

CITIZEN'S RIGHT OF REPLY

Resolution of the Legislative Council, 13 November 1997:

1. Any person who has been referred to in the House by name, or in such a way as to be readily identified, may make a submission in writing to the President, on any one or more of the following grounds, claiming:

- (a) that they have been adversely affected:
 - (i) in reputation;
 - (ii) in respect of dealings or associations with others;
- (b) that they have been injured in occupation, trade, office or financial credit; or
- (c) that their privacy has been unreasonably invaded, and requesting that they should be able to include an appropriate response in the parliamentary record.

2. (1) Where a person makes a submission to the President, the President must, as soon as practicable, consider the submission and decide whether:

- (a) to refer the submission to the Standing Committee on Parliamentary Privileges and Ethics (referred to as the Committee) for inquiry and report; or
- (b) it is inappropriate to be considered by the Committee on the grounds that the subject matter of the submission is trivial, frivolous, vexatious or offensive in character.

(2) The President must inform the person in writing of the decision.

3. Where a submission is referred to the Committee, the Committee may decide not to consider a submission referred to it if, in the opinion of the Committee, the subject matter of the submission is not sufficiently serious or is frivolous, vexatious or offensive in character. The Committee must report its decision to the House.

4. (1) Where the Committee decides to consider a submission, the Committee may confer with, but not take evidence from any person, including:

- (a) the person who made the submission; and
- (b) any Member who referred to the person in the House.

(2) In considering any submission, the Committee:

- (a) must meet in private;
- (b) must not consider or judge the truth of any statements made in the House or in the submission;
- (c) must not make public:
 - (i) any minutes of proceedings;
 - (ii) any evidence; or
 - (iii) any submissions, either in whole or in part, except in its report to the House.

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5. In reporting to the House on a submission, the Committee may recommend:
 - (a) that no further action be taken by the House or by the Committee in relation to the submission; or
 - (b) that a response by the person who made the submission, in a form of words agreed to by the person and the Committee and specified in the report of the Committee, be published in the Minutes of the Proceedings or incorporated in Hansard, and must not make any other recommendation.
6. Any response by a person who made a submission and which is included in a report to the House:
 - (a) must be succinct and strictly relevant to the questions in issue;
 - (b) must not contain anything offensive in character;
 - (c) must not contain any matter where publication would have the effect of:
 - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph 1; or
 - (ii) unreasonably adding to or aggravating any adverse effect, injury or invasion of privacy suffered by a person.
7. In this resolution, **person** includes an unincorporated association, a corporation and a body corporate.
8. This resolution has continuing effect unless and until amended or rescinded by resolution of the House.

Minutes of the Proceedings of the Legislative Council, No. 16, Thursday 13 November 1997, item 2.