

# The legal nature of the parliamentary question in the British system. (An analytical study)

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## ***Abstract***

*The parliamentary question in the British system is considered one of the most important constitutional means possessed by the legislative authority represented in the (House of Commons) in the face of the executive authority. This study aims to clarify what the question is Parliament and to analyze its legal dimensions, justifications, importance, types and legal procedures for its presentation, leading to a precise legal understanding of the parliamentary question In the British system.*

*This study will attempt, through this context, to divide the topics of the parliamentary question into three topics: an introductory topic and two main topics. This study will address the explanation of what are the oral, written and urgent parliamentary questions. As for the third topic, the study will address the legal procedures for the way to present the types of questions mentioned above to the British House of Commons.*

**Key words:** *parliamentary question, translated questions, written questions, oral questions, urgent questions, formal conditions, substantive conditions.*

## **I. Introduction:**

The right to a parliamentary question is considered one of the oldest and oldest means of control in the British Parliament, and the importance of this means is that it is the most common method among other oversight methods in the British system, due to the ease of use and the simplicity of its procedures, since the parliamentary question is a tool for clarification and interrogation and a request for information The questioner facing the responsible organ.

The most important characteristic of this medium in the British system is the continuous amendment of its provisions, and the first form in which parliamentary questions appeared in Britain was the simplified traditional

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form, but the frequent circulation pushed the British system to develop it as it used various types such as oral questions, which are the origin and written questions, Also, some issues of an urgent nature that cannot tolerate delay and cannot tolerate special procedures, prompting the British regime to introduce another type of parliamentary question, which is urgent questions, and pushed it to develop many of its legal provisions.

Hence the importance of our study of the parliamentary question, which can only take place by defining all the legal dimensions of what the parliamentary question is, as well as its justifications, importance, types and other needs of the British system, and therefore a careful in-depth understanding of these data will make before us a clear picture of the dimensions of the term that many scholars talked about However, this study will focus on the idea of a parliamentary question in the British parliamentary system, and this is what distinguishes it from other studies.

From here we will try in this study to discuss in the introductory topic the concept of the parliamentary question in the legal jurisprudence and its concept in the British system, and in the first topic we will explain the conditions for the validity of parliamentary questions in Britain, both formal and substantive, as well as the types of parliamentary questions that are presented to the British House of Commons, including what needs Written answer, some of which require an oral answer, and some of them are called urgent questions. In the second topic, this study will attempt to shed light on the legal procedures for submitting parliamentary questions to Parliament. All these axes will try to analyze the study. Tell us how effective the British Parliamentary question is in controlling the actions of the Executive Authority.

Based on the above, our study is distributed as follows:

Introductory topic: The concept of the parliamentary question with legal jurisprudence.

The first topic: Conditions and types of the parliamentary question.

The third topic: the procedures of the parliamentary question.

### **The study Problem:**

The purpose of this study is to explain the constitutional and legal organization of the parliamentary question in Britain, and to explain its most important legal implications, which differ according to the type of question presented, as well as an evaluation of the legislation governing the procedures for submitting the question, leading to a general evaluation of the legal nature of the parliamentary question in Britain and the extent of its impact on oversight of the actions of the executive authority.

### **Study questions:**

First: What is the concept of the parliamentary question according to the parliamentary system?

Second: What are the types of parliamentary questions?

Third: Do the procedures for submitting parliamentary questions differ according to their type?

Fourth: Does the legal procedures for parliamentary questions affect the nature and purpose of the question?

Fourth: What is the extent of the influence of the parliamentary question on monitoring government actions in the British system?

**The methodology:**

In this study, we relied on the analytical method, by analyzing the legal aspects of the parliamentary question in the British system and the scope of its application on the ground.

**Introductory topic:**

*The first requirement: the concept of the parliamentary question in the jurisprudence.*

The question arose as a means of parliamentary oversight and developed in England, which is considered the cradle of the parliamentary system, and from there it was transferred to countries that took the foundations and rules of the parliamentary system, and this image of parliamentary practice dates back to the late seventeenth and early eighteenth century, and it is fortunate to note here that The emergence of the parliamentary question in England was not intended or unplanned, but rather spontaneous and spontaneous [1].

English jurisprudence defined the parliamentary question as "one of the means of parliamentary oversight. Through which any member of Parliament can direct any member of the government any question in any of the public affairs that fall within his competence, with the intention of obtaining certain information. To take a specific action press for action "[2].

In Arab legal jurisprudence, the parliamentary question is defined as standing on correct information in a matter that a member of the council was not able to stand on his own. If the information provided by the minister is insufficient, the member would have clarified the minister about what remained obscure [3], and he also knew that it was a question submitted by the deputy parliament to A specific minister asking him to obtain correct data regarding a specific issue, and the question may be with the intent of drawing the minister's attention to one or several violations that occurred on a specific issue [4].

