules of procedure governing the House),<sup>3</sup> and by guidelines, precedents, and speakers' rulings and statements. Early in its history, question period was based on conventions and customs. In 1964, the first-

ever written rules about question period were included in the House of Commons standing orders.

The Speaker of the House of Commons has the power to rule out of order questions that contravene the rules and practices of the House, and he or she may order that a non-urgent question be placed on the *Order Paper* instead. These powers are rarely used by the Speaker, however.

The recognition pattern – that is, the order by which members are permitted to ask questions – and distribution of questions among political parties and independent members is based on each party's level of representation in the House. It is now accepted practice for political parties to provide to the Speaker, prior to question period, a list of their members who will be asking questions on that day. While the Speaker is not bound to follow this list, and has the authority to recognize any MP, he or she does follow the list in practice.

Guidelines and precedents govern the questions that may or may not be asked during question period. *House of Commons Procedure and Practice*, a book published by the House of Commons that provides a complete description of the rules, practices and precedents in the House, summarizes the effect of these rules as follows: calling on members 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.”<sup>4</sup> Questions are not preceded by a notice. Members and ministers have, based on practice, 35 seconds each to ask and answer a question.

Oral questions may be asked not only of ministers but also of MPs who are designated members of the Board of Internal Economy (the administrative body of the House of Commons). Questions to the Speaker are out of order, however. House of Commons practices also tolerate questions of chairs of committees respecting their committees' schedules and agendas. Questions may be followed by supplementary questions, at the discretion of the Speaker.

While oral questions tend to be addressed to a specific minister, they are considered to be directed to the government at large, and any minister may answer a question in the Canadian “collegial system of Cabinet responsibility.”<sup>5</sup> Parliamentary secretaries may also answer questions addressed to their ministers. Parliamentary practices present various options to the minister to whom the question is addressed; he or she may answer the question, defer it (referred to as “taking it on notice”), explain why an answer cannot be provided at the time, or say nothing.

An MP who is dissatisfied with the response to a question may give notice of his or her intention to raise the subject matter of the question upon the House's adjournment. The “adjournment proceedings” (or “late show,” as it is often called) takes place every sitting day except Friday at 6:30 p.m., and lasts for a maximum of 30 minutes. The Speaker selects three questions that are to be debated each day on the basis of several criteria: the order of the notice, the urgency of the matter, and the apportioning of opportunities to members of various parties. Each question is debated for 10 minutes. The MP who raised the matter may speak for four minutes,

and the minister (or parliamentary secretary) responding is also given four minutes to reply; then a second round of two minutes follows (one minute for the MP, and one minute for the minister or parliamentary secretary).

In addition to oral questions, MPs may place up to four written questions at a time on the *Order Paper*, seeking information from ministers in respect of public affairs, or from any MPs regarding bills, motions or public matters connected with the business of the House. No more than three of the four questions (distinguished on the *Order Paper* by an asterisk) may ask for an oral reply. An MP may also request that his or her question be answered within 45 days. If no answer is provided within this timeline, the MP may choose between having the matter referred to the competent parliamentary committee or transferred to adjournment proceedings for debate.

### 3 SENATE OF CANADA<sup>6</sup>

Each sitting day during its 30-minute question period, senators may ask oral questions of the leader of the government in the Senate, other ministers and chairpersons of committees.

The leader of the government of the Senate may be asked oral questions relating to public affairs, while questions to any other minister must relate to his or her ministerial responsibility. On 31 October 2006, the Speaker of the Senate ruled that ministerial responsibility included departmental responsibilities and excluded other responsibilities that are regional and political in nature and unrelated to his or her ministerial functions.<sup>7</sup> Oral questions asked of the chairperson of a committee must relate to the activities of the committee. These include “the specific things that are done by the committee, such as the holding of meetings, the election of a chairman, the calling of witnesses, the hiring of staff, advertising, and any other matter relating to the manner in which the committee conducts its proceedings.”<sup>8</sup> General issues about planning and upcoming work are also included in committee activities.<sup>9</sup>

Oral questions are asked without notice, and may be followed by supplementary questions. Debates are out of order during question period, but the senators asking and answering a question may make brief explanatory remarks. The *Companion to the Rules of the Senate* states that “[t]he selection of who asks questions is done by the Senators themselves, with little intervention from the Speaker.”<sup>10</sup>

Questions that cannot be answered immediately may be deferred by the persons to whom they are asked. There is no obligation to answer such a question, but when provided, the “Delayed Answers to Oral Questions” are reproduced in the *Debates of the Senate* just after the end of the question period. The answers are, however, not read out loud during the Senate Chamber’s proceedings.

