

## MINISTRY PAPER No. 19 / 2002

### CONDUCT OF MINISTERS

The attention of the House is drawn to the attached document: Conduct of Ministers to which all Members of the Government are expected to adhere.

The document has been informed by the Code applicable to Members of the Government of the United Kingdom, and, in particular, the Recommendations of a Committee headed by Lord Nolan on

#### Standards in Public Life

The Nolan Report laid out **Seven Principles of Public Life** which should govern the activities of Members of the Government in their day-to-day business.

These are:

**Selflessness:** Holders of public Office should take decisions solely in terms of the public interest. It is an offence to do so in order to gain financial or other material benefits for themselves, their families and friends.

**Integrity:** Holders of public office not place themselves under an financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office, should make choices on merit.

**Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly so demands.

**Honesty:** Holder of public office have a duty to declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership:** Holder of public office should promote and support these principles by leadership and example.

It is anticipated that this Code of Conduct will contribute to enhancing the quality of governance in Jamaica.

A handwritten signature in black ink, appearing to be 'P J Patterson', with a long horizontal flourish extending to the right.

*P J Patterson*  
*Prime Minister*

29<sup>th</sup> April, 2002

## **THE GOVERNMENT**

### **CONDUCT OF MINISTERS**

#### **PREAMBLE**

Under the provisions of the Constitution, the Government of Jamaica comprises Cabinet Ministers, Ministers of State and/or Parliamentary Secretaries.

In regard to the Cabinet, Section 69 of the Jamaican Constitution states in part:

1. There shall be in and for Jamaica, a Cabinet which shall consist of the Prime Minister and such number of other Ministers (not being less than eleven) selected from among Ministers appointed in accordance with the provisions of Section 70 of the Constitution as the Prime Minister may from time to time consider appropriate.
2. The Cabinet shall be the principal instrument of policy and shall be charged with the general direction and control of the Government of Jamaica and shall be collectively responsible to Parliament.

In regard to the appointment of Ministers, Section 70 states in part:

Whenever the Governor General has occasion to appoint a Prime Minister he/she, acting in his discretion, shall appoint the members of the House of Representatives who, in his/her judgement is best able to command the confidence of the majority of the members of the House and shall, acting in accordance with the advice of the Prime Minister, appoint from among the members of the two Houses such number of other Ministers as the Prime Minister may advise.

In respect of Parliamentary Secretaries, Section 78 states in part:

The Governor-General, acting in accordance with the advice of the Prime Minister, may, by instrument under the Broad Seal, appoint Parliamentary Secretaries from among the members of the two Houses to assist Ministers in the discharge of their functions.

## MINISTERS OF GOVERNMENT

1. Ministers of Government are expected to behave according to the highest standards of constitutional and personal conduct in the performance of their duties. In particular, they must observe the following principles of Ministerial conduct:
  - i. Ministers must uphold the principle of collective responsibility;
  - ii. Ministers are accountable to Parliament for the policies and operations of their Ministries, Departments and Agencies.
  - iii. It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister;
  - iv. Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest;
  - v. Similarly, Ministers should require civil servants who provide information before Parliamentary Committees, to provide accurate, truthful and full information;
  - vi. Ministers must ensure that no conflict arises, or appears to arise, between their public duties and their private interests;
  - vii. Ministers should avoid accepting any gift, hospitality, or services which might, or might reasonably appear to, compromise their judgement or place them under an improper obligation;

The following notes detail the arrangements for the conduct of affairs of Ministers. They are intended to give guidance by listing the principles, which may apply. They apply to all Members of Government;

The notes should be read against the background of a duty of Ministers to comply with the law, including international law and treaty obligations, and to uphold the administration of justice, the general obligations listed above.