The parliamentary question was also defined as (the questioning of a member of parliament from the Prime Minister or the ministers about an unknown matter regarding matters that fall within their competencies or a desire to investigate the occurrence of a fact that he learned about, or inquiring about the government's intention in an issue) [5]. Here it becomes clear that the parliamentary question focuses on the fact that the deputy collects information from the minister about a specific incident or decision that he makes related to the affairs of his ministry, and an individual personal right so that the question may not be signed by more than one deputy and it may only be directed to one minister, who is obligated to answer The question is in writing during a specific time period determined by either the constitution or the internal system of parliament.

It is worth noting that we are talking about the Parliamentary question as a means of Parliamentary oversight in Britain, indicating that the right to ask the question is a prescribed right for each member of Parliament,

and it is not required to present it to a certain number of members, but rather each member of Parliament is entitled to apply With it, just as the question is not directed only to the ministers, but it can also be directed to any member of the government, including including the Prime Minister himself, with the need to focus the question on a specific topic that falls within the competencies of whoever leads to it from members of the government, otherwise it is permissible for a member of the government The specialist is not to refrain from answering him if he does not The parliament rejected this, and this is logical and evident. It is unreasonable for the Minister to be pleased with an issue that he is not responsible for or that does not fall within his competence. Also, a member of Parliament may address through the question any of public affairs and the ministers should provide explanations and clarifications about their work inside the ministry That they see and defend their policies as decisions made on their part [6].

In addition, the purpose of parliamentary questions is to accomplish one of two things, which is either to obtain information from the ministers on a specific issue, or to exercise pressure on them to take a specific action regarding issues that fall within the scope of their responsibilities [7], and as for questions that aim to express an opinion on a specific topic Or that, instead of obtaining information, seeks to suggest specific answers or express a specific point of view or opinion, it is considered out of order and constitutes sufficient justification for the council's refusal to include it in the agenda or the ministers 'refusal to answer it if it is included.

It is worth noting that we are talking about what is the parliamentary question in the legal jurisprudence. Referring to the nature of this right in the jurisprudence, as I gather the legal jurisprudence that the parliamentary question (the right of a person) and that this right establishes a special relationship between the questioning member and the minister to whom the question was addressed, and includes a set of effects including the right of the questioner Alone to submit his question, and the right to comment on his answer to the responsible minister and the right to withdraw the question at any time [8].

On our part, we do not see that this opinion is true, it is not correct to launch it because the right of the question and despite the personal page that still governs it, but some of the new rules have weakened from this personal nature, and that the first of these rules are the rules related to (additional oral questions), then Although the British constitutional traditions did not allow in the additional questions, the gradual development of the question led to it, as work is taking place in the British Parliament to allow the member submitting the question to ask an additional question regarding issues or issues that may arise from the minister's answer to the original question, as it is Lg may He sees it from other members of Parliament - with permission from the Speaker and at his discretion - to ask the additional question, but after the original question holder takes his opportunity to speak [9] which we will talk about in this study in detail.

We conclude from all of the above that the parliamentary question depends on the four basic pillars of the parliamentary question: First: The person who is asking the question is any member of Parliament, and secondly: the person to whom the question is addressed is the Prime Minister and a minister who is a member of the government, and thirdly: the subject that the question addresses is a matter Of public affairs, taking into account the requirement of specialization for the person to whom the question is addressed, and fourth: The purpose of the question is to obtain information or pressure to make a specific decision.

**The first topic:** *Conditions and types of parliamentary question.*

We will study in this requirement the conditions that must be met in the parliamentary questions from the first demand and the main types of parliamentary questions in the second demand, according to the following:

The first branch: conditions that must be met from parliamentary questions.

According to what is in place in the British House of Commons, certain conditions must be met for the parliamentary question in order that the parliament's submission can be accepted and included in the order of business (which was previously known as order paper) as a prelude to answering them by the competent authority and these conditions are from them What is the issue related to the content of the question itself, including what is related to the wording of the question and the statement of that is the following [10]:

First - the formal conditions, which are represented in the following:

A - The question must be written in writing and this condition is required, whether for the oral question or the written or urgent question, except that this condition applies only to the original question without the additional question, because the additional question mainly focuses on the issues that may arise from the minister's answer to the question The original, and therefore it is not presented except in the session devoted to the consideration of the original question, as it often comes by chance.

B - The questions should be formulated as brief as possible.

C - The questions should be in conformity with the prevailing parliamentary customs and traditions. Also, the providers of the questions should observe the rules of literature and exercise caution in selecting words and phrases so that these questions do not include expressions or imposition improper or include disrespect for the royal family or the judiciary and members of both houses Parliament.

