



Questionnaire on Parliamentary Oversight

June 2009

Notes on answering questions

Please fill in one questionnaire per parliamentary chamber.

Please check the selected response to each question with an 'X'. Note that for some questions only one response is possible ('Please select only one response'). For other questions, please check all the applicable responses ('Please select all the responses that apply').

Example:

What is the political system in your country?

Please select only one response

- Presidential
 Parliamentary
 Semi-Presidential
 Parliamentary/Monarchy
 Other (Please specify) _____

Additional explanation can be entered in the 'Comments' box that is provided for most questions.

Electronic version of this questionnaire

The electronic version of this questionnaire can be downloaded from www.ipu.org/parline.

Previous data collection on Parliamentary Oversight

In 2001, in partnership with the World Bank Institute, IPU sent a questionnaire to parliaments on relations between the legislature and executive in the context of parliamentary oversight. 88 parliaments responded to that questionnaire. The data that was collected is available in the Parliamentary Oversight module of the PARLINE database on national parliaments. The results were analyzed in the publication *Tools for parliamentary oversight: A comparative study of 88 national parliaments* (<http://www.ipu.org/english/books.htm#oversight08>)

This new questionnaire is intended to update and complete the 2001 questionnaire. Some of the questions are the same as the ones the parliament may have answered in the 2001 survey. However, we ask you to answer them again this year, even if the answer is the same. We need to be able to compare results for all respondents between 2001 and 2009 so that we can track changes over time.

If your parliament responded to the 2001 questionnaire, the data can be accessed as follows:

- Go to the PARLINE database on national parliaments (www.ipu.org/parline)
- Select your country and chamber
- Click on the 'Oversight' tab in the navigation bar. Please note that the 'Oversight' tab is only displayed if your parliament responded to the 2001 questionnaire.

Definitions

- Head of State: denotes the individual/collective entity who/which is the official public figurehead of a country.
- Head of Government: denotes the individual/collective entity who/which is responsible for the overseeing of the administrative apparatus of the State (bureaucracy/civil service) on a day-to-day basis.
- It is important to note that the Head of State and the Head of Government may or may not be the same person/entity. For example in the United Kingdom of Great Britain and Northern Ireland the Head of State is the Monarch (Queen Elizabeth II) while the Head of Government is the Prime Minister (at the time of writing Gordon Brown MP). Conversely, in the United States of America the President (at the time of writing Barack Obama) is simultaneously the Head of State and the Head of Government.
- Parliament: denotes the body which can make/amend or repeal statutory laws.
- Chamber: denotes a sub-component of Parliament. Specifically in all systems that are not unicameral Parliament will be composed of two (bicameral) or more chambers.
- Presidential System: denotes a system of government in which the executive (Head of Government) is selected/exists/presides independently of Parliament (e.g. Brazil, USA).
- Parliamentary System: denotes a system of government in which the executive (Head of Government) depends (directly or indirectly) on Parliament to maintain her office. In other words there is a fusion of the branches of government with the executive branch being drawn/depending on Parliament for survival (e.g. Canada, UK).
- Semi-Presidential System: denotes a hybrid system in which a legislatively independent president shares executive power with a legislatively dependent counterpart (usually a prime minister). In many cases the President's cabinet also depends on Parliament to maintain office (e.g. France, Finland).

Deadline

Please return completed questionnaires to IPU by **31 July 2009**.

e-mail: postbox@mail.ipu.org

fax : +41 22 919 41 60

Questions and Comments:

For all enquiries, please contact Mr. Andy Richardson (telephone: +41 22 919 41 35; e-mail: ar@mail.ipu.org).

Questionnaire on Parliamentary Oversight

Country:	
Parliament/chamber:	
Completed by:	
Title:	
Contact e-mail:	
Date:	

POLITICAL SYSTEM

1. What is the political system in your country?

Please select only one response

- _ Presidential
- _ Parliamentary
- _ Semi-Presidential
- _ Parliamentary/Monarchy
- _ Other (Please specify) _____

Comments:

2. Who is the Head of Government?

(Note: This may not necessarily be the same person as the Head of State)

Please select only one response

- _ President
- _ Prime Minister
- _ Monarch
- _ Other (Please specify) _____

Comments:

3. What is the method used to designate the Head of Government ?

Please select all the responses that apply

- Elected in a general election as a member of Parliament
- Elected via a presidential election (separate from Parliament)
- Elected by Parliament
- Appointed
- Other (Please specify) _____
- Does not apply

Comments:

4. What is the term of office of the Head of Government?

_____ Years

- No limit
- Does not apply

Comments:

5. Does the term of the Head of Government coincide with the term of Parliament?

- Yes
- No
- Does not apply

Comments:

6. What is the method used to designate the members of the Government?

Please select only one response

- Nominated by the Head of Government and approved by Parliament
- Appointed by the Head of Government
- Nominated by the Head of State upon the suggestion of the Head of Government and approved by Parliament
- Other (Please specify) _____
- Does not apply

Comments:**7. Can members of the Government simultaneously be members of Parliament?**

Please select only one response

- Have to be a member of parliament
- Can not be a member of parliament
- May simultaneously be a member of parliament
- Other (Please specify) _____

Comments:**ACCOUNTABILITY OF GOVERNMENT TO PARLIAMENT****8. Is the Government statutorily accountable to Parliament?**

- Yes
- No

Please specify the document which stipulates the accountability of Parliament (Constitution...)