Ministers must also, of course, adhere at all times to the requirements of Parliament and protect the integrity of public life;

## CABINET AND CABINET COMMITTEES/SUBCOMMITTEES

*Cabinet and Cabinet  
Committees/  
Subcommittees*

2. The business of Cabinet consists in the main of:
- a. Issues which significantly engage the collective responsibility of the Government, because they raise major matters of policy or because they are of critical national importance;
  - b. Issues on which there is an unresolved argument between Ministries;
  - c. New programme initiatives or substantial changes to existing ones.

Matters wholly within the responsibility of a single Minister and which do not significantly engage collective responsibility as defined above, need not be brought to the Cabinet or to a Ministerial Committee unless the Minister wishes to have the advice of colleagues.

A precise definition of such matters cannot be given.

In borderline cases, a Minister is advised to seek the guidance of the Prime Minister.

Questions involving more than one Department should be examined interdepartmentally, before submission to a Ministerial Committee, so that the decisions required may be clearly defined.

3. The Cabinet is supported by Cabinet Committees/Subcommittees (both standing and ad hoc) which have a two-fold purpose.

First, they relieve the pressure on the Cabinet itself by settling as much business as possible at other levels, or failing that, by clarifying the issues and defining the points of disagreement.

Second, they support the principle of collective responsibility by ensuring that, even though an important question may never reach the Cabinet itself, the decision will be fully considered and the final judgement will be sufficiently authoritative to ensure that the Government as a whole can be properly expected to accept responsibility for it.

When there is a difference between Ministries, it would not be referred to the Cabinet until other means of resolving it have been exhausted, including personal correspondence or discussions between the Ministers concerned.

4. If the Cabinet Committee/Subcommittee system is to function effectively, appeals to Cabinet to deal with problems should be infrequent.

Chairmen of Committees/Subcommittees are required to exercise their discretion in advising the Prime Minister whether to allow the appeals of Ministers.

Ministers should normally attend in person, meetings of Committees/Subcommittees of which they are members, or in which they are involved.

Unless they make it possible for their colleagues to discuss with them personally, issues which they consider to be important, they cannot - except their absence is due to factors outside their control - expect the Prime Minister to allow an appeal against an adverse decision taken in their absence.

5. Cabinet meetings take precedence over all other business.

Requests by Cabinet Ministers for permission to be absent should be made only in the most exceptional circumstances and should be made at the earliest opportunity, preferably in writing, to the Prime Minister.

Overseas visits by Ministerial delegations require Cabinet approval, save for exceptional circumstances when these are undertaken with the prior approval of the Prime Minister.

6. Guidelines on the conduct of Cabinet business are set out in the document Guidelines for Cabinet Submission published by the Cabinet Office.

All Submissions, except those specifically authorized by the Prime Minister should, for the time being, be forwarded to the Cabinet Office by 12.00 noon on the Thursday week (i.e. eleven days) prior to the Cabinet meeting at which it is proposed to be discussed.

Late Submissions will not be entertained in the absence of compelling reasons accepted by the Prime Minister.

All Submissions are to be signed by the portfolio Minister or in the case of joint Submissions, Ministers.

In circumstances where it is not possible for Ministers to do so, Permanent Secretaries may sign Submissions with their Ministers' permission.

In the case of Cabinet Committees or Subcommittees, matters for discussion and decision should be prepared in a suitable form and circulated in sufficient time to enable Ministers to read and digest them and be properly briefed.

7. It is the responsibility of the initiating Ministry to ensure that proposals have been discussed with other interested Ministries and the results of these discussions reflected in the memorandum submitted to a Cabinet Committee or Subcommittee.
8. Proposals involving expenditure or affecting general financial policy should be discussed with the Ministry of Finance and Planning before being submitted to the Cabinet, Cabinet Committee or Subcommittee. The result of the discussion together with an estimate of the cost should be included along with an indication of how the cost would be met, including any impact on other Ministries, Departments or Agencies. It is anticipated that, save in exceptional circumstances, the Ministry of Finance would be expected to make its response within 2 weeks of the draft submitted for consideration.
9. The Minutes of Cabinet and Cabinet Committees/Subcommittees should be limited to a summary of submissions and discussions and the conclusions reached.