D - The questions submitted by members should not address any matter or issue that is at the time the subject of a case before the court.

E - The question posed by one of the members and answered completely is not possible to be asked again in the same session, and if that happens then the competent minister has the right to refuse to take. A specific procedure or providing the information required of him, however, it is permissible to repeat the same question again after the lapse of three months.

F - Questions related to topics such as the security services or confidentiality issues in commercial transactions, the ministers were permanently refusing to answer them, and this refusal by the ministers was preventing the submission of questions related to such issues. However, the ministers may ask once every session whether it was They are willing to answer questions that relate to such topics that were previously banned.

Second - the objective conditions, which are represented in the following:

A- The questions should be with the aim of obtaining information from the ministers on a specific issue, which falls within the terms of reference and their responsibilities or to exert pressure to take a specific action to confront a problem or a known issue [11]. Also, the parliamentary questions should be free of comment and controversy that does not seek to express Opinion However, it is possible for these questions to be based on specific facts for which a member is responsible.

B- The questions and the oral and written answers must be interrogative in form, and the questions must also reach the subjects to which the minister is directed, in his capacity as minister, for example. Or its base in it, and it is also not permissible to ask the minister to confirm or comment on a report or rumor as long as he does not bear any responsibilities regarding this, and the ministers are not responsible for the activities of local authorities or nationalized industries, although the ministers answer questions that relate to National statistics.

C. The questions that ask to express an opinion on a matter of law are considered to be out of order, we think, except that the courts are competent to adjudicate on them, and it is also not allowed that the questions include requesting information that is readily available elsewhere.

**The second requirement: types of parliamentary questions:**

The British Parliament has defined four types of Parliamentary questions:

First-Questions that require an oral answer: Questions for Oral Answer.

This type of question is called "Oral Questions" or "Starred Question" (that is, it was published on his document with the Asterisk \* mark, to distinguish it from the questions the applicant asked the government official to answer in written form).

It is indicated here that verbal parliamentary questions have the advantage that they allow a member of Parliament to ask an additional supplementary question, and the latter is usually more specific than the opening question, i.e. the original one, and the minister does not have prior notification in addition to that, so oral questions can The government faces embarrassment and a feeling that the legislature is monitoring it, and it is very likely that it will attract more media attention and attention than written questions [12].

Official statistics indicate that, of the approximately 40,000 questions asked every year, there are only about 3000 questions of this kind, that is, verbal questions answered by the competent minister in the hall of the House of Commons.

Second, questions that require a written answer: Questions for Written Answer

This type of question is called the "Written Questions" or "Unstarred Questions" (meaning the questions presented by the Member of Parliament, in which he requests that the answer be in the form in writing and the question document is not written with an asterisk).

Members of Parliament resort to this type of question in many cases due to the many advantages they enjoy. On the one hand, they are an important source of information gathering, as members use them in an attempt to seek

to extract information from the government that is more detailed than those they may obtain from The way of oral questions.

On the other hand, it allows members of Parliament who lack the boldness and eloquence to use this right, as it may sometimes be a way to obtain free legal advice, because the answers warn by civil servants who are highly experienced and competent [14].

It should be noted here that in the British House of Commons he identified three different types of written questions:

1- Questions that were originally included in order to be answered orally, but were not addressed - due to lack of time - during the allotted date Oral Question Time Oral Questions. Such questions turn into written questions, and their sponsors receive written answers.

2- Ordinary written questions: These are the questions that do not necessarily require that they be answered on a specific day, and what is known within the Parliament is that the member expects that his question will be answered within a period of seven days from the date of inclusion of the question even though there is no rule A parliamentarian decides that regular written questions must be answered on a specific date.

It should be noted that there is no one on the number of regular written questions, meaning that he is a member of Parliament who can include whatever he wants from this type of question.

3- Questions that require written answers on a specific day: Questions for written answer on a named day, and these kinds of questions must be answered by the competent minister from the date set by the member who included the question with the need for the member to provide notice regarding These forms of questions are two days before (and not counting Saturday and Sunday) at least from the date on which the member wishes to complete the answer and the member does not list more than five such questions in one day [16].

Third: Urgent questions:

This type of question requires emerging issues and is usually urgent and urgent, and a member of Parliament wants the minister immediately to the competent minister to obtain information or facts that relate to them, and to face such a possibility there is in the British House of Commons a special procedure organized how to direct questions in such Conditions of Ministers are called (urgent questions)

It is worth noting that this type of question does not require that a notice be submitted to the Parliament as it does in the normal circumstances with regard to the ordinary question, which does not have an urgent class, because the question's topic has suddenly appeared.

