

privacy, in the manner referred to in paragraph (1); or

- (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person or corporation.

A corporation making a submission under this resolution is required to make it under their common seal.

Guidelines

A submission should be received by the Speaker as soon as practicable after the making of the statement to which the person wishes to respond, preferably within three months.

Applications should only be considered from persons who are Australian citizens or residents, and corporations registered in Australia.

An application must demonstrate that a person or corporation, who is named, or readily identified, has been subject to clear, direct and personal attack or criticism.

Applications must be concise, must be confined to showing the statement complained of and the person's response, and must not contain any offensive material.

Applications will not be considered from persons or corporations who wish to respond to remarks or comments made in connection with the proceedings of a standing or select

committee – such persons should contact the committee direct on the matter.

For more information

Inquiries can be directed to:

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ACT Legislative Assembly
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Canberra ACT
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LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

CITIZENS' RIGHT OF REPLY

On 4 May 1995 the Legislative Assembly for the Australian Capital Territory resolved to provide a mechanism for the protection of persons and corporations referred to in the Assembly.

People criticised in the Assembly

Sometimes individuals are offended by remarks made in the Legislative Assembly about them during parliamentary debate. The process of Citizens' Right of Reply gives people an opportunity to respond to such remarks and to ask for their responses to be published in the parliamentary record.

Submitting a complaint

A person or corporation who has been referred to by name, or in such a way as to be readily identified in the Assembly, may make a submission in writing to the Speaker:

- (a) claiming that the person or corporation has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person or corporation; and
- (b) requesting that the person or corporation be able to incorporate an appropriate response in the parliamentary record.

Role of the Speaker

If the Speaker is satisfied that:

- (c) the subject of the submission is not obviously trivial or the submission frivolous, vexatious or offensive in character; or
- (d) it is practicable for the Standing Committee on Administration and Procedure to consider the submission;

the Speaker shall refer the submission to the Standing Committee on Administration and Procedure.

Standing Committee on Administration and Procedure

The Standing Committee on Administration and Procedure has the responsibility of advising the Assembly on its practices and procedures together with advising the Speaker in a range of matters dealing with the administration of the Assembly.

If a submission has been referred by the Speaker, the Committee may decide not to consider it under the resolution dealing with citizens' right of reply. If the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Assembly.

If the Committee decides to consider a submission under the resolution, the Committee may confer with the person or corporation who made the submission and any Member who referred in the Assembly to that person or corporation.

In considering a submission under the resolution, the Committee shall meet in private session.

The Committee shall not publish a submission referred to it under the resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Assembly.

In considering a submission under the resolution and reporting to the Assembly the Committee shall not consider or judge the truth of any statements made in the Assembly or of the submission.

Report of the Committee

In its report to the Assembly on a submission under the resolution, the Committee may make either of the following recommendations:

- (a) that no further action be taken by the Assembly or by the Committee in relation to the submission; or
- (b) that a response by the person or corporation who made the submission, in terms specified in the report and agreed to by the person or corporation and the Committee, be published by the Assembly or incorporated in *Hansard*;

and shall not make any other recommendations.

Terms of Response

A document presented to the Assembly in the case of a response by a person or corporation who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and shall not contain any matter the publication of which would have the effect of:

- (i) unreasonably adversely affecting or injuring a person or corporation, or unreasonably invading a person's