The Cabinet Office has been instructed to avoid, as far as practicable, recording the opinions expressed by particular Ministers. Matters of special secrecy or extra-ordinary sensitivity may be recorded in a limited circulation annex.

10. The Decisions of Cabinet affecting Ministries, Departments or Agencies are transmitted by the Cabinet Secretariat, to the relevant Permanent Secretaries. Under the guidance of the Minister, Permanent Secretaries must ensure that the Decisions of the Cabinet (or its Committees/Sub-Committees) are implemented on a timely and effective basis.

When immediate action is required by a Department not represented at the meeting, the Cabinet Secretary will ensure that the Department concerned is notified forthwith.

Where urgent action has to be taken by a Department, the Department may ask the Cabinet Secretary for an advance copy of the relevant conclusions.

11. The internal process of Cabinet deliberations through which a decision has been made, should not be disclosed. Decisions reached by the Cabinet or Cabinet Committees/Subcommittees are binding on all members of the Government or in the case of the latter where authority to make decisions has been delegated by Cabinet.

*Collective  
Responsibility*

12. Collective responsibility requires that Ministers should be able to express their views frankly in the expectation that they can argue freely in private while maintaining their collective responsibility when decisions have been reached.

This, in turn requires that the privacy of opinions expressed in Cabinet and Cabinet Committees/Subcommittees should be protected.

Moreover, Cabinet and Committee/Subcommittees documents will often contain information, which cannot be disclosed in the public interest.

It is therefore essential that, subject to the guidelines on the disclosure of information, set by Cabinet, from time to time and the Access to Freedom of Information Act (when this is enacted), Ministers take the necessary steps to ensure that they and their staff preserve the privacy of Cabinet business and protect the security of Government documents.

13. Ministers relinquishing office without a change of Government should hand over to their successors those Cabinet documents required for their current administration and should ensure that all others have been returned to the Cabinet Office for proper disposal.
14. On a change of Government, the outgoing Prime Minister issues special instructions about the disposal of the Cabinet papers of the outgoing Administration.

*Consultations  
with Law Officers  
Certain  
Circumstances*

15. The Law Officers must be consulted in good time before Government is committed to critical decisions involving legal considerations. It will normally be appropriate to consult the Law Officers in cases where:
  - a. The legal consequences of action by the Government might have important repercussions either locally or internationally.



- b. There is doubt concerning:
  - (i) the legality or constitutional propriety of legislation which Government proposes to introduce; or
  - (ii) whether the proposed subordinate legislation is within the scope of the law;
  - (iii) the legality of proposed administrative action, particularly where that action might be subject to challenge in the courts by means of application for judicial review;
- c. Ministers, or their officials, wish to have the advice of the Law Officers on questions involving legal considerations, which are likely to come before the Cabinet or a Cabinet Committee;
- d. There is a particular legal difficulty, which may raise political aspects of policy;
- e. Two or more Departments disagree on legal questions and wish to seek the view of the Law Officers.

By convention, written opinions of the Law Officers, unlike other Ministerial papers, are generally made available to succeeding Administrations.

- 16. When advice from the Law Officers is included in correspondence between Ministers, or in papers for the Cabinet or Ministerial Committees, the conclusions may if necessary be summarised but, if this is done, the complete text of the advice should be attached.
- 17. The fact and content of opinions or advice given by the Law Officers, either individually or collectively, must not be disclosed outside of Government without express authority.
- 18. Ministers occasionally become engaged in legal proceedings, sometimes in their personal capacities, but in circumstances which may have implications for them in their official positions.

Defamation is an example of an area where proceedings will invariably raise issues for the Minister's official as well as his private position. In all such cases they should consult the Law Officers before consulting their own Attorneys, in order to allow the Law Officers to

express a view on the handling of the case so far as the public interest is concerned or, where necessary, to take charge of the proceedings from the outset.