A senator whose question seeks statistical or other information that is not readily available, or who desires an answer in writing, may send his or her written question to the clerk of the Senate. The question is then placed on the *Order Paper* until the reply to it is tabled. A copy of the answer is also given to the senator who asked the question. Written questions may be asked of the leader of the government in the Senate and other ministers, but not of committee chairpersons.

## 4 CANADIAN PROVINCES

Rules, conventions and practices relating to question period in Canadian provincial legislatures, as is often the case with other rules of procedure for provincial legislative assemblies, are for the most part inspired by the example offered by the House of Commons. For example, in most legislatures, the Speaker is provided with an unofficial list that he or she follows for recognizing questioners, and rules as to the acceptability of questions are substantially similar to House of Commons rules.<sup>11</sup>

### 4.1 NEWFOUNDLAND AND LABRADOR<sup>12</sup>

In the House of Assembly of Newfoundland and Labrador, oral questions on matters of urgency and public importance may be asked of ministers during the daily 30-minute question period. Ministers may decline to answer a question. If a minister believes that the question calls for a long reply, he or she may require that it be placed on the *Order Paper*. The minister may also take a question on notice and answer it orally during a subsequent sitting. When answers to questions taken on notice are long, ministers are asked to provide them not during question period but during “Ministers’ Statements,” which are published daily based on assembly proceedings. A question to a minister may be followed, at the discretion of the Speaker, by a reasonable number of supplementary questions.

Members may also seek information of ministers in respect of public affairs by placing questions on the *Order Paper*. Information may also be sought, through such written questions, of any member respecting bills, motions or any public matter connected to the member. Written answers to such questions are reproduced verbatim in the *Debates*, the House’s daily record of proceedings. Questions to the Speaker are out of order, but he or she is required to give the information sought by a member upon a written request for matters within his or her jurisdiction.

### 4.2 NOVA SCOTIA<sup>13</sup>

The time allotted to oral questions varies in the Nova Scotia House of Assembly. Question period may last up to one hour on Tuesdays and Thursdays, but only 30 minutes on Wednesdays (which is an opposition day in Nova Scotia). As described in *The Nova Scotia Legislature: An Overview of its Procedures and Practices*, oral questions are asked of the premier “about the manner in which the government is conducting the affairs of the province,”<sup>14</sup> and to ministers on matters for which they are officially responsible. Members may also ask written questions of ministers. Such questions, and their answers, are filed with the clerk.

### 4.3 NEW BRUNSWICK<sup>15</sup>

The time allotted to question period each day in the Legislative Assembly of New Brunswick is 30 minutes. Again, oral questions must pertain to matters of urgency. An oral question must reasonably be assumed to be within the present knowledge of the minister to whom it is asked. The member’s question, and the minister’s reply, must not exceed 60 seconds each. A minister may answer a question, take it on

notice, state that it should be in writing, or decline to answer it. A member may ask two supplementary questions on the same subject as the initial question. Oral questions taken on notice and answered orally on a subsequent day may be followed by one supplementary question from the member who asked the question.

In addition to oral questions, members may direct written questions to ministers by placing them on the *Order Paper*. Answers to written questions are printed in the *Debates*, the assembly's daily transcripts.

#### 4.4 PRINCE EDWARD ISLAND<sup>16</sup>

Question period allows members of the Legislative Assembly of Prince Edward Island to seek information from ministers relating to public affairs, bills, motions or any other public matter connected with the business of the Assembly.<sup>17</sup> Questions are to be clearly and concisely put, and must refer to a matter that is reasonably within the knowledge of the minister. A minister may answer the question, take it on notice or state that the question should be put in writing. Upon such a request, the Speaker may direct that the question be put in writing or that it stand as notice. An oral question may, at the discretion of the Speaker, be followed by no more than two supplementary questions.

Responses to questions taken on notice are given orally on a subsequent day at the beginning of question period. The time taken by ministers to answer questions taken as notice has no impact on the duration of question period, which is 40 minutes each sitting day.

Written questions may also be placed on the *Order Paper*, and the minister to whom a question is directed must provide the answer to the clerk as soon as possible.<sup>18</sup> The clerk then transmits a copy of the answer to the member who asked the question.

