



INFORMATION AND PROCEDURES

FOR QUESTIONS ON NOTICE

IN THE LEGISLATIVE COUNCIL

SEPTEMBER 2011

If you have any queries, please do not hesitate to contact:

**Procedural Services Section
Legislative Council
Parliament House
PERTH WA 6000**

Ph: (08) 9222 7382
Fax: (08) 9222 7819
E-mail: LCquestions@parliament.wa.gov.au

All Questions on Notice to be emailed to: LCquestions@parliament.wa.gov.au

Western Australian Parliament Homepage: <http://www.parliament.wa.gov.au>

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INTRODUCTION

This manual is designed to assist Electorate Officers, Members of the Legislative Council and officers in providing an effective and more efficient system to produce questions on notice.

Within this manual you will find procedures for typing and formatting of questions (with examples), a copy of the relevant Standing Orders and where to find the latest information on the portfolios of the Ministry, Ministers representation in the Legislative Council and Acts with administering portfolios and public sector agencies.

Please read this manual carefully and if you have any queries or suggestions please do not hesitate to contact the Legislative Council Procedure Office.

REQUIREMENTS

Questions on Notice

A hard copy (hand delivered or faxed) of **signed** questions, to be placed on notice, is to be received by the Procedure Office prior to 12.00 midday for inclusion on that particular sitting day. Any questions received after this time will be held for the following sitting day.

Fax: (08) 9222 7819

Questions may be signed by either the Member, or by a nominated staff member on behalf of the Member. All questions should also be e-mailed to the Legislative Council with all the questions to be placed in **one** document only - not a separate document for each question.

E-mail: LCquestions@parliament.wa.gov.au

It is the Members' obligation to ensure that their questions on notice comply with the requirements of Standing Orders.

Checklist for Questions on Notice

- Marked clearly "Question on Notice".
- Which Minister you are asking the question to.
- Signed by the Member or a nominated staff member.
- Delivered or faxed (9222 7819) to the Procedural Services Section before 12.00 midday.
- E-mail copy to LC Questions (LCquestions@parliament.wa.gov.au)

Questions Booklet

A complete list of questions asked for each sitting day, including a postponed list (questions not answered), can be located in the Legislative Council Administration Office or on the Parliament website.

Times when the Questions Booklet will be available

- Tuesday 4.00pm
- Wednesday 4.00pm
- Thursday 4.00pm

PROROGATION

Once prorogation has occurred, all business, including unanswered questions on notice, will cease to exist.

Unanswered questions on notice can be re-submitted during the course of the next session of Parliament.

SEARCHING FOR QUESTIONS ON THE INTERNET

Question booklets are emailed to all Members prior to Questions without Notice being taken on each sitting day. Alternatively, the Question Booklet can be found on the Parliament Website under the section 'Business of Parliament', 'Chamber Documents'. Select the year, the month and the day that you require.

The screenshot shows the Parliament of Western Australia Intranet website. At the top, there is a navigation bar with links: Home, QUICK LINKS, Feedback, Links, Member Services, Site Map, and Site Search. Below this is a main menu with categories: Parliament, Legislative Assembly, Legislative Council, Parliamentary Services, Library, Bills, Business of Parliament, Committees, Education, Hansard, Legislation, and Members. The 'Business of Parliament' menu is expanded, showing sub-links: About Business of Parliament, Chamber Documents (incl. Notice Papers, Minutes, etc), Government Gazette, Parliamentary Questions, Sitting Dates, and Tabled Papers. A central banner features the text: 'Assembly will next sit on Thursday 6 November commencing at Chamber Documents not yet released Live Broadcast'. To the right of this banner, it says 'day 6 November 45 PM yet released st'. Below the banner is a red-bordered box with the text: 'Remember! in the case of an emergency, call the Emergency Control Centre on ext 500'. The page is divided into two columns of news items. The left column includes: 'Parliament News' (The July 2008 issue is now available (PDF)), 'Social Club Bowling Night' (The Parliament Social Club is having a Bowling Night on October 24th. Details are here), and 'Visiting Groups' (Who's visiting today and this week). The right column includes: 'Legislative Council Celebrates 175 Years: 1832-2007' (Last year marked the 175th Anniversary of the Legislative Council in WA. Check the web page for more information.) and 'Tours of Parliament House' (Public Tours of Parliament House are conducted Mondays and Thursdays at 10.30am. Contact the Education Office on 9222 7259 for further information.). At the bottom left, there is a footer: 'Parliament of Western Australia All contents Copyright © 2008.'

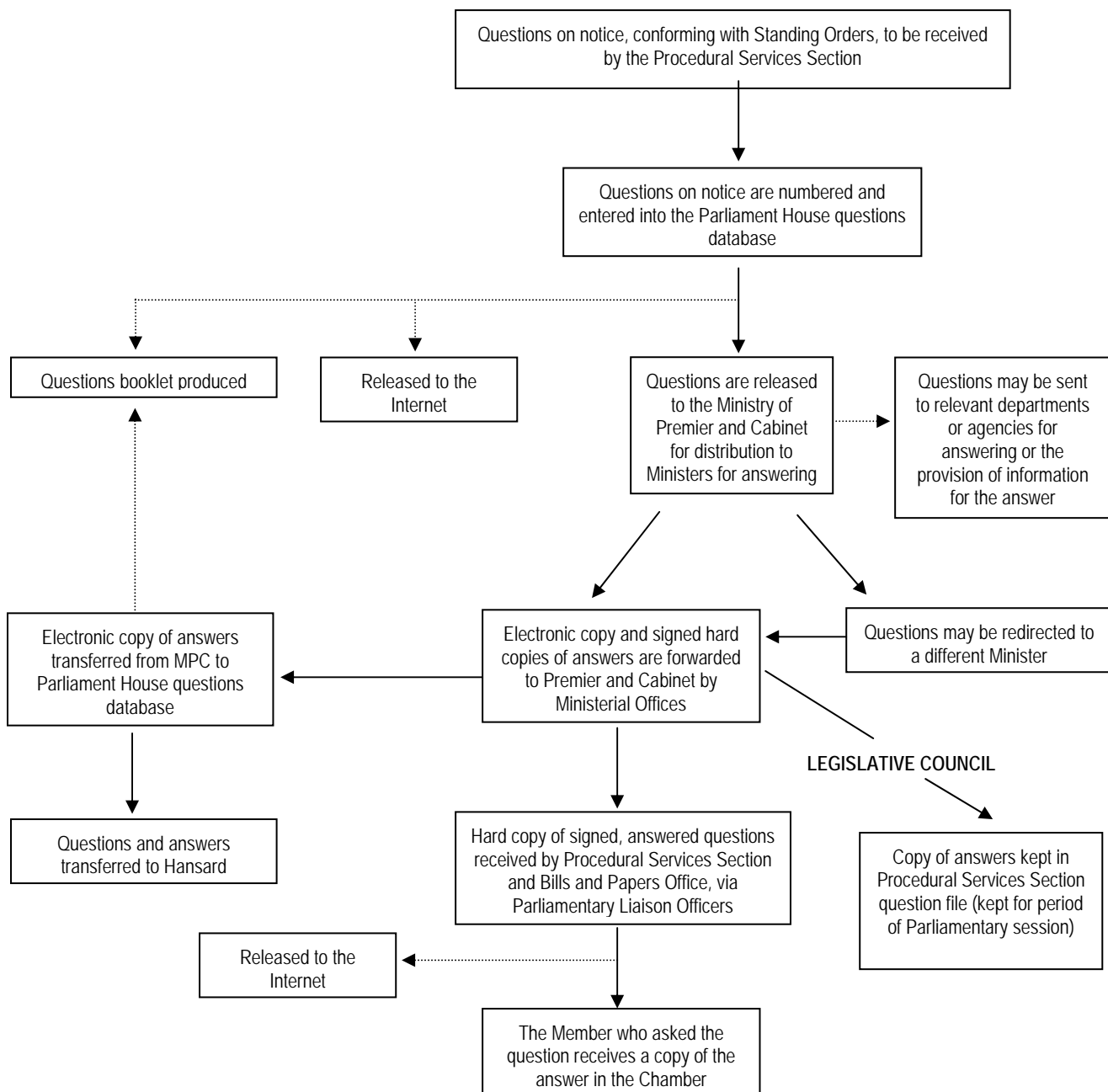
You can search for individual questions on the website under the Legislative Council section by selecting 'Parliamentary Questions'. You can conduct a search by using a word that pertains to the question in the search field or by clicking on the Member's name.

The screenshot shows the Parliament of Western Australia website in Microsoft Internet Explorer. The browser title is "Parliament of Western Australia - Home - Microsoft Internet Explorer provided by Parliament of WA". The address bar shows "http://intranet/intranet/piframesi.nsf/iframewebpages/Home". The website header includes "POWAnet" and "Parliament of Western Australia Intranet". A navigation menu is visible with the following items: Parliament, Legislative Assembly, Legislative Council, Parliamentary Services, Library, Bills, Business of Parliament, Committees, Education, Hansard, Legislation, and Members. The "Legislative Council" menu item is highlighted, and a dropdown menu is open, listing: LIVE BROADCAST, About the Legislative Council, Chamber Documents, Committees, Members, Parliamentary Questions, Petitions, Policies, Publications, Seating Plan, Sitting Dates, Standing Orders, and Tabled Papers. The main content area features a "LIVE BROADCAST" section with the text "Council will next sit on Thursday 6 November commencing at 2:45 PM Chamber Documents not yet released Live Broadcast". Below this is a red banner that reads "In case of an emergency, call the Emergency Control Centre on ext 500". There are also sections for "Parliament News" (The July 2008 issue), "Social Club Bowling" (The Parliament Social Club is having a bowling Night on October 24th), and "Visiting Groups" (Who's visiting today and this week). A footer at the bottom left reads "Parliament of Western Australia All contents Copyright © 2008".

Click on the date (underlined) of the question to view the question. If the question has been answered, the answer to the question will follow on from the question.

The Parliament Web Site can be found at: www.parliament.wa.gov.au

FLOW CHART FOR QUESTIONS ON NOTICE



FORMAT OF QUESTIONS

Please ensure that you adhere to the following format when compiling questions -

- (1) Font for all questions is **Times New Roman, 11 point**
- (2) Never use colons in the base of a question, only hyphen (-). Ensure you insert a hard space [Control + Shift + Spacebar] between the end of the text and the hyphen
- (3) Question numbering should be in brackets i.e. **(1)**, not 1
- (4) Do not use double quotes (“ ”)
- (5) Dates are always Day, Month and Year i.e. **22 May 2011** or **Tuesday, 22 May 2011**
- (6) **2010-11** or **2010-2011**, not 2010/11 or 2010/2011
- (7) Numbers one to nine in words, not numeric [i.e. is it correct there are seven staff...]
- (8) **No.** 15 not No 15
- (9) Acts, Bills and newspaper names to be in italics i.e. *The West Australian, Bank Mergers Act 1997*
- (10) Sentences in subparagraphs always begin with a lower case character unless the name of a place etc. [i.e. (a) jobs within a department;]
- (11) Capital “B” for Budget when stating a particular budget i.e. 1996-97 Budget, State Budget
- (12) Company/department names should be in full but may be succeeded by an abbreviation if used later in the question i.e. **Conservation and Land Management (CALM)**
- (13) Do not use full points after Mr, Dr etc. or between initials i.e. **Mr I J Boldy**, not Mr. I.J. Boldy
- (14) **Smart quotes** (‘ ’), not straight quotes (" ')

EXAMPLES OF THE REQUIRED FORMAT FOR QUESTIONS ON NOTICE

The following are examples of how questions should be formatted.

EXAMPLE NO. 1

Question on Notice

Hon Sally James to the Minister for Mental Health representing the Minister for Planning:

As compensation for the loss of part of the M91 reserve for the Jervoise Bay Harbour proposal, the Government promised to add 42 hectares to parks and recreation reserves through the South West Omnibus MRS Amendment No. 991/33.

Will the Minister indicate -

- (1) The location(s) of each addition to parks and recreation reserves and their size in MRS Amendment No. 991/33?
- (2) Do any of these represent a similar vegetation association as that lost in M91?
- (3) If yes to (2), which one(s)?

EXAMPLE NO. 2

Question on Notice

Hon Bob Jones to the Minister for Mental Health representing the Minister for Health:

- (1) Did the Law Society provide comments to the Health Department on each of the following legislation -
 - (a) *Human Tissue and Transplant Act 1982*;
 - (b) *Human Tissue and Transplant Amendment Act 1987*;
 - (c) *Human Tissue and Transplant Amendment Act 1997*; and
 - (d) *Coroners Act 1996*?
- (2) If yes to (1), will the Minister table the comments made by the Law Society?
- (3) If no to (1), why not?
- (4) Does the Health Department keep records regarding removal of spinal column and cords during autopsies?
- (5) If yes to (4), how many were removed during the period 2005 to, and including, 2010?

EXAMPLE NO. 3**Question on Notice**

Hon Jane Brown to the Minister for Energy:

I refer to the Minister's answer to my question on notice of 8 August 2010 stating that Western Power allocated \$914 749.34 in 2009-2010 to the Chamber of Commerce and Industry, and ask -

Will the Minister table a breakdown of that expenditure separately detailing the cost of -

- (a) membership subscription;
- (b) programs;
- (c) apprentice training; and
- (d) other items,

and outlining full details of what was purchased with those allocations?

EXAMPLE NO. 4**Question on Notice**

Hon John Smith to the Minister for Energy representing the Minister for Education:

Can the Minister describe the \$1 million program that will better involve Aboriginal parents and communities in education decision making?

LEGISLATIVE COUNCIL STANDING ORDERS

QUESTIONS SEEKING INFORMATION

Chapter X11

QUESTIONS TO MINISTERS AND MEMBERS

136. Questions may be put to:
- (a) a Minister relating to public affairs with which he is connected, to proceedings in the Council, or to any matter of administration for which he is responsible;
 - (b) a Member except the President relating to any Bill, motion, or other public matter connected with the business of the Council of which the Member has charge.

NOTICE OF QUESTION¹

137. (a) Except as provided in SO 139, written notice of any question, signed by or on behalf of the Member giving notice, shall be delivered to the Procedural Services Section not later than midday on any sitting day;
- (b) Notice of any question delivered later than the time provided for in (a), but before the time appointed for the House to meet, may be included in that day's notices of questions;
- (c) Oral notice of any question to which (a) and (b) hereof apply may be given at that day's sitting at the time provided for in SO 125;
- (d) Notice of a question supplementary to one for which a reply has been provided shall be included in that day's notices of questions if it is delivered to the Procedural Services Section within one hour of the time appointed for the House to meet;
- (e) Except as provided in (d), notice of any question delivered later than the time appointed for the House to sit on that day shall be included in those notices (if any) delivered on the following day; and
- (f) Each notice shall be published in a Supplementary Notice Paper according to the date of delivery and the order in which it was so delivered:

Provided that where (b) and (d) hereof apply, it is sufficient compliance with this Standing Order to include such notice in the Supplementary Notice Paper for the day following that on which it was delivered.

REPLIES

138. (a) A reply to any question on notice is given by delivering it in writing to the Procedural Services Section.
- (b) Each reply shall be published in a Supplementary Notice Paper immediately following the question to which it relates.
- (c) Replies shall be concise, relevant, and free from argument or controversial matter.
- (d)² If a question on the Notice Paper remains unanswered after nine sitting days, the Minister or Member to whom the question is directed is to state at the conclusion of the period of oral questions on the next sitting day whether an answer will be provided and when that will occur.

1 SO 137 (a) Amended on June 24 1998

2 Insert by Resolution of the House, May 23 2001

ORAL QUESTIONS WITHOUT NOTICE

139. (a) A Member may ask an oral question without notice and the Minister or Member concerned, if it is one that in his opinion should be answered immediately, may thereupon answer the question and, if not, request that it be placed on notice.
- (b) Unless the House otherwise orders, the President:
- (i) at 5 pm on Tuesday and Wednesday;
 - (ii) at 4 pm on Thursday; and
 - (iii) on any other day, at such time as may be agreed to by the House,
- shall interrupt any business then under consideration and call on questions without notice. At the conclusion of questions without notice the House shall resume the business so interrupted.
- (c) The Leader of the House may terminate oral questions without notice on any sitting day by requesting the President to proceed to the next item of business.

RULES GOVERNING QUESTIONS

140. (a) Questions shall be concise and not contain:
- (i) statement of facts and names of persons if they are predominantly descriptive and their omission does not affect the sense or render the question unintelligible;
 - (ii)
 - (1) arguments;
 - (2) inferences;
 - (3) imputations;
 - (4) unnecessary epithets;
 - (5) ironical expressions;
 - (6) hypothetical matter;
 - (iii) discreditable references to either House or its Members, or any offensive or unparliamentary expression.
- (b) Questions shall not:
- (i) seek an expression of opinion or a legal opinion;
 - (ii) quote or refer to speeches made in either House during the same session, or proceedings of a committee not reported to the Council;
 - (iii) refer to a case pending adjudication in a court of law;
 - (iv) anticipate discussion of an order of the day.
- (c) The President may disallow any question that is the same in substance as one already answered, disallowed or to which an answer has been refused in the same session.

**PORTFOLIOS OF MINISTERS', MINISTERS REPRESENTING IN THE LEGISLATIVE COUNCIL
AND ACTS WITH ADMINISTERING PORTFOLIOS AND PUBLIC SECTOR AGENCIES**

For the latest information on the portfolios of the Ministry, Ministers Representation in the Legislative Council and the Acts with administering portfolios and public sector agencies, please refer to:

http://www.slp.wa.gov.au/legislation/statutes.nsf/main_tablesacts.html