19. In criminal proceedings the Director of Public Prosecutions acts wholly independently of the Government.

In civil proceedings a distinction is to be drawn between proceedings in which the Law Officers are involved in a representative capacity on behalf of the Government, and action undertaken by them on behalf of the General community to enforce the law as an end in itself.

### **MINISTERS AND THEIR MINISTRIES. DEPARTMENTS AND AGENCIES**

20. The Prime Minister is responsible for the overall organisation of the Executive and the allocation of functions between Ministers in charge of Departments.

His approval should therefore be obtained where changes are proposed that affect this allocation and the responsibilities for the discharge of Ministerial functions. This applies where the functions in question are derived from statute, or are general administrative responsibilities.

21. The Prime Minister's written approval should be sought where it is proposed to transfer functions:
- a. between Ministers in charge of Ministries (unless the changes are de minimis), and these can be made administratively and do not justify public announcement;
  - b. within the field of responsibility of one Minister - e.g. by "hiving off" the discharge of some functions to a Non-Ministerial Public Body where the change is likely to be politically sensitive or to raise wider issues of policy or organization;
  - c. between junior Ministers within a Ministry when a change in Ministerial titles may be involved.
22. In addition, his written approval should be sought for proposals to allocate new functions to a particular Minister where the function does not fall wholly within the field of responsibility of one Minister, or where there is disagreement about who should be responsible.

23. The Prime Minister will also determine questions where there is disagreement e.g. because one Minister has proposed a transfer of functions that is not accepted by the other (s) affected.

*Ministers outside  
The Cabinet*

24. The Minister in charge of a Ministry is alone answerable to Parliament for the exercise of the powers on which administration of that Ministry depends.

The Minister's authority may, however, be delegated to a Minister of State. It is desirable that Ministers should devolve on their junior Ministers responsibility for a defined range of Ministerial work, particularly in connection with Parliament. A Minister's proposal for the assignment of duties to junior Ministers, together with any proposed "courtesy titles" descriptive of their duties should be agreed in writing with the Prime Minister, copied to the Secretary of the Cabinet.

Where the functions delegated include any matters that give rise for doubt as to whether or not a particular function is to be exercised personally by the Minister, the advice of the Attorney General should be sought.

25. Ministers of State will be authorized to supervise the day-to-day administration of a defined range of subjects.

This arrangement does not relieve the Permanent Secretary of general responsibilities for the organization and discipline of the Ministry or of the duty to advise on matters of policy. The authority of Ministers outside the Cabinet is delegated, with the prior consent of the Prime Minister, from the Minister in charge of the Ministry.

*Appointment  
of Board*

26. The Prime Minister should be consulted in regard to the proposed appointment of the Chairman of Statutory Corporations, Government Companies, Boards or Advisory Committees to Executive Agencies, or other bodies in which Government makes such an appointment. Subsequent to this consultation, a Submission on the appointment of the full Boards or Committees should be made to Cabinet.

27. In considering candidates for public appointments, Ministers should pay particular attention to the:

- a. recommendations of the Thorbourne Committee on Improving Efficiency and Accountability of Public Sector Entities approved by Cabinet.
- b. securing persons on merit, and the proper representation of women and young people.

### **MINISTERS AND CIVIL SERVANTS**

28. Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice, in reaching policy decisions.

There is a duty to uphold the political impartiality of the Civil Service.

#### ***Accounting Officers***

29. The Financial Administration and Audit (Amendment) Act 1992 provides for the Minister of Finance, from time to time to designate in writing, Public Officers as Accounting Officers of the departments specified in such designation.