#### 4.5 QUEBEC<sup>19</sup>

Members of the Quebec National Assembly may ask questions of ministers on any matter of urgent or topical public importance during the 45-minute daily question period. An oral question may be followed by one or more supplementary questions.

A minister may take a question on notice and answer at the end of question period or during a subsequent sitting (after question period). A minister may also decline to answer a question, particularly when the information sought could only be collected through considerable effort that the usefulness does not warrant, or the information sought would be injurious to the public interest. Written questions may also be placed on the *Order Paper*. Their answers are tabled in the assembly.

#### 4.6 ONTARIO<sup>20</sup>

In the Legislative Assembly of Ontario, the daily 60-minute question period commences at 10:35 a.m. and provides members with an opportunity to ask



questions of ministers. Members may give notice of a question to a minister, but such notice is optional. A minister may decline to answer a question at his or her discretion. A minister may also take a question on notice and answer it at a subsequent sitting. A minister may direct a question to another minister who is responsible for the subject-matter in question. The Speaker may order that a question requiring a lengthy answer be placed on the *Order Paper*. At the Speaker's discretion, a question may be followed by supplementary questions. Parliamentary assistants may also ask questions, but not to their ministers and, when authorized by the premier, may answer questions for their ministers. One independent member is allowed to ask a question every sitting, but notice to that effect must be sent to the Speaker beforehand.

A member who is dissatisfied with an answer or whose question was ruled as not being of public importance or urgent may give notice to the clerk that he or she intends to raise the question's topic upon the adjournment of the Assembly. At 4:00 p.m., the Speaker indicates three questions that have been selected for debate at the adjournment of the Assembly on that day. Each question is discussed for 10 minutes: five minutes for the questioner, and five minutes for the minister responding.

Written questions may also be placed on the *Order Paper*. Such questions must be answered by ministers within 24 sessional days, unless the minister declines to answer or states that more time is needed. Written answers are provided to the member who asked the question and to the clerk. A member can have no more than 10 questions on the *Order Paper* at any one time.

#### **4.7 MANITOBA<sup>21</sup>**

Forty minutes are allocated for question period each sitting day in the Legislative Assembly of Manitoba. Question period, according to a legislative assembly fact sheet, "is an opportunity for Members to seek information about important matters which fall within the administrative responsibility of the government or of the specific ministers to whom questions are addressed."<sup>22</sup> An oral question is usually followed by two supplementary questions, at the discretion of the Speaker.

Written questions may also be submitted to ministers relating to public affairs, and to any members in respect of bills, motions or other public issues connected to the matter and the business of the House. Such questions are placed on the *Order Paper*. An answer to a written question is handed by the minister to the clerk, who reproduces it in the assembly's daily published record, the *Votes and Proceedings*.

#### **4.8 SASKATCHEWAN<sup>23</sup>**

Question period in Saskatchewan is limited to 25 minutes, and questions must relate to matters within the competence of the government or an individual's ministerial responsibility. Members may not ask ministers questions connected with the government, questions of a private nature, or questions that relate to Saskatchewan's Board of Internal Economy, caucus, party or political responsibilities. Ministers' responses must be relevant to the question. A minister

may also decline to answer a question or take it on notice, in which case it may be answered at a subsequent question period.

Members may also seek information from ministers through written questions. These must be preceded by a notice of five sitting days before being answered. On that day, the government may either table the response, convert it into an Order for Return (an order from the assembly to respond) if more time is necessary to answer the question, or convert it into a Notice of Motion for Return if the government wants to amend the wording of the question or debate the matter. Notices of questions and their responses are printed in the assembly's daily published record, *Votes and Proceedings*.

#### 4.9 ALBERTA<sup>24</sup>

The *Standing Orders of the Legislative Assembly of Alberta* contains just a few rules about that assembly's question period. Other than providing that there shall be a 50-minute oral question period every sitting day beginning no later than 1:50 p.m., the rules are silent. Most rules governing the oral question period are based on guidelines, precedents and practices inspired, in part, by House of Commons procedures and practices.