This is required by law when submitting this type of question to be submitted to the President of the Council, before the noon on the day when the member wishes that the question be answered by the competent minister, and is required in this question so that it can be considered as urgent to be consistent with the following two conditions [17].

The first condition: That the question be Urgent and urgent.

The second condition is that this question be of public importance.

The speaker of the House of Commons possesses the absolute authority to estimate the availability of the urgency characteristic, which is the general importance in the question posed alone who has the final decision to decide such an matter and does not punish his ruling, and if the above conditions are met in the urgent question, then it is immediately to inform the competent ministry about it And he is left on the agenda, then he is asked to answer him directly after the end of the question time period during which the concerned ministers have to answer the members 'normal oral questions [18].

Parliamentary statistical studies indicate that about forty urgent questions are approved for each parliamentary session, i.e. an average of four or five questions per month that are asked and answered by the competent authorities in the various government ministries [19].

Fourth - The interlocking questions (that is, more answers are shared by government ministers):

It is a new type of parliamentary questions recently introduced, the aim of which is to allow MPs members of parliament to ask "oral" questions to a number of ministers on a specific issue that a number of government ministries share in its burdens and responsibilities. This is why this type of questions is called "Cross- Cutting question" [20].

It should be noted that the first session to discuss this type of question was held on January 23, 2003 in the parliament building in <Westminster Hall> [21], and this session was about "youth policy" and was attended by four junior ministers Ministers, together, answered questions from members of Parliament [22], and these ministers are representatives of the following ministries: 1- Culture and Media Sports 2- Health health 3- Education and Skills 3- Interior and Home Office [23].

Since then, more than six sessions have been held in Westminster Hall to discuss this type of question, the most recent of which was on February 12, 2004 on the topic of "Healthy Living" [24], where ten questions on this topic were included in this session. Subject, the members 'questions were all revolving around the following axes [25]: 1- Obesity and the diseases that result from it, such as cancer, diabetes, and arteriosclerosis. 2- Meals that are provided to school students. 3- Meals for the people who suffer from mental illness. Illness).

1- School Journeys

2- Practice sports in schools and their role in preventive medicine. Role of exercise in preventive medicine

3- The government's plans to protect citizens from the effects of passive smoking, especially in public places

4- Sports Colleges and their role in spreading health awareness

5- Coronary Heart Disease

6- Poverty and its negative effects on the health of those who live poor lives, especially in rural areas in rural areas.

A number of members of the government participated in answering the questions included in this session, they are: 1- Minister of Sports and Tourism 2- Deputy Minister of the Ministry of Health 3- Deputy Minister of Education and Skills.

It is noted on the sessions held by Parliament to discuss this type of "cross-cutting questions", that the members who participate in them are still very simple and limited yet, however, those who participate in such sessions are generally agreed as an additional worthy opportunity. Attentive. Worthwhile additional opportunity to direct questions to ministers [26].

In any case, it is expected in the future to allocate four periods in each session of Parliament to discuss this type of question [27].

### **The second topic: procedures of the parliamentary question:**

The procedures for a parliamentary question and its presentation by the deputy require the following procedures to be followed by the availability of a set of conditions that must be met in the submitted parliamentary question, as well as the mechanism through which we will, and we will explain these procedures according to the most recent amendments discussed in the House of Commons and ratified on October 29 In the year 2002 [28].

Accordingly, we will clarify these procedures according to the following requirements:

The first requirement: Mechanism for submitting the question and including it in the agenda

The second requirement: the questions that are outside the system and the number of questions that can be included.

The third requirement: the procedural system for discussing questions in Parliament.

The first requirement: Mechanism for submitting the question and including it in the agenda.

The first procedure of the question begins with a written notification by the deputy who wishes to direct the parliamentary question to the office of the Speaker of the House of Commons in the form determined by the speaker, this question relates to the general policy pursued by the government directed to the prime minister or to the concerned minister [29].

Also, the member submitting the question must specify in the application paper whether he wants where to receive an oral answer or a written answer to his question. If the member wishes to obtain an oral answer, he must indicate on his request paper for that sign (an asterisk), and if Asterisk \* Asterisk has not been flagged by the member on the request sheet. The question in this case is treated as requiring a written answer [30].

It is worth noting that the member submitting the question can indicate the date on which he asked to answer his question if he requested it in writing, but if he requests that the answer be verbal, then the first day on which the competent minister will respond to his question appears in the periodical system, and this answer day is considered what The member did not specify the time when he asked to answer his question orally [31].