An Accounting Officer shall be responsible for the financial administration of the department specified in a designation and shall be accountable to the Minister of Finance for:

- a. the assessment and collection of, and accounting for, all moneys lawfully receivable by his department;
- b. ensuring that the purpose for which an appropriation is approved by Parliament is accomplished;
- c. making any payment required to be made in relation to such appropriation;
- d. the custody and proper use of all materials, equipment or other public property administered by him;
- e. the administration of any fund for which he has been assigned pursuant to Section 14 (3) of the Act;
- f. the discharge of any other financial responsibility assigned to him under the Act or any other enactment.

Accounting (and Accountable Officers) answer to the Public Accounts Committee which is a select committee of Parliament that examines the Annual Report of the Auditor General after it has been tabled in the House of Representatives on these matters, pertaining therein, within the framework of Ministerial accountability to Parliament for the policies, actions and conduct of their ministries.

Accounting Officers have a particular responsibility to see that appropriate advice is tendered to Ministers on all matters of financial propriety and regularity and more broadly as to all considerations of prudence and economical administration, efficiency and effectiveness and value for money. If a Minister in charge of a Ministry is contemplating a course of action that would involve a transaction which the Accounting Officer considers would breach the requirements of propriety or regularity, the Accounting Officer is expected to set out in writing his or her objection to the proposal and the reason for the objection. In all such cases, the Minister is expected to bring to the attention of the Prime Minister and the Minister of Finance, that such a difference exists, so that the issue can be satisfactorily resolved.

In regard to financial matters, Ministers should acquaint themselves with the - Handbook on Government's Financial Administration and Guidelines to Functions delegated by the Ministry of Finance.

## **MINISTERS AND THE REPRESENTATION OF POLICY**

30. As a general rule, Ministers should recognize that they cannot speak on public affairs for themselves alone.

They speak as Ministers and the principle of collective responsibility applies.

They must ensure that their statements are consistent with collective Government policy and do not anticipate decisions which are yet to be taken.

31. Ministers should exercise special care in referring to subjects, which are the responsibility of other Ministers. Any Minister who intends to make a speech which deals substantively with, or makes observations which bears upon matters that fall within another Minister's responsibilities are expected to consult that Minister.

The Prime Minister should always be consulted before any mention is made of matters, which either affect the conduct of the Government as a whole or are of a constitutional character.

Ministers wishing to refer in a speech or any other public statement to economic policy or to proposals involving additional public expenditure or revenue costs should in all cases consult the Minister of Finance

## **MINISTERS PRIVATE INTERESTS**

32. Ministers are expected to order their affairs so that no conflict arises or is thought to arise between their private interests (financial or otherwise) and their public duties. They are expected to exercise good judgment on how best to proceed.

Where there is a doubt, it will almost always be better to relinquish or dispose of the interest.

In accordance with the Parliamentary acceptance of the Matalon Report, Ministers should submit appropriate Cases to the Prime Minister for his decision.

33. Where it is proper for a Minister to retain any private interest, it is the rule that he or she should declare that interest to Ministerial colleagues if

they have to discuss public business in any way affecting it, and that the Minister should remain entirely detached from the consideration of that business.

Similar steps may be necessary should the matter under consideration in the Ministry relate in some way to a Minister's previous private interest such that there is or may be thought to be a conflict of interest.

34. When they take up office, Ministers should give up any other public appointment they may hold. Such an appointment can only be retained after the Prime Minister has been consulted and Parliament properly notified.
35. Ministers should take care to ensure that they do not become associated with non-public organizations whose objectives may in any degree conflict with Government policy and thus give rise to a conflict of interest.

Hence, Ministers should not normally accept invitations to act as patrons of or otherwise offer support to pressure groups, or organisations dependent in whole or in part on Government funding.

There is normally no objection to a Minister associating him or herself with a charity (subject to the points above) but Ministers should take care to ensure that in participating in any fund-raising activity, they do not place, or appear to place, themselves under an obligation as Ministers to those to whom appeals are directed (and for this reason they should not normally approach individuals or companies personally for this purpose). In any case of doubt, the Prime Minister should be consulted before a Minister accepts an association with such bodies. Ministers should also exercise care in giving public support for petitions, open letters etc.