At the outset of the last legislature in 2008, the Speaker of the Legislative Assembly set out the rules before the first oral question period took place.<sup>25</sup> Questions and answers are limited to 35 seconds; supplementary questions are permitted provided they are "well crafted" and without preamble. While the Speaker retains the right to recognize members, political parties provide his or her office with a list of their members asking questions on a given sitting day. This list is submitted before 12:30 p.m. each day. Questions are asked of ministers, and not their parliamentary assistants, who are not members of the executive council. Questions from parliamentary assistants to their respective ministers are strongly discouraged. In addition to oral questions, members of the Legislative Assembly may also submit written questions to ministers. Such questions must be answered within 30 days of being accepted.

#### 4.10 BRITISH COLUMBIA<sup>26</sup>

The afternoon sitting of the Legislative Assembly of British Columbia begins, from Monday to Thursday, with the oral question period, which lasts 30 minutes. Each oral question to a minister may be followed by supplementary questions, at the discretion of the Speaker, except for those questions that are taken on notice (deferred) by ministers. Members may also place written questions on the *Order Paper* to ministers as well as to members in relation to bills, motions or other matters connected with the member and the business of the Assembly. Answers to such questions are provided by written replies to the clerk, who enters the answers in the assembly's record of daily proceedings, the *Journals*.

## 5 UNITED KINGDOM

### 5.1 HOUSE OF COMMONS<sup>27</sup>

There are various types of oral and written “parliamentary questions” that private members may ask of the government in the U.K. House of Commons. Oral questions include prime minister’s questions, ministerial question time, topical questions and urgent questions. Written questions include ordinary written questions, “named day” questions and oral questions that did not get asked.

Prime minister’s questions take place every Wednesday for 30 minutes. Members desiring to ask a question of the prime minister must submit it in writing three days before the shuffle – a random draw of all members who tabled a question. The names of 15 selected members are placed on the *Order Paper*, and they may ask their question during question time. Each selected member is entitled to one supplementary question; the leader of the Opposition and the leader of the second largest opposition party (as the case may be) may also ask supplementary questions. At the end of the half hour, questions on the *Order Paper* that have not yet been asked will stand for a written answer.

Ministers are allocated a specific day to answer oral questions. From Monday to Thursday, 40 minutes are reserved daily for such questions. Ordinary oral questions are followed by 20 minutes of topical questions. The members asking these questions are again selected through a shuffle. Topical questions begin with an open-ended question about a department, and can be followed by a series of supplementary questions on any matter within the department’s responsibilities. Urgent questions may also be asked of ministers at the end of question time or at 11:00 a.m. on Friday (there is no question time on that day). Only urgent questions are acceptable. Although no formal notice is required for urgent questions, they must be submitted in advance to the Speaker and the minister concerned must have been notified of the question.

Members may also send written questions to ministers. Ordinary written questions do not need to be answered within a given timeline after being tabled, but they are usually answered within seven days. Named day questions are questions whose answers are tabled on the day specified by the members asking them, provided that they are preceded by a three-day notice. Oral questions that could not be asked during question time due to time constraints are treated as ordinary written questions.

An answer to an oral or written question may be denied on the grounds of national security, disproportionate cost or commercial confidentiality. Questions must also be procedurally acceptable before being asked. A question will be ruled inadmissible if, for example, it has already been answered in the same session.

### 5.2 HOUSE OF LORDS<sup>28</sup>

Oral questions take place from Monday to Thursday at the beginning of parliamentary business, and last up to 30 minutes. Questions in the House of Lords

must relate to matters of government responsibility, and are addressed to “Her Majesty’s Government” as a whole – not to a particular department’s minister. They must be preceded by 24 hours’ notice, and will remain on the *Order Paper* for one month.

Four oral questions are answered each day. Questions should be concise enough so that an answer can be given in 75 words or less. Supplementary questions are allowed, and the lord who asked the initial question is usually entitled to ask the first supplementary question. The proceedings on each question are limited to seven or eight minutes. No lord can have more than one oral question on the *Order Paper* at any one time. On Tuesdays, Wednesdays and Thursdays, the fourth space during the oral questions period is reserved for balloted oral questions, which are more topical in nature. (Balloted questions are randomly chosen, similar to a shuffle.) Any lord may submit one topical question for the ballot even if he or she already has an oral question on the *Order Paper*. A ballot is also used to designate three questions asked of secretaries of state sitting in the House of Lords on Thursdays. These questions are addressed to a particular secretary of state and not to the government as a whole.

In addition to ordinary oral questions, lords may ask questions on urgent matters provided they have given private notice to the Lord Speaker. Such notice must be given before noon when the sitting of the House of Lords begins after 1:00 p.m., and before 10:00 a.m. should the sitting of the House of Lords begin before 1:00 p.m. The decision as to whether the question is sufficiently urgent rests with the Lord Speaker.

Lords are also permitted to table six written questions on any one day. These are expected to be answered within 10 working days, and their answers are sent to the lord asking the question and then reproduced in *Hansard*.

Questions for short debate may also be tabled by lords. These are usually tabled without a date designated by lords; a date to discuss such a question must be agreed to by the Government Whips Office. Questions for short debate are taken during lunch or dinner breaks or as last business. They last between one and one-and-a-half hours. The questioner is permitted 10 minutes and the responding minister, 12. The remaining time is divided equally between speakers on the list.

## 6 AUSTRALIA

### 6.1 HOUSE OF REPRESENTATIVES<sup>29</sup>

At 2:00 p.m. on most sitting days, ministers of the government answer questions from members of the House of Representatives for 45 minutes, more or less. The duration of question time is not specified in the rules governing the House of Representatives, and is left to the discretion of the prime minister. As ministers have no obligation to answer questions, the prime minister or the most senior minister present will, about 45 minutes into question time, ask that further questions be put on notice. This will end question time, and the next item will be called. Similarly, the

government will use the same technique if it does not want question time to take place on a given day.

The Speaker has discretion over questioners. In practice, the leader of the Opposition is entitled to ask the first question, and questioners thereafter alternate between government and non-government members. The Speaker aims to allocate questions as evenly as possible between all members: government, non-government and independent members.

Questions are asked of ministers, but not of parliamentary secretaries. Questions may also be put to private members and to the Speaker on any parliamentary business connected to them. Ministers may refuse to answer a question, or transfer the question to another minister. Questions must be addressed to the prime minister or the responsible minister, and a question addressed to the wrong minister may be answered by the responsible minister. Ministers have four minutes to answer a question. Private members, ministers and parliamentary secretaries may ask questions of the Speaker about any matter under his or her responsibility at the conclusion of question time.

Oral questions asked during question time are put to ministers without notice. Members may also ask a question of ministers in writing for written reply. The question is placed on the *Notice Paper* by the clerk, and once it is answered, the question and its reply are reproduced in the House's daily transcripts, the *Debates*.

## 6.2 SENATE<sup>30</sup>

Each sitting day, at 2:00 p.m., question time begins in the Senate of Australia. This period allows senators to put questions to ministers on any matter connected with public affairs. Questions may also be asked of the President (the Australian Senate's term for its Speaker) in relation to any matter under his or her responsibility. While questions are supposed to be without notice, ministers often receive informal notice as to the subject of an upcoming question.

The rules establish strict time limits on questions and answers. A question ought to be asked within one minute, while its answer shall not exceed four minutes. Supplementary questions and answers must be asked and answered within one minute each. A supplementary question must be put to the same minister, and must arise from the original answer or question. The number of supplementary questions and the questioner chosen is left to the President's discretion, but usually only one supplementary question is permitted. In recognizing senators, the President allocates questions proportionally among political parties and independent senators. In practice, however, the President follows a list agreed to by senators in allocating questions.

Question time usually lasts one hour, and ends when the leader of the government in Senate asks senators to put any other questions on the *Notice Paper*. This practice reflects the fact that ministers are not obliged to answer questions. At the end of question time, a senator may move a motion to take notice of answers given to questions that day. While more than one such motion may be moved on the same

day, the time devoted to the debate is limited to 30 minutes, and a senator may not speak for more than five minutes on a motion.

A senator may also seek information from the Ministry by putting a question on notice, which involves giving a written copy of the question to the clerk, who then reproduces it in the *Notice Paper*. The answer is also provided to the clerk in writing. Upon being answered, the question and answer are reproduced in the Senate's daily transcripts, the *Debates*. A senator whose question remains unanswered after 30 days may ask for an explanation at the end of question time.

## 7 NEW ZEALAND<sup>31</sup>

Both oral questions (ordinary or urgent) and written questions can be used by members of the House of Representatives, the sole chamber of the Parliament of New Zealand, to elicit information from ministers.

Ordinary oral questions can be asked of a minister regarding any public affairs or proceedings for which the minister is responsible or connected. Ordinary oral questions can also be posed to private members in relation to any parliamentary business connected with the member. Notice of oral questions must be given between 10:00 and 10:30 a.m. on the day the question is to be asked. After their vetting by the clerk for compliance with the *Standing Orders*, all questions are sent to the ministers, published on the parliamentary website, and printed in the final *Order Paper* for that day. There are 12 such questions each day. Shortly after 2:00 p.m., each sitting day, all 12 questions will be asked and answered. One supplementary question per answer, directly related to the answer given, may be allowed by the Speaker. Following ordinary oral questions, members may ask urgent questions provided that they have given a copy of the question to the clerk and the responsible minister. Urgent questions are strictly limited to matters that have arisen since 10:30 a.m.; that is, after the time allowed for notice.

Ordinary oral questions are proportionally allocated to parties, and each party decides how it utilizes the slots allocated each day. Excluded from the calculation, however, are members from the government caucus who are ministers, associate ministers and parliamentary undersecretaries. The Business Committee, a standing parliamentary committee of the House of Representatives, makes the appropriate calculation to ensure proportionality among parties, and decides on the rotation so as to be fair to all political parties and independent members.

Written questions may be put to ministers and private members, as well as to the Speaker, concerning any administrative matter for which he or she is responsible. Written questions can only be submitted and answered electronically. Upon being accepted, questions are sent electronically to the addressee in question, and published publicly electronically. Answers to written questions must also be provided electronically no later than six working days after the publication of the question.

## 8 CONCLUSION

The purpose of this paper was to briefly review the rules, conventions and practices governing question period in Canada, the U.K., Australia and New Zealand. This examination highlights similarities and differences among these jurisdictions. The basic structure of question period is the same everywhere, though – a period of half an hour to one hour, more or less, devoted to oral questions posed to the government by opposition members who may also, or instead, ask written questions of the government. There are differences in question period practices among these jurisdictions, however. While oral questions are asked without notice in Canada, they are preceded by notice in the U.K. and New Zealand. This, and other differences in rules, conventions and practices, may be of interest should the Canadian Parliament decide to study question period again.

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## NOTES

1. Motion M-517, sponsored by MP Michael Chong, was placed on the *Notice Paper* on 14 April 2010, and on the order of precedence the following day. It was debated on 27 May 2010 and 29 September 2010, and adopted, with an amendment, on 6 October 2010.
2. Audrey O'Brien and Marc Bosc, eds., [\*House of Commons Procedure and Practice\*](#), 2<sup>nd</sup> ed., House of Commons, Ottawa, 2009, pp. 491–526.
3. Canada, House of Commons, [\*Standing Orders of the House of Commons\*](#), June 2011, ss. 37–39.
4. O'Brien and Bosc (2009), p. 502.
5. Canada, House of Commons, Speaker's Ruling, *Debates*, 1<sup>st</sup> Session, 33<sup>rd</sup> Parliament, 31 January 1986, p. 10,348.
6. Canada, Senate, [\*Rules of the Senate of Canada\*](#), ss. 23–25; Canada, Senate, Standing Committee on Privileges, Standing Rules and Orders, *Companion to the Rules of the Senate of Canada*, 1994, pp. 67–74.
7. Canada, Senate, [\*Debates of the Senate\*](#), 1<sup>st</sup> Session, 39<sup>th</sup> Parliament, 31 October 2006, pp. 1,034–1,035.
8. See the Speaker's Ruling of 13 November 1980 (see Senate, *Journals of the Senate*, 1<sup>st</sup> Session, 32<sup>nd</sup> Parliament, 1980–1985, pp. 522–523).
9. Canada, Senate, Speaker's Ruling, 20 March 2007 (see Senate, [\*Journals of the Senate\*](#), 1<sup>st</sup> Session, 39<sup>th</sup> Parliament, 20 March 2007, pp. 1,160–1,162).
10. Canada, Senate, Standing Committee on Privileges, Standing Rules and Orders (1994), p. 69.

## QUESTION PERIOD IN THE CANADIAN PARLIAMENT AND OTHER LEGISLATURES

11. The legislative assemblies of the territories also have a question period that is based on the same principles of, and is similar to, question period in the House of Commons. Question period lasts 60 minutes (with a possible extension of 30 minutes) in Nunavut, 60 minutes in the Northwest Territories, and 30 minutes in Yukon. See Nunavut, Legislative Assembly, [Rules of the Legislative Assembly of Nunavut](#), February 2011, s. 39 and Appendix: "Oral Question Period Guidelines"; Northwest Territories, Legislative Assembly, [Rules of the Legislative Assembly of the Northwest Territories](#), 1 April 1993, last amended 15 October 2009, s. 38 and "Question Period Guidelines"; Yukon, Legislative Assembly, [Standing Orders of the Yukon Legislative Assembly](#), 11 May 2006, s. 11 and Addendum: "Guidelines for Oral Question Period."
12. See Newfoundland and Labrador, House of Assembly, [Standing Orders of the House of Assembly](#), 18 May 1951, last amended 16 March 2005, ss. 26 and 51–54.
13. Nova Scotia, House of Assembly, [Rules and Forms of Procedure of the House of Assembly](#), 26 May 1980, last amended 21 May 1998, ss. 30–31.
14. Arthur G. H. Fordham, [The Nova Scotia Legislature. An Overview of Its Procedures and Practices](#), Halifax, revised July 2006, p. 36.
15. New Brunswick, Legislative Assembly, [Standing Rules of the Legislative Assembly of New Brunswick](#), 17 June 1986, last amended 18 June 2009, ss. 37–38 and 41.
16. Prince Edward Island, Legislative Assembly, [Rules of the Legislative Assembly of Prince Edward Island](#), November 2010, ss. 59–64.
17. *Ibid.*, s. 59.
18. *Ibid.*, s. 60.
19. Quebec, National Assembly, [Standing Orders and Other Rules of Procedure](#), 11<sup>th</sup> ed., 2010, ss. 74–82 and 313–314; Quebec, François Côté and Michel Bonsaint, eds., *La procédure parlementaire du Québec*, 2<sup>nd</sup> ed., National Assembly, 2003, pp. 180–193.
20. Ontario, Legislative Assembly, [Standing Orders of the Legislative Assembly of Ontario](#), 27 October 1999, last amended 1 January 2009, ss. 37, 38 and 99.
21. Manitoba, Legislative Assembly, [Rules, Orders and Forms of Proceedings of the Legislative Assembly of Manitoba](#), 10 April 1980, last amended 7 December 2005, ss. 23 and 60.
22. Manitoba, Office of the Clerk of the Legislative Assembly, [Question Period](#), Fact Sheet No. 7.
23. Saskatchewan, Legislative Assembly, [Rules and Procedures of the Legislative Assembly of Saskatchewan](#), December 2007, ss. 19–20.
24. See Alberta, Legislative Assembly, [Standing Orders of the Legislative Assembly of Alberta](#), 4 December 2008, last amended 11 March 2010, s. 7.
25. Alberta, Legislative Assembly, *Alberta Hansard*, 1<sup>st</sup> Session, 27<sup>th</sup> Legislature, 16 April 2008.
26. British Columbia, Legislative Assembly, [Standing Orders of the Legislative Assembly of British Columbia](#), 4th Session, 39th Parliament, ss. 25, 47 and 47A.
27. United Kingdom, House of Commons, [Standing Orders of the House of Commons – Public Business](#), 2011, ss. 21–22; Thomas Erskine May, *Erskine May's Treatise on the law, privileges, proceedings and usage of Parliament*, 24<sup>th</sup> ed., ed. Malcolm Jack, LexisNexis, London, 2011.
28. United Kingdom, House of Lords, [Standing Orders of the House of Lords](#), ss. 34–36; United Kingdom, House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2010, pp. 92–103.



29. Australia, House of Representatives, [\*House of Representatives Standing and Sessional Orders\*](#), 2010, ss. 97–105; Australia, Ian Harris, ed., [\*House of Representatives Practice\*](#), 5<sup>th</sup> ed., Department of the House of Representatives, Canberra, 2005, pp. 527–557.
30. Australia, Senate, *Standing Orders and Other Orders of the Senate*, ss. 72–74; Australia, Harry Evans, ed., [\*Odgers' Australian Senate Practice\*](#), 12<sup>th</sup> ed., Department of the Senate, Canberra, 2008, pp. 490–503.
31. New Zealand, House of Representatives, [\*Standing Orders of the House of Representatives\*](#), 2008, ss. 369–379; David McGee, [\*Parliamentary Practice in New Zealand\*](#), 3<sup>rd</sup> ed., Dunmore Publishing Limited, Wellington, 2005, pp. 545–569.