It should also be noted that the questions that require a written answer as well as oral questions have been received by the parliament office either by members of Parliament personally or by people who work under their direct control and directives as they may be sent through the mail or may be inserted electronically through computers either The Westminster parliament building or anywhere else in the UK or around the world, provided that the computer is connected to the Parliamentary Information Network. At present, about 20% of the electronic parliamentary questions are listed [32].

In the event that written questions are not received by a member of Parliament personally, they must bear the signature of a Member, as this member may sign on behalf of another member.

It is indicated here that the questions may be sent by e-mail only when the member provides the council office with a document signed by him stating that the questions bearing his signature and appear in the email address of the Parliament email address given to him, are valid questions and approved by this member [33].

**The second requirement: the questions that are outside the system and the number of questions that can be included out of order questions [34].**

The British Parliamentarian defined the type of parliamentary questions, those questions that are considered to be outside the system and are not presented. They may not be discussed within the Parliament.

First: Questions that do not require the minister to exercise his legal powers or the powers that he enjoys, or in other words, questions that relate to matters for which the ministers are not directly responsible. Local authorities, decisions of the British Broadcasting Corporation BBC, judgments of judicial courts, decisions of arbitral tribunals and dispute resolution committees, decisions of universities, labor unions and other public bodies and non-governmental agencies that are independent in conducting their work).

Second: Questions that include his discussion or discussion of the role or reputation of the king (the Queen is currently) and his status, or that include inappropriate exposure to heads of government and state.

Third: Questions that contain Rhetorical or Conversational or sarcastic Ironic or offensive feelings arouse his feelings of hatred and anger, as well as questions extracted from the Qur'an, magazines, books, etc.

Fourth: Questions related to the issue are considered by one of the parliamentary committees

Fifth: Questions regarding the date of dissolution of the Dissolution of Parliament

Sixth: The previously answered questions, or those that pass, refuse to answer them, such questions may not be asked again after the lapse of three months.

Seventh: Questions relating to a case that are pending before the court

Eighth: Questions related to issues that were addressed during discussions in the current parliamentary session.

Ninth: Parliamentary questions that relate to issues that have been transferred or referred to the Scottish Parliament or the National Assembly for Wales (both established in July 1999) may not be included in Westminster in application of the rules governing parliamentary questions, according to which questions must relate to matters or issues to which ministers are responsible [35].

This is the responsibility of the Clerk of the House of Commons (the Clerks of the House) to ensure that the questions presented by members of the Council are consistent with the conditions prescribed for parliamentary questions, and the rules stipulated in the organization's internal regulations for the functioning of Parliament are not in breach [36]. Member of Parliament in the event that the question he intends to present constitutes a violation of the parliamentary rules, and an explanation of how to remove this violation, if the member is not convinced of the advice presented to him, he can present a question to the Speaker of the Council and the decision of the latter is considered whether the question arises from what is permitted by the laws and traditions of Parliament. Intention or not a final decision and the fact that the very small number of parliamentary questions were done in each session of the House of Commons in this way [37].

As for the number of questions a member of Parliament is permitted to present to Parliament, according to written (translated) questions, it has been customary that a certain number of these types of questions are not specified, as a member of Parliament can submit dozens of questions, and these questions may revolve around the same issue [38]. To mention about that, which indicates the volume of written questions posed as for Parliament, the significant increase that occurred in the first session of the British Parliament in 2001 and 2002, as the number of questions on the agenda for answering in 2001 amounted to (6,528).

Another example is the number of written questions listed in front of the British House of Commons office. In the 2002/2003 parliamentary session, there were approximately [114,415] questions answered. Of this number, Parliament received from the government about [50,000] written answers [39], and this indicates that the system is internal to the House of Commons. In Britain, no specific number was specified to present this type of question.

In a later development within the British House of Commons plan based on continuous updating and development of the work process and procedures within it, including the system of parliamentary questions, a restriction has been placed since January 2003 on the number of questions that require a written answer on the specified day. Questions for answer on a named day, so that it becomes impermissible for a member to include more than five such questions per day [40].

As for Ordinary written questions, the situation remained as it was previously, meaning that it does not have any limit on the number of it until the member of Parliament can include what he wants from this type of questions.

This resulted in a noticeable decrease in the number of questions included in the agenda. In the 2003/2004 parliamentary session, there were only (58,562) questions included, and among this number there were (3,687) questions that appeared in the agenda verbal answer and (46,163) questions. Appear in a table for the regular written verbal answer [41].

1- As for verbal or translated questions) there are a number of restrictions established a long time ago and these restrictions did not impose a single payment but rather procedures at different stages until 1909 members of the House of Commons could include every day an unlimited number of questions that require answering In that year (i.e. in 1909) Parliament approved a proposal submitted to it specifying the number of questions that can be answered orally to become eight questions per day, then this number was later reduced to: four questions in 1919, then to three years 1920, and finally reduced the number to two questions in 1960.