36. Ministers should arrange their affairs so as to avoid any suggestion that a trade union of which they continue as a member has any undue influence. They should take no active part in the conduct of union affairs, should give up any office they may hold in a union and should receive no remuneration except a nominal payment, purely for the purpose of protecting the Minister's future pension rights.

This should be notified to the Prime Minister.

37. Ministers must scrupulously avoid any danger of an actual or apparent conflict of interest between their Ministerial position and their private financial interests. Such a conflict, or the perception of it, can arise:

- a. from exercise of powers or other influence in a way that does or could be considered to affect the value of interests held; or
- b. from using special knowledge acquired in the course of their Ministerial activities in ways which bring benefit or avoid loss (or could arouse reasonable suspicion of this) in relation to their private financial interests.

38. Without prejudice to the generality of paragraph 37, it is not intended to inhibit the holding of Ministerial office by individuals with wide experience, whether of industry, a profession or some other walk of life.

In order to avoid the danger of an actual or perceived conflict of interest, Ministers should be guided in relation to their financial interests by the general principle that they should either dispose of any financial interest giving rise to the actual or perceived conflict or take alternative steps to prevent it.

39. If for any reason the Minister is unable or unwilling to dispose of a relevant interest, he or she should consider the advice of the legal officers, or appropriate external advice, what alternative measures would sufficiently remove the risk of conflict. These fall into two types: those relating to the interest themselves and those relating to the handling of the decisions to be taken or influenced by the Minister.

All such cases should be drawn immediately to the attention of the Prime Minister, who will give such instructions as are appropriate to remove the risk of conflict.

40. In some cases, it may not be possible to devise such a mechanism to avoid actual or perceived conflict of interest, for example, because of the nature or size of the investment or the nature of the Department's work. In such a case, or in any case where, after taking legal and other related advice; the Minister is in doubt whether adequate steps have been or can be taken, he or she should consult the Prime Minister. In such a case it may be necessary for the Minister to cease to hold the office in question.

41. In addition to this general guidance:

- a. Partnerships Ministers who are partners, whether in professional firms, or in other businesses, should, on taking up office, cease to practice or to play any part in the day-to-day management of the firm's affairs. They are not necessarily required, however, to dissolve their partnership or to allow, for example, their annual



practicing certificate to lapse. Beyond this it is not possible to lay down precise rules applicable to every case; but any continuing financial interest in the firm would make it necessary for the Minister to take steps to avoid involvement in relevant decisions. Ministers in doubt about their personal position should consult the Prime Minister;

- b. Directorships. Ministers must resign any directorships they hold when they take up office. This applies whether the directorship is in a public or private company and whether it carries remuneration or is honorary. The only exception to this rule is that directorships in private companies established in connection with private family property. Directorships or offices held in connection with charitable undertakings should also be resigned if there is any risk of conflict arising between the interests of the undertakings and the Government.

*Acceptance of gifts and*

42. It is a well established and recognized rule that no Minister or public servant should accept gifts, hospitality or services from anyone which might appear to place him or her under an obligation, and should take all reasonable steps to prevent this.

In accordance with this principle, no Minister or public servant shall condone the acceptance of gifts by any dependent member residing in their family household.

*Parliament (Integrity of Members) Act*

43. All members of the Government are expected to adhere strictly to provisions of the Parliament (Integrity of Members) Act. Failure to so adhere could lead to the Prime Minister calling for the resignation of delinquent members.
44. All members of the Government are obliged to operate in accordance with the Provisions for the Prevention of Corruption Act, by which they are bound.

## MINISTERS AND PARLIAMENT

*Parliamentary  
Statements and  
other Government  
Standing Orders of  
the House on the  
Matters of answers  
By Ministries  
Ministries to  
Questions of  
Members*

45. When Parliament is in session, it is desirable that the most important announcements of Government policy should be made in the first instance, in Parliament.