Comments:**9. Is this accountability collective or individual?**

Please select only one response

- Collective
- Individual
- Both
- Does not apply

Comments:**10. What arrangements exist for bringing this accountability into play?**

Please select all the responses that apply

- Votes of confidence
- Motions of censure/no-confidence
- Votes on annual reports by the Government
- Impeachment/dismissal procedure
- Other (Please specify) _____
- Does not apply

Comments:**11. Does Parliament take a vote of confidence in the newly formed Government?**

- Yes
- No
- Exceptionally (Please specify) _____

12. If yes, what is the consequence of a negative vote of confidence?

Please select all the responses that apply

- The Head of State appoints another Head of Government
- Parliament is dissolved
- Other (Please specify) _____
- Does not apply

Comments:

MOTIONS OF CENSURE

13. Who can introduce a motion of censure?

Please select all the responses that apply

- Parliamentary groups
- A certain number of parliamentarians
- A single parliamentarian
- Other (Please specify) _____
- Does not apply

Comments:

14. Which members of the Government can be targeted by a motion of censure?

Please select all the responses that apply

- The Head of Government
- The whole Government
- An individual member of the Government
- Other (Please specify) _____

Comments:

15. Does a motion of censure require a qualified majority to be adopted?

- Yes
- No

Comments:

16. Please specify the qualified majority

Please select only one response

- Absolute majority
- Two-thirds majority
- Three-quarters majority
- Other (Please specify) _____
- Does not apply

Comments:

17. What are the consequences of a motion of censure being adopted?

Please select all the responses that apply

- The Head of Government resigns
- Parliament is dissolved
- The motion of censure is placed on record
- Other (Please specify) _____
- Does not apply

Comments:

18. How many motions of censure has your Chamber tabled or adopted over the past ten years?

_____ Motions tabled

_____ Motions adopted

POWER OF DISMISSAL (IMPEACHMENT)**19. Does Parliament have a procedure for dismissal?**

- Yes
- No

20. Which members of the Government are covered by the dismissal procedure?

Please select all the responses that apply

- Head of State
- Head of Government
- Individual members of the Government
- Senior officials
- Other (Please specify) _____

21. Please specify the number of dismissals over the past ten years.

_____ dismissals

Comments:

22. Can Parliament assume judicial functions in respect of members of the Government?

- Yes
- No

23. If yes, in what cases?

- Impeachment of the Head of Government
- Impeachment of members of the Government (other than the Head of Government)
- Other (Please specify) _____

24. Can Parliament institute a legislative court of exception to try members of the Government?

- Yes
- No

If yes, please give the name of the court and specify in what cases

DISSOLUTION OF PARLIAMENT**25. Can Parliament be dissolved before the end of its term?**

- Yes, at any time
- Yes, but only after a specified period
- No

26. If yes, who can dissolve Parliament?

Please select all the responses that apply

- Head of State
- Head of Government
- Presiding Officer of Parliament/Chamber
- Parliament
- Other (Please specify) _____
- Does not apply

Please describe in what cases parliament can be dissolved

27. Does the exercise of the right of dissolution require prior notification?

- Yes
- No

28. To whom is this notification addressed?

Please select all the responses that apply

- Head of State
- Head of Government
- Presiding Officer of Parliament/Chamber
- Parliament
- Other (Please specify) _____
- Does not apply

Comments:**29. Can the normal term of Parliament be extended?**

Yes

No

Please describe in what cases the term of parliament can be extended

30. Please specify the number of times Parliament has been dissolved or extended over the past ten years

Dissolved: _____ times

Extended: _____ times

Comments:**TOOLS FOR PARLIAMENTARY OVERSIGHT****31. How does Parliament exercise oversight of the Government?**

Please select all the responses that apply

Oral and written questions

Interpellations

Motions for debate

Hearings in committee

Committees of enquiry

Missions to the Government departments concerned

Reports

Other (Please specify) _____

Does not apply

32. Can parliamentarians put oral questions to the Government?

Yes

No

33. Can parliamentarians put written questions to the Government?

Yes

No

34. Can parliamentarians put urgent questions to the Government?

Yes

No

35. Under what conditions can urgent questions be asked?**36. What is the deadline for replies to questions?**

Oral questions: _____ days

Written questions: _____ days

Urgent questions: _____ days

37. Is time set aside for questions in plenary sessions?

Yes

No

38. If yes, how much time?

_____ number of hours per week

_____ number of weeks per year

39. Can questions can give rise to a debate in plenary or in any other forum within the parliament?

Yes

No

Comments:

40. Who can make interpellations?

Please select all the responses that apply

Interpellations can be made by an individual parliamentarian

Interpellations can be made by a group of parliamentarians

Interpellations can be made by a parliamentary group

41. Please describe how the Government responds to interpellations**42. Can a motion of no confidence be introduced after an interpellation?**

- Yes
- No

43. Do members of the Government participate in the work of committees?

Please select all the responses that apply

- Always
- At the request of the committee
- At the request of the Government
- Never
- Other (Please specify) _____
- Does not apply

44. Can members of the Government be summoned to committee hearings?

- Yes
- No

45. Can senior officials be summoned to committee hearings?

- Yes
- No

Comments:

46. Does Parliament play a role in appointing senior officials or approving their appointment?

- Yes
- No

47. If yes, please specify which ones.

Please select all the responses that apply

- _ Ambassadors
- _ Heads of government departments
- _ Heads of independent authorities
- _ Other (Please specify) _____

48. Are Government departments obliged to submit activity reports to Parliament?

- _ Yes
- _ No

49. Please specify how regularly reports have to be submitted.

50. Is Parliament represented on the governing bodies of any non-legislative bodies (for example public companies)?

- _ Yes
- _ No

If yes, please specify which ones

51. Does Parliament have special mechanisms for overseeing public companies?

- _ Yes
- _ No

52. If yes, please specify the type of mechanism

Please select all the responses that apply

- _ Supreme Audit Agency
- _ Committees (e.g. Finance, Budgets or Estimates)
- _ Committee of inquiry (e.g. Public Account Committee, Audit Committee)
- _ Reports

Comments:

OTHER OVERSIGHT BODIES

53. Is there an ombudsman in your country?

Yes

No

Please list the area of specialization of the ombudsmen (ex. Parliamentary ombudsman, equality ombudsman etc)

54. If yes, who appoints the ombudsman?

Please select only one response

Head of State

Head of Government

Parliament

Judiciary

Head of State subject to confirmation by Parliament

Head of Government subject to confirmation by Parliament

Judiciary subject to confirmation by Parliament

Other (Please specify) _____

Comments:

55. Please describe the relationship between the ombudsman and Parliament

56. Is there an anti-corruption agency in your country?

Yes

No

57. If yes, who appoints the anti-corruption agency?

Please select only one response

Head of State

Parliament

Judiciary

Head of State subject to confirmation by Parliament

Head of Government subject to confirmation by Parliament

Judiciary subject to confirmation by Parliament

Other (Please specify) _____

58. Please describe the relationship between the anti-corruption agency and Parliament**59. Is there a body (Supreme Audit Agency) for auditing the Government's accounts?**

Yes

No

60. If yes, who appoints this body?

Please select only one response

Head of State

Parliament

Judiciary

Head of State subject to confirmation by Parliament

Head of Government subject to confirmation by Parliament

Judiciary subject to confirmation by Parliament

Other (Please specify) _____

61. Is this body obliged to report to Parliament?

Yes

No

62. If yes, how often does it report?

Please select only one response

- Monthly
- Quarterly
- Once in a half year
- Once in a year
- Other (Please specify) _____

63. Please describe the relationship between this body and Parliament**BUDGETARY OVERSIGHT****64. Is Parliament consulted in the preparation of the national budget?**

- Yes
- No

65. How does Parliament exercise budgetary oversight?

Please select all the responses that apply

- Examination of the Finance Bill
- Reports from the Finance Committee
- Confirmation and approval of the Finance Bill
- Field visits
- Other (Please specify) _____

66. What is the deadline for examination of the Finance Bill by Parliament?

_____ Number of days

67. What is the deadline for adoption of the Finance Bill by Parliament?

_____ Number of days

68. What happens if Parliament fails to adopt the Finance Bill?

Please select only one response

- A temporary budget is used
- The previous budget is renewed
- Other (Please specify) _____

Comments:

69. Does the Government have to regularly give account of its expenditure?

Yes

No

Comments:

70. Is there a mechanism for the implementation of gender-sensitive budgeting?

Yes

No

Please describe:

71. How does Parliament exercise oversight over the execution of the budget?

Please select all the responses that apply

Through reports by the Accounting Office or any other body for the auditing of the Government's books

Through a specialised committee

By other means (Please specify) _____

Comments:

72. Does Parliament establish its budget autonomously?

Yes

No

Comments:

73. Is there an Access to Information law?

Yes

No

74. If yes, can parliamentarians use the law to gain access to government information?

Yes

No

Comments:

CODES OF CONDUCT

75. Is there a code of conduct for parliamentarians?

Yes

No

76. If yes, does this apply to members of the Government?

Yes

No

77. Is there a separate code of conduct for members of the Government?

Yes

No

78. Is there a separate code of conduct for civil servants?

Yes

No

Comments:

OVERSIGHT OF THE APPLICATION AND EVALUATION OF LAWS

79. Which of the following can Parliament use to oversee follow-up action by the Government to implement laws?

Please select all the responses that apply

- Reports
- Debates
- Requests for information
- Interpellation
- Plenary or committee hearing
- Field visits
- Recommendations from UN treaty bodies (ex: CEDAW)
- Other (Please specify) _____

Comments:

80. What steps can Parliament take in the event of non-application of laws?

Please select all the responses that apply

- Motion
- Sanction
- Censure
- Plenary hearing
- Questions
- Interpellations
- Other (Please specify) _____

Comments: