



NATIONAL ASSEMBLY OF ZAMBIA
PARLIAMENTARY PROCEDURE

3

ABSTRACT SERIES

PARLIAMENTARY QUESTIONS

NATIONAL ASSEMBLY
RESEARCH DEPARTMENT
LUSAKA

PREFACE

This Abstract is part of the Zambian Parliamentary Procedure Abstract Series and describes the Question procedure in the House. It is based on the National Assembly of Zambia Standing Orders of 2021, and provides basic information on the procedures relating to Parliamentary Questions and serve as a quick reference. However, the information contained in this Abstract is not exhaustive.

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ACTING CLERK OF THE NATIONAL ASSEMBLY

DEFINITION

A Parliamentary Question is "a Question put to a Government Minister or the Vice President by a Private Member on matters relating to public affairs with which the Minister or Vice President is officially responsible."

A Parliamentary Question is an important tool of parliamentary democracy in any democratic state. Questions of this nature, may be on any issue pertaining to Government administration, including foreign relations. This enables Private Members to investigate and monitor Government activities.

Parliamentary Questions act as one of the most effective methods of seeking information and pressing for action from the Government in the interest of the people. Under Standing Orders 72 of the National Assembly of Zambia, Questions to a Minister should relate to the public affairs with which the Minister is officially connected, to proceedings pending in the House or to matters of administration for which he/she is responsible.

QUESTIONS: SCOPE AND PURPOSE

Private Members use Parliamentary Questions in the House to seek information from the Government on matters of public importance; press for Government action to start or complete a project, or to provide certain facilities; solicit action, on an important matter of public concern; seek personal publicity or publicity to a cause; or to embarrass the Government leadership.

Notices of Questions must be fairly written with the full name and signature of the Member, and stating the office of the Minister to whom the Questions are addressed.

PROCESS OF QUESTIONS

The procedure for asking a Question in the House is provided for under Standing Orders 72 to 76.

CATEGORIES OF QUESTIONS

Questions in the National Assembly of Zambia fall under four categories, namely, Questions for Oral Answer, Questions for Written Answer, Urgent Question and Questions to the Vice President without Notice.

1. Questions for Oral Answer

These Questions are answered only on the Floor of the House. Standing Order 74(6) states that:

“If in the opinion of the Speaker, a Question seeking an Oral Answer should more properly be given a Written Answer because it is not of a policy nature or the answer will be very long, or requires detailed statistical information, the Question may be converted to a Question for Written Answer.”

Oral answers on the Floor of the House give rise to supplementary Questions. Any Member of the House has the right to ask a supplementary Question upon being called by the Speaker. Supplementary Questions are, however, required to be specific, relevant and within the scope of the subject-matter of the main Question, just as the main answers are confined to the points contained in the Questions. Notice of Questions for oral answer is seven days for a Question on a policy matter and fourteen days for a Question requiring more detailed answers.

2. Question for Written Answer

Questions for written answer are not taken in the House for oral reply, but are printed directly in the Daily Parliamentary Debates.

An important feature about Questions for written answer is that, a Question for which notice has been given, matures after fourteen days of its dispatch to the Ministry for a reply. A Member does not expect a reply until after the fourteen days have elapsed.

A Question whether for oral or written answer, which has satisfied the rules of the House, as discussed under "Rules Governing Questions," is placed on an official publication of the House known as the Notice of Questions, which is circulated to all Members of Parliament. Such a Question can be placed on the Order Paper on any day regardless of whether an answer has been received from the relevant Ministry or not.

3. Urgent Question

These are Questions which may or may not appear on the Order Paper, but in the Speaker's discretion raises matters of public importance and are urgent. Urgent Questions must, however, conform to the ordinary rules governing Questions.

4. The Vice President's Question Time

Standing Order 80(1) states that the Vice President is allowed up to

forty-five (45) minutes Question time every Friday. Questions to the Vice-President are asked on the Floor of the House without notice and are concerned with matters of Government Policy, but may not seek responses requiring detail or statistics for which notice must be given. In the Vice-President's absence, no Question time is allocated for the Vice-President. Questions to the Vice-President do not prevent Members from asking other Questions scheduled for that day on the Order Paper.

Where a Member seeking to ask a Question to the Vice President is not present in the House at the time when the Speaker call upon him or her, the Question lapses.

PROCEDURE FOR TABLING QUESTIONS

Once a Question by a Member is submitted to the Office of the Clerk, it is processed by the Journals and Table Office Department. When the Clerk of the National Assembly and the Hon. Speaker have approved the Question, it is sent to the appropriate Ministry on a *White Order Book Form*.

Once a Question is dispatched to the appropriate Government Ministry, the Ministry is expected to study the Question and then prepare an answer for the Minister or Vice President to use in the House. Questions are delivered to Government Ministries by hand.