Since 1972, the share of each member has become a maximum of two questions per day, and then another additional restriction has been added to the effect that there should not be more than one question per minister per day. Then this right was later restricted so that a single member may not ask more than eight questions during the ten-day period of the House of Commons meeting, but this last restriction was abolished in 1993 in spite of this, it is unlikely that the number of the eight questions during a period of time The ten days mentioned [42].

Third - the procedural system for discussing questions in Parliament [43]:

Work is taking place in the British House of Commons to allocate a specific time during which members of the Council ask their questions to the ministers regarding issues that fall within its competence at the beginning of each session held by the Council on Monday, Tuesday, Wednesday and Thursday of each week [44], and it is called The time allotted by the British House of Commons to direct oral questions to Parliament members of the government the name (date of questions) [45].

The question period in the House of Commons begins around 2.35 pm on Monday and at 11.35 am on Tuesday, Wednesday and Thursday. After performing the prayers, the question period will continue until 3.30 pm for Monday and until 12:30 pm for Tuesday, Wednesday and Thursday.

Thus, the period of parliamentary questions through practice takes approximately 55 minutes, specifically for each of the four mentioned days, knowing from the oral questions that it is not accepted for consideration on Friday [46].

Procedures for discussing the questions begin with directing the Speaker to invite the member whose question ranks first in the agenda, and then the member gets up and says: Number one mister speaker, and given that the text of the question is printed on the agenda, it is not necessary If the member reads to the council the contents of the agenda that will be discussed in that session, then after that the ministers and the minister to whom the question is directed will answer the question.

It is noticed here that when the large ministries answer questions - the Ministry of Interior or Trade and Industry - the Secretary of State is accompanied by several junior ministers who participate with him in the task of answering the questions posed by members of the Council.

Regarding the Supplementary Questions, it has been the practice that the member who asked his original question is the one who is asked first to follow a follow-up question or an additional Supplementary on the same topic [47], and when that additional question is answered by The competent minister, the president of the council may invite other members to ask their additional questions, and this is usually done alternately between the

government and the opposition parties in the council. Often members - who want to comment on the minister's answer by asking additional questions - will rise from their seats In order to attract the attention of the Speaker, which is a well-known procedure Catching the Speaker's eye.

It is noteworthy that, at times, the minister may choose to give one answer to several questions on the agenda when all of them relate to the same topic. In such a case, the Speaker of the Council usually invites members whose questions have been answered jointly, to ask what they may have of Additional questions [48] Supplementaries.

And when the council chairman determines that additional questions have been raised sufficiently, then the member whose question ranks second in the agenda is invited, then the same previous procedures are repeated, and the matter continues in this way until the end of the Question Time.

It should be noted that any oral question is on the agenda, and it is not answered in the session designated for that, the presenter receives written answers regarding it, and the latter is printed in a later number of the minutes of the parliament sessions [49].

As for the role of the Speaker of the House of Commons, his mission is to guide and organize the course of procedures during the period designated to answer Parliamentary Questions Time. If the Chairman of the House of Representatives invites to ask a large number of additional questions, then the Minister will therefore be presenting him to scrutinize the work and activities of his ministry through a few. There are few questions, and the total number of questions that will be answered orally will be few. On the other hand, if the Speaker of the Council allows to ask a few additional questions, this will lead to an increase in the questions that will be addressed to the ministers. Therefore, the number of questions that will be answered orally will be large. And In any case, it can be said that the average of questions answered orally in one day ranges between fifteen and twenty questions.

It is worth noting that the Speaker of the House of Commons plays an important role in the process of ensuring that things are going through - during the period of questions - according to their natural course without delay, delay or procrastination, by asking members to constantly keep their additional questions, and also by appealing to the ministers that their answers should be Short, meaning short,

It has been the practice for the minister who wishes to give a long answer, either to submit it after the end of the period of questions if they have justified importance, or to publish this answer in a report or an official report [50].

On the other hand, the English Parliament has defined the system of rotation between ministers in answering the questions: Rota of Ministers Answering, and under this system - which was first established in November 1929 - a schedule is prepared in which to determine the date of each of the different ministries in coming to Parliament to answer On members 'questions, this schedule is approved by both the government and opposition parties, through regular Usual Channels.

Work is currently under way in the British House of Commons that a specific day is allocated per week for each of the major ministries of great importance in conjunction with three or four other ministries, regarding smaller

or lesser ministries, as well as you will answer questions on a specific day, for a short period and on Regular periods, usually every four weeks or so, and in general we can say that departments or ministries - except for the Prime Minister - answer members 'questions almost once every month. All Departments apart from the Prime Minister, answer roughly once a month. .

It should be noted that the rotation schedule regarding the dates of the oral question is distributed periodically within the House of Commons, according to which the dates and dates in which each ministry will answer the parliamentary questions are determined, as well as the final dates for the inclusion of these questions, knowing that the relevant details The ministries that answer the questions are published in a special weekly newsletter in the week that is printed in the shift schedule [51].

Concerning the time of questions for the Prime Minister: Prime Minister's Question Time is currently under way in the British House of Commons to allocate a specific time period every week during which the Prime Minister personally answers the members 'oral questions. This period is called the Prime Minister's Question Time, which is A measure or tradition has been introduced to the House of Commons since 1961 when "Harold Macmillan" was Prime Minister.

It should be noted that between 1961 and 1997, work in the House of Commons was taking place for two days of the Question Time period to be allocated to direct questions to the Prime Minister, meaning that the latter was answering the members 'questions throughout those years twice a week for a period of 15 minutes Only, on Tuesday and Thursday, from 3.15 to 3.30 pm [52].

With regard to the procedures followed regarding the questions addressed to the Prime Minister, it differs somewhat from the procedures followed regarding the questions addressed to the ministers. In the beginning there is a tradition question that is asked every time by the member who occupies his question number one in the agenda and this question relates to the list of official engagements To the Prime Minister on that day devoted to answering parliamentary questions [53], and after the Prime Minister answers this question, the member appears to ask the original question on any topic related to the Prime Minister's responsibilities, or the government's general policy in general, and after the Prime Minister Father on this question, the questioner has the right to comment on the Prime Minister's answer by asking an additional question on the same topic that the original question deals with.

Work is also underway to allow the Leader of the Opposition to ask three or four additional questions in a row after his first additional question, and the next largest opposition leader, who comes second after the main opposition party, the Liberal Democrats - also has the right to ask. Two additional questions[54].

Regarding the transfer of questions procedure in the British Parliament, usually the member of parliament directs his question to the minister and in most cases the minister will answer the question, given that the subject matter covered in the question falls within the terms of reference directly responsible for it.

But the problem arises when the subject of the question deals with an issue that falls within the terms of reference of more than one of its ministries, or when the question is not clear, so it is possible to confuse who is the competent ministry to answer it.

In fact, such a ruling can only be taken by the ministry themselves. The government is collectively responsible to Parliament, and accordingly, the ministers must determine which of them is best able to answer that question.

Thus, if the member directs a question to the Wrong Minister, that is, the non-specialist, then this question will be referred to it by the ministry to which he was addressed.

As for the postponement of the questions, the ministers may, after informing the Speaker's Office, postpone the answer to any oral question that is included in the agenda of that day until after the end of the time allocated for answering the Parliamentary Questions Time.

Regarding the refusal to answer the question, we find that the constitutional custom in Britain has indicated certain reasons that have been determined exclusively to justify the minister's refusal to answer some parliamentary questions or withhold information that members of Parliament ask to provide them. From these reasons we mention, for example, the following:

- The lack of information: If one of the ministers was asked about a topic and did not have information about it, it can be said that the required information is not available, which is what he answered, for example - The Minister of Finance in response to a question submitted by one of the members on the topic of vocational training [55 ].

- The cost of the questions exceeded the prescribed limit: If its cost is to obtain the information that members of Parliament ask to provide them with disproportionate cost, meaning that they exceed the Excessive limit, the minister has the right to refuse to answer questions that seek to obtain such information, whether The refusal was in whole or in part. - That the questions deal with questions of a confidential nature whose disclosure will harm the public interest: Accordingly, ministers may refuse to answer questions that include issues that affect national security or address military and diplomatic secrets, questions that relate to the security services, or details of arms sales, or questions about communication. Confidentiality or commercial transactions with foreign governments or regarding deliberations within the Council of Ministers.

## **II. Conclusion and recommendations:**

After examining the general provisions related to the parliamentary question in the British system, the study concluded a major conclusion that, despite the great oversight role that the parliamentary question plays as a monitoring method through which the legislative authority presses the actions of the executive authority, and makes it a target for popular control, there is some drawback On the mechanism to ask it as it reduces this role and weakens it in most cases, this study has shown that many parliamentary questions that address a wide range of important issues that may be judged as being out of order, the specter of national security and serum protection The general rule, the rule of procedures pending before the judiciary, and other such other justifications are often used to justify the lack of answering many of the questions raised. More importantly, the period allocated to respond to members of

Parliament is a very short period, and this study showed that This short period prevents ministers from responding well to Parliament's inquiries, which weakens the question of its purpose and essence by monitoring the actions of the Executive Authority.

On the other hand, we should present the most important observations reached by the study on assessing the parliamentary question as a tool for oversight, as follows:

First: The parliamentary question is considered the only legal opportunity that obliges the government, formally and constitutionally, before Parliament to provide any details or reports related to its method of work.

Second: Parliamentary questions give an opportunity to the opposition in the British system to choose the issues and issues that pressure the government.

Third: Parliamentary questions are the procedural tool for Ministerial responsibility, through which members of the government are obliged to attend regularly before Parliament and through them supervision is strengthened on all local issues.

Fourth: Parliamentary questions provide a rare opportunity for members of Parliament who hold back seats (Backbenchers or Backbench MPs. (They are members who do not hold any position, neither in the government nor in the opposition), to hold ministers accountable for matters and such as from their own choices or other activities and procedures in It is controlled by Front benches [57].

Fifth: It allows members of Parliament to raise local and regional issues throughout the period of the parliamentary session.

Sixth: It is considered as an experimental test for the ministers or for the ministerial competency in general, although the answers are prepared by government officials who occupy higher positions within the ministries to which they belong, and they are at a high degree of experience and competence, the time allocated to the questions Women MPs are the focus of sharp media focus, and for this, those ministers who are not at the level of the event, may be subject to political responsibility. Moreover, it may be a fateful time for Junior ministers (as are the deputy ministers 'representatives), or they leave a good impression on them. They see it in people's eyes, or the opposite happens.

Seventh: The period allocated to respond to members of Parliament's questions and inquiries is a very short period that includes in one day between (fifty to sixty minutes only, and four times per week), which means that the number of hours allocated to ministers responding to parliamentary questions is only four Hours per week), which is an Inadequate period of insufficient to respond to members 'questions and inquiries in a convincing or completely satisfactory manner, especially in light of the current situation in which the parliamentarian began to increase significantly.

Eighth: The procedure for setting specific days in which questions are lost to some ministers (this is known as the Rota system) that would largely determine the chances of questions being addressed to senior ministers, as

well as what it causes from the backlog of questions submitted. And accumulate it pending the role of the minister in charge of responding to it.

Ninth: The restrictions imposed on the time and number of questions on additional questions that may be raised, all of which would reduce the role and effectiveness of the questions as a means of parliamentary oversight of government activity.

Tenth: Many parliamentary questions that deal with a wide range of important and sensitive issues may be judged as being outside the order of order. The specter of national security, protection of the public interest, and the rule of procedures before the sub-judice rule This is one of the other justifications, it was often used to justify the failure to answer many of the questions asked.

Eleventh: By saying that the system of asking questions has a preference in forcing the government to constantly clarify its position and justify its actions and decisions taken on its part, and stave off all suspicions that may arise around it, and it also helps to make the government daily link with public opinion, and therefore the system The English Parliamentary, with its development, has moved towards putting power in the hands of the government and making it accountable to public opinion after the power was in the hands of Parliament, and the system of ongoing questions makes the role of Parliament effective, and establishes a real dialogue between the executive and the legislative authority, because the questions are directed by members of the majority party and members Minority Party (opposition party) both.

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24. where a member has indicated that indicated that a question is for written answer on a name day the minister shall cause an answer to be given to the member on the date for which notice has been given , provided that – (a) notice has appeared at latest on the notice paper circulated two days (excluding Saturday and Sunday 0 before that on which an answer is desired ; and (b) a member may not table more than five such question on any one day “[H.C.S.I.No.22(4)] .
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26. UK House of Commons ; Parliamentary Questions (2005),op.cit.p.10.
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29. Westminster: A place located in south-east London, which contains a number of important buildings, among them: the seat of the British Parliament (Commons and Lords), Buckingham palace (the residence of the British royal family), and the London Church (Westminster Abbey).
30. Since January 2003 occasional extra sessions of oral questions were begun held on cross – cutting themes , with Ministers from several departments answering together .these sessions were held in Westminster hall . at the first such session . on youth policy four junior ministers answered questions”.
31. UK House of Commons ; Parliamentary Questions(2005),op.cit.p.10.
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42. “Notices of questions shall be given by members in writing to the Table office in a form determined by the speaker”[H.C.S.O.No.22(1)] .
43. "A Member shall indicate on the notice of any question for written answer in accordance with paragraph(4) of this order ...”[H.C.S.O. No.22(3)] .

44. Members could also table oral and written questions by post or electronically from their computers in Westminster or anywhere else in the U.K , or the world (provided they were currently tabled electronically”
45. Westminster parliamentary practice and procedure ...op.cit.p.26.
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53. In the lost parliamentary session (2003-04) a total of 58.562 questions were tabled of which 3.687 appeared on the order paper for oral answer and 46.163 were put down for ordinary written answer “.
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