Ministers should be aware that even when Government announcements are not of major importance, their timing may require careful consideration in order to avoid clashes with other Government publications, statements or announcements or with the planned parliamentary business.

The Prime Minister, the Leader of the House of Representatives and the Cabinet Secretary should be given as long an opportunity as possible, to comment on the content and timing of all important government announcements, whether in the form of a Written Answer or Oral Statement in Parliament, Ministry Paper or press conference.

Except in respect of Ministry Papers, which are routine in nature, all Ministry Papers require the approval of the Cabinet, save in exceptional circumstances, clearance by the Prime Minister.

Ministers proposing to make a statement (whether or not it is related to a Question on the order paper) or to answer a question by leave of the Speaker at the end of Questions or to make an important announcement, or submit a Ministry Paper are therefore asked to conform with the following procedure:

- (a) As much notice as is possible of the intention to make a statement, should be given to the Prime Minister, the Leader of the House of Representatives, the Minister of State for Parliamentary Affairs and the Cabinet Secretary.

In the Senate, the Leader of Government Business must be given notice.

- (b) Copies of the final version of such announcements should be sent to the Prime Minister, the Leader of the House, the Minister of State for Parliamentary Affairs and the Cabinet Secretary as soon as they are available.
- (c) Ministers should avoid giving undertakings either in or outside the House of Representatives that an oral statement will be made

to the House on any subject at a specific time or within a particular period until agreement has been reached with the Prime Minister, the Leader of the House/Senate as to the proposed timing, and with the Cabinet as to the terms of the statement.

- (d) In the case of announcements relating to a question, particular care must be taken to avoid making a press announcement before the Written Answer has been delivered to the Member of Parliament who tabled the Question.
- (e) Six copies of the final text of any oral statement should in all cases be sent to the Clerk for circulation to the Speaker and to the Opposition.
- (f) A copy of any important Ministerial Statement as actually delivered should be placed as quickly as possible in the Library of the House. This affords members an opportunity of studying it in advance of publication in the Official Report.
- (g) In regard to Answers to questions, Ministers should ensure that these are supplied in accordance with the Standing Orders of the House of Representatives after approval by the Cabinet.

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|---------------------------------------|-----|---|
| <i>Prime Minister's Question time</i> | 46. | On the second sitting day of the House in each month there shall be a Question Time during which responses by the Prime Minister to questions asked of him in relation to matters of national importance and national interest shall take precedence.                             |
| <i>Minister's Question Time</i>       | 47. | On the first sitting day of the House during any week there shall be a Question Time during which responses by Ministers to questions in relation to matters of urgent national importance directly related to their respective portfolio responsibilities shall take precedence. |
| <i>Questions/Notice Of Question</i>   | 48  | A question shall not be asked without notice unless it is of an urgent character or relates to the business of the day and the Member has obtained the leave of the Speaker to ask it.  |

A member who by notice desires an oral answer to a question shall mark his notice with an asterisk and a question not so marked shall require a written answer which when received shall be circulated with the minutes of the proceedings of the House.

A question marked for oral answer shall be put down for a day to be named by the Member, being a day not earlier than 21 clear days after the question has appeared on the question paper.

However, questions that are regarded as being of urgent national importance shall be put down for a day not earlier than 7 clear days after it has been handed to the Clerk.

*Answers*

49. At question time, the Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed or in any such other order as the Speaker may on any particular occasion (by leave of the House) determine. Each Member so called shall rise in his place and ask the question by reference to its number on the Order Paper and the Minister questioned shall give his reply.

The Member may ask supplementary question (at the discretion of the Speaker) for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relevant to the original question or which infringes any of the provisions of the Standing Order<sup>16</sup> and may in that case direct that such question be not reported in the Official Report.