It is the responsibility of a Government Ministry to ensure the following:

- (i) receipt of all Parliamentary Questions sent is acknowledged;
- (ii) Order Book Forms, on which the Questions are put for answer, sent to the Ministry are not spoiled through carelessness or misuse; and
- (iii) Once a Question has been sent to the appropriate Ministry with a copy to Cabinet Office, it is the responsibility of Cabinet Office and the Vice-President's Office to ensure that the Question is sent to the right Ministry.

RULES GOVERNING QUESTIONS

Although a Question is asked for the purpose of obtaining information or pressing for action within the responsibility of the Minister to whom it is addressed, the right to ask Questions is, however, governed by certain conditions. The Questions must be written on a specially designed form and should have the Member's name, signature, constituency and date. **No notice of Question is accepted over the telephone.**

Questions may be put to a Minister relating to public affairs with which he or she is officially connected, to proceedings pending in the House; or to any

matter of administration for which he/she is responsible.

The following general rules shall apply to Questions:

1. Questions should not contain:
 - (a) statements of facts or names of persons unless they are strictly necessary to render the Question intelligible and can be authenticated;
 - (b) arguments;
 - (c) inferences;
 - (d) imputations;
 - (e) epithets; or
 - (f) ironical or hypothetical matters.

2. Questions should not:
 - (a) ask whether statements expressing individual opinions or of private individuals on official bodies are accurate;
 - (b) refer to a debate or an answer given during the current session;
 - (c) criticise decisions of the House;
 - (d) reflect on decisions of a court of law or refer to matters which are *sub judice* (before the courts);
 - (e) raise matters under the control of bodies not responsible to Government;
 - (f) raise matters of proceedings before a Committee which has not yet reported to the House;
 - (g) seek information available in accessible documents or in ordinary works of reference;
 - (h) raise matters of policy too large to be dealt within an answer; or
 - (i) be trivial, vague or meaningless.

3. Questions should not ask Ministers:
 - (a) for an expression of opinion;
 - (b) to announce the Government's policy, but may seek an explanation regarding the policy of the Government and its application and may ask the Vice-President whether a Minister's statement in the House

- (c) represents Government's policy; or
for a legal opinion.
4. Questions cannot refer to debates in the current session.
 5. Questions cannot anticipate discussion upon an order of the day or other matters. A Question fully answered cannot be renewed.
 6. Notice of Question shall be given by a Member delivering the same to the Clerk in writing within such time as stipulated in Standing Order 73. The Question shall be fairly written and signed by the Member. At the discretion of the Hon. Speaker, supplementary Questions may be asked to elucidate an answer.
 7. A Question which has lapsed at the end of a session in the same Parliament cannot be asked again in the next session.
 8. A Question on a subject which, in the recent past, has been comprehensively covered in a Government Ministerial or policy statement is not admissible because the information is already provided in such a statement.
 9. A Question which, in the Speaker's opinion, has been asked in bad faith and contains connotations of casting doubts on the integrity of any high office in the country may not be asked.
 10. A Question which contains suggestions and implications aimed at eroding national unity and security is not admissible.
 11. A Question should not focus on the character or conduct of any individual person who, in the Speaker's estimation, may not have the opportunity to defend himself or herself before the House.
 12. A Question must not ask for information on confidential matters which may not be subject for public discussion.
 13. A Question may not be asked on a matter or subject which is currently before the courts of law as such a Question may be considered to be sub-judice.

TRANSFER OF QUESTIONS

Questions which are incorrectly addressed by a Member may be addressed correctly to the Ministries to which the subject matter relates by the Clerk's Office in Journals and Table Office Department. However, where the

subject matter of a Question touches on the responsibility of more than one Ministry, the decision as to who is to answer such a Question depends on which Minister has the closest responsibility to the subject matter. When a Question is transferred, the Ministry, to whom the Question was originally addressed, formally notifies the Office of the Clerk of the House.

WITHDRAWAL OF QUESTIONS

A Member, on notice being given, is free to withdraw his/her Question. However, if the Question is already on the Order Paper, it can only be withdrawn with the approval of the House.

QUESTION TIME: MANNER OF ASKING QUESTIONS

Questions for oral answers are called by the Speaker in the order in which they appear on the Order Paper. As each Member in whose name the Question appears is called, he/she rises in his/her place to ask the Question by reading its number on the Order Paper.

After the Question has been asked, the Speaker calls on the Minister to whom the Question is addressed to give the reply. The Minister may decline to answer on grounds of public interest.

QUESTIONS ON THE ORDER PAPER OF ABSENT MEMBERS

During Question time, all Members with Questions on the Order Paper are required to be in the House to ask the Questions. If a Member in whose name a Question appears on the Order Paper is not in the House, the Question lapses, unless another Member has been authorised by the Speaker to ask the Question on his/her behalf.

Nevertheless, the reply to a Question which lapses is included in the *Daily Parliamentary Debates for that day* as a written reply. The disadvantage of lapsing Questions, however, is that it deprives the House of the opportunity to obtain more information from the Government through supplementary Questions.

Finally, in view of the fact that the right to ask Questions is governed by a number of rules, Members are encouraged to discuss their draft Questions with officers in the Office of the Clerk of the National Assembly to avoid delays in processing them.
