



## LEGISLATIVE COUNCIL FACT SHEETS

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### FACT SHEET 28: PERSONAL EXPLANATIONS AND EXPLANATION OF SPEECHES

A member may, by leave of the House (that is, if no member objects), make a personal explanation when there is no question before the House (SO 88). A personal explanation cannot be made during the course of debate.

As determined by Presidents' rulings, a personal explanation allows a member to explain a matter reflecting on their honour, character or integrity, or to explain any matter which reflects on them in a personal way.<sup>1</sup> A personal explanation should not be used to explain matters on behalf of any other person.<sup>2</sup>

The matter which is the subject of the personal explanation should not be amplified or debated, nor should provocative or disputative language be used.<sup>3</sup> Personal explanations should not be used to reply to or to explain a matter on which the member has been misquoted or misunderstood.<sup>4</sup>

If a personal explanation goes beyond the limits for which leave has been given, and any member objects, the Chair usually calls the member to order. Leave may also be withdrawn after it has been given.<sup>5</sup>

When a member desires to make a personal explanation they should advise the President of the circumstances prior to making the explanation.

In seeking the indulgence of the House to make a personal explanation a member says 'I seek the leave of the House to make a personal explanation'.

Under standing order 89 a member who has spoken on a question may only speak a second time to explain a matter on which the member has been misquoted or misunderstood. In doing so they may not interrupt the member speaking nor introduce new material into the debate.<sup>6</sup>

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<sup>1</sup> Rulings: Johnson, *LC Debates* (27/2/1986) 521; Willis, *LC Debates* (18/11/1992) 9095-9097.

<sup>2</sup> Rulings: Johnson, *LC Debates* (26/2/1986) 383; Solomons (Deputy), *LC Debates* (12/10/1988) 2057.

<sup>3</sup> Rulings: Johnson, *LC Debates* (26/2/1986) 383; Willis, *LC Debates* (17/11/1994) 5188.

<sup>4</sup> Ruling: Johnson, *LC Debates* (27/2/1986) 521.

<sup>5</sup> Rulings: Johnson, *LC Debates* (21/9/1988) 1533, (15/11/1988) 3217. See also *LC Minutes* (13/11/2002) 476, (21/11/2002) 515.

<sup>6</sup> Rulings: Burgmann, *LC Debates* (24/11/2000) 10826, (28/6/2001) 15633.