

STATES OF JERSEY



ORAL QUESTIONS WITH NOTICE: ABOLITION OF TIME LIMIT (P.59/2009) – COMMENTS

Presented to the States on 28th April 2009
by the Council of Ministers

STATES GREFFE

COMMENTS

This Proposition asks the States to agree that the current time limit of 90 minutes allowed for oral questions with notice should be abolished, and that the period for such questions should continue without time limit until all the questions have been answered.

The Council of Ministers fully supports Deputy Tadier's assertion in his report to the Proposition that the asking and answering of questions of Ministers is an essential feature of any modern democratic government. Ministers strongly believe that it is only right and proper that Ministers are held accountable to this Assembly and that the questioning of Ministers, both in written and oral form, is an important and integral element in the accountability process.

However, the Council of Ministers opposes this Proposition on the grounds that the Assembly has equally important functions as a legislature and deciding high level policy matters. The questioning of Ministers in the Assembly without a time restriction could lead to a reduction of the effectiveness of the other areas of States' business, which would be to the detriment of the interest of the public. A balance needs to be struck between the rights of individual States Members to ask questions of the Executive and the need for the States Assembly to fulfil its other duties, such as debating proposed legislation. There is a real danger that unrestricted time allocation to oral questions could lead to severe disruption to the Assembly's ability to conduct its legislative functions and to the machinery of government of the Island.

Nearly all parliamentary democracies around the world have measures in place to ensure that there is a limit to the time/number of questions that can be asked of the Executive in a Sitting of the jurisdiction's Parliament. This is a sensible and level-headed way of running Parliament. The table below gives some comparative examples –

Jurisdiction	Time Restriction
United Kingdom	Questions time – 1 hour Prime Minister's questions – 30 minutes
Northern Ireland	1.5 hours
Scotland	General Question Time – 20 minutes First Minister's Question Time – 30 minutes Themed Question Time – 40 minutes
Australia	Normally 1 hour, although the Prime Minister will terminate when s/he sees fit
Canada	45 minutes
New Zealand	Twelve principal oral questions are asked, with supplementary questions also given, but they must relate to the initial subject matter
India	1 hour
Japan	45 minutes
Hong Kong	No more than 20 questions

Parliamentary democracies around the world apply time restrictions to the questioning of the Executive to ensure that the questions and subsequent answers are focussed and concise. The current time limit of 90 minutes is in place to ensure that the States serve the Island by holding the Executive to account. This is further strengthened by the existence of Scrutiny Committees, and together the 2 functions ensure that Jersey's Government is fully and properly held to account. States Members will see from the illustrative example given above that the allocation of 90 minutes to Oral Questions by this Assembly exceeds the time allocation given by many other similar parliamentary democracies.

For these reasons, States Members are urged to robustly reject this Proposition.