Chapter 7. Privilege

Chapter outline

This chapter sets out rules governing matters of privilege.

51 Privilege matter raised when House is sitting

(a) At any time during a sitting, a Member may raise a matter of privilege. The Member shall be prepared to move, without notice, immediately or subsequently, a motion, declaring that a contempt or breach of privilege has been committed, or referring the matter to the Committee of Privileges and Members' Interests.

(b) The Speaker may:

(i) give the matter precedence and invite the Member to move a motion as stated in paragraph (a); or

(ii) reserve the matter for further consideration.

(c) If the matter is given precedence, consideration and decision of every other question shall be suspended until the matter of privilege is disