

**ADDRESSING OF
QUESTIONS TO
CABINET MINISTERS
ACT**

Introduction:

1.

- (a) This Act lays down the procedures in which a questioned could be addressed to a minister in the citizen's majilis, and the procedures in which the minister would give the response in answer to the question which is addressed.
- (b) The name of the Act is 'The Addressing of Questions to Cabinet Ministers Act.'

Ambit of Questioning

2.

- (a) A minister can be questioned in the citizen's majilis on the responsibilities undertaken by the minister in the minister's official capacity as a minister.
- (b) Within 30 days of taking over the office as a minister, the minister should inform the citizen's majilis in writing, on the responsibilities which is undertaken by the ministry.
- (c) Questions surrounding the minister's personal responsibilities can only be addressed to the minister if there is a reason to suspect that the minister is carrying out illegal activities. Or that activity courses detriment to the state or the general public.
- (d) For the benefit of this section, a minister's responsibilities under his official capacity should be interpreted as; out of the responsibilities that are assigned to the minister at the time of questioning, those responsibilities that the minister had already carried out, and those which the minister have not yet carried out, or failed to carry out. And also for the benefit of this section, a ministers personal responsibility include, those responsibilities which the minister had acknowledged at the time of questioning, and after acknowledging those responsibilities which the minister had already carried out, or failed to carry out by the minister.

Notice to Question

3.

- (a) If a member of the citizen's majilis wish to question a cabinet minister, that member should do so after giving a period of 14 days notice to question in writing to the minister, and the question must be addressed to the minister through the president of the citizen's majilis in the majilis meeting.
- (b) When giving the notice to question under sub section (a) of this section, a separate notice to question should be given to each topic or an issue. However this does not prevent the

members from addressing a number of questions surrounding the topic or issue, to the minister.

- (c) Public holidays must be included when counting the notice to question period mentioned in sub section (a) of this section.

Information that should be included in the Notice to Question.

4. The notice to question, mentioned in this section should include the following information;
- (a) the name of the minister to whom the question is addressed and his executive position;
 - (b) the question which need to be addressed, or the full sentence of the questions that are to be addressed;
 - (c) the name of the member of Majilis who addresses the question to the minister and the members official position within the Majilis;
 - (d) date.

Questions which require mandatory answers.

5. Unless otherwise mentioned in this Act, the minister is obliged to answer the question which is addressed to him, unless the question is one of the following questions.

- (a) If the question asks about the Minister's opinion on any event that had occurred or the question asks of the Minister's opinion, on how the Minister would have acted in a given a situation;
- (b) if the question involves a personal interest of the member who addresses the question to the minister;
- (c) if the question involves finding information about a matter which had been generally published in the media;
- (d) if it involves requesting information surrounding a particular case which is currently been heard in a court of law;
- (e) if it means to disclose any of the following issues when giving the answer to the question;
 - (1) any information relating to the papers which has yet to be generally published to the general public, concerning the deliberations and debates within the cabinet;
 - (2) information which would pose a threat to national security if published before the set date of publication;
 - (3) information which the Minister came to know about as an official secret, and that information relates to the State and if the disclosure of that information would pose a threat to the

sovereignty, and the peace of the state;
(4) Information which is prohibited to be disclosed under an Act of Parliament.

Exceptions falling outside the ambit of the regulation.

6. Any provisions mentioned under section 5 of this Act would not be imposed on the question which falls under section 2 sub section (c) of this Act. And if a question is raised under the mentioned sub section, the Minister to whom the question is addressed must answer the question without fail.

Providing oral answers.

7.

(a) If the answer to a question which is addressed to the Minister does not include, statistics or mathematical figures or does not include any other detailed information which need to be disclosed or submitted as answer to the question which is addressed to the Minister, then the minister would give an oral answer in response to the question in the Majilis once the opportunity is presented to the Minister by the president of the Majilis.

(b) When giving an answer to the question, the Minister to whom the question is addressed should give a detailed answer which directly answers the question addressed.

Giving the answer in writing.

8. If the answer to a question which is addressed to the Minister does include, statistics or mathematical figures or include any other detailed information which need to be disclosed or submitted as answer to the question which is addressed to the Minister, or the answer to the question could only be completed by including such statistical information, then after attending the Majilis meeting in which the particular question is to be addressed, the minister should give the answer in the following manner in the opportunity presented to the Minister by the president of the Majilis.

(a) If the entire answer includes detailed information, then a summary of the information must be read out to the majilis, and should declare that the detailed information is submitted in written form to the majilis.

(b) If the answer can only be fully completed by including detailed information, then after giving out the answer to the question, a summary of the information which is submitted in detail must be read out to the majilis, and should mention that this part of the information is also submitted in written form to the majilis.

(c) If a minister mentions that detailed information is submitted to the parliament under sub section (a) and (b) of this section, then the president of the majilis should

mention to the majilis that this detailed information is included in that day's minutes of the majilis meeting and also that these copies of the minutes will be given to the members.

Failing to provide answers and purposely deceiving by providing false information.

9. During an answer given by a minister in response to the question which is included in the notice to question under this act, the minister to whom the question is addressed either refuses to answer, or if a member of the majilis finds that the minister had given false information or has deceived the majilis when giving the answer to the question, then the case of no-confidence for the Minister under Article 82 of the Constitution could be submitted to the Majilis.

Setting the time for asking questions and providing answers.

10. If a notice to question a minister has been given by a member, and after giving the minister to whom the question is addressed a period of 14 days notice as mentioned under section 3 of this Act, then the president of the majilis must set the time, when the question is to be addressed and, when the answer in response to the question to be provided.

Meeting in which the question is to be addressed is postponed.

11. Once the questioning of a minister and the providing of the answers by that Minister in response to the question are included in an agenda of a meeting; and then there arises a need to postpone the meeting for any given reason, or before the particular item is addressed in the meeting there is a need to conclude the meeting; therefore either the questioning or the answer in response to the question is to be postponed to a later date, then the question must be addressed or the answer must be provided in the meeting which follows immediately after that meeting.

Power to determine which questions require mandatory answers.

12.
(a) If a minister to whom the question is raised states that the question which is addressed to the minister is a question to which an answer need not be provided under this Act, then the Minister should mention this with reason to the majilis in the opportunity, to state the answer to the question, which is provided by the president of the majilis.

(b) If under sub section (a) of this section a Minister refuses to answer a question, then the president of the majilis should notify the majilis immediately and determine with reason under this Act whether or not that question requires a

mandatory answer.

Providing an answer in written form to a question which requires an oral answer.

13.

(a) Where an answer to the question which is addressed to a Minister is to be provided in written form as under section 8 of this Act, there arises a situation where the questioning member feels that the answer should be provided orally instead and once the particular member brings this to the attention of the president of the majilis, then whether the answer should be given orally or in written form should be decided; immediately once the president of the majilis notifies with reasons to the majilis, whether the question should be answered in written form or orally.

(b) In exercising the discretion given to the President of the Majilis under subsection (a) of this section, the President of the Majilis should consider the following;

1. whether the question asks about statistical figures and administrative information in detail;
2. whether due to the nature of the question a detailed comprehensive answer is necessary.

Revoking a question.

14.

(a) Once a notice to question is given to the Minister by a member of the majilis, that member can revoke the question before the date in which the answer is to be provided by the Minister.

(b) Once a notice to question is given to the Minister by a member of the majilis and if the member fails to question the minister; in the opportunity given to the member by the President of the majilis to address the question to the Minister; then the president would not give the member a second opportunity to address the question.

Further questioning.

15.

In connection to an answer given by a Minister to a question which is addressed to the minister under section 3 of the act the member who addressed the question, or any other member has the opportunity to address further questions to the Minister without giving a further notice to question to the minister.

Giving opportunity for extra questioning.

16.

The president of the Majilis would only give the opportunity to address further questions only if the extra question arises from the question which the notice to question is given to the minister or the extra question arises from the answer given by the Minister. Also if the extra question does not require a yes or no answer to a matter which the minister had mentioned in his

answer to the question, which was obtained after providing a notice to question.

- Not to publicize answers in advance.
17. The answer given by a minister to a question addressed by a member should not be generally publicized before that answer is submitted or read out by the minister in the majilis meeting.
- Debate in response to an answer.
- 18.
- (a) No debate should be carried out in connection to an answer given by a minister to a question which is addressed to him.
- (b) If there is a need to submit a case in connection to an answer given by the minister or in connection to a matter which was mentioned in that answer given by the minister, that case must be submitted in accordance with the regulatory procedures of the majilis.
- The written documents and information in connection with the answer.
- 19.
- (a) In providing the answer to a question which is addressed to a minister, if other additional documented information in support of the answer does exist, then instead of reading both the answer and the additional information, the minister can merely submit the additional documented information to the majilis and bring this to the attention of the member who addressed the question.
- (b) When submitting the additional documented information to the majilis under sub section (a) of this section, the answers in connection to this documented additional information should be included with the answer in the minutes of the majilis meeting.
- Bringing amendments to the answer after the answer is provided.
20. .
- (a) After an answer to a question is given orally or in writing, the Minister who gives the answer realizes that there is a need to correct a provision or statement within the answer, then after providing the reason for the amendment the Minister can bring amendments to the previous answer.
- (b) Once an amendment is brought, to a provision or a statement within an answer to a question, then under sub section (a) of this section the member who addressed the question or any other member has the opportunity to ask further questions under section 15 of the Act.
- Interpretations.
21. Unless otherwise mentioned in this Act;

The word “Minister” should be interpreted as all Ministers who are included within the cabinet and also those Ministers not included in the cabinet.

The word “Member” should be interpreted as the members in the citizen’s majilis.

“The president of the Majilis” should be interpreted as the President of the Citizen’s Majilis.

“Majilis” should be interpreted as Citizen’s Majilis (Parliament).

“meeting” should be interpreted as the meeting of the citizen’s majilis.

Providing information to the Majilis about the work of different ministries once the Act comes into force.

22. Within 30 days of the enforcement of this Act, all ministries must submit the information to the Citizen’s majilis about the work and the responsibilities undertaken by the relevant ministry.