

EM-6 POLICY & MANAGEMENT PRACTICE PUBLIC QUESTION TIME PROCEDURES

Guiding Principles

1. Persons wishing to ask questions are encouraged to :-
 - forward their questions in writing to the CEO ahead of the meeting, and
 - to keep their questions brief.
2. Persons may, prior to asking their question, provide a short preamble so as to provide a context to their question.
3. Public Question Time is not a time for persons to make statements.
4. Public Question Time shall not be dominated by the questions of one person to the exclusion of others.
5. There is no obligation on the person presiding to respond to questions to which a response has previously been provided to the questioner.
6. Wherever possible, questions will be responded to at the meeting, however where this is not practicable, questions will be taken on notice and will be responded to administratively.
7. Responses to questions do not have to be given to questions that :-
 - do not relate to a matter affecting the City, or
 - with regards to special meetings, do not relate to the purpose of the special meeting, or
 - with regards to committee meetings, do not relate to the functions of that committee.
8. Questions must be read aloud by the questioner. If a person in attendance is unable to read aloud their question, another person present at the meeting may ask the question on their behalf.
9. It is not intended that public question time be used as a means to obtain information that would not be made available if it was sought from council records under section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992*.

Guiding Procedures

1. The procedure for asking questions is as follows:
 - The questioner is to give their name and address prior to asking their question – for minute recording purposes;
 - Questions are to be directed to the person presiding who has the discretion of -
 - accepting or rejecting the question,
 - nominating a Councillor and/or Officer to answer the question, or
 - determining that any complex questions requiring research will be taken on notice and answered administratively.
2. The person presiding will determine the order in which the questions are to be asked.
3. To give each member of the public who wishes to ask a question an equal and fair opportunity to ask their question and receive a response within the allotted 15 minutes, only two (2) questions per person will initially be considered with a limit of two (2) minutes per person noting that sub-parts of questions are counted as a separate question. If after having allowed each person (2) questions there is time remaining, the presiding person will allow further questions, again in limits of two per person.
4. If additional time for public question time is required, the person presiding may invite councillors present to resolve to extend the minimum time of (15) minutes by a further agreed period of time and usually this will occur in (15) minute increments.
5. Questions will only be accepted that are able to be responded to during public question time, including any agreed extension of question time. If at the end of public question time persons still have outstanding questions, those questions may be submitted in writing to the Chief Executive Officer and will be dealt with administratively.
6. The person presiding may reject a question if, in the view of the person presiding, the question *inter-alia*
 - Is offensive or defamatory in nature;
 - Questions the competence of Councillors or City Employees;
 - Relates to the personal affairs or actions of Councillors, employees or members of their families;
 - Relates to the personal affairs of members of the general public;
 - Relates to confidential matters, legal advice, legal proceedings or legal processes;
 - Has been responded to by earlier questions or questions at a previous meeting.
7. No debate or discussion will be permitted on any question or response.

8. Both questions and the preamble to a question, are to be kept succinct.
9. All responses to questions will be provided in good faith, however they should not be relied upon as being totally comprehensive.
10. The procedure for Public Question time is to be made available to the public with Committee and Council agendas to ensure that the public are aware of the requirements.
11. When a question is taken on notice during public question time, a written response from Management will be sent to the address of the person asking the question, and a copy of the question and response shall be included in the agenda of the next meeting of the Council as the case requires.
12. A summary of each question raised and response given during Public Question Time will be recorded in the Minutes.

NOTE:

As the person who, under the Local Government Act, determines the conduct of Public Question Time, it is the intention of the person presiding to apply the following provisions of Council's Standing Orders to Public Question Time.

Clause No. 8.4

- (2) *No member of the Council, or a committee, or member of the public is to use offensive or objectionable expressions in reference to any member, employee of the Council, or any other person.*

Penalty \$1,000

- (3) *No member of the Council, or a committee, or member of the public is to reflect adversely on the character or actions of a member, officer or any other person participating in the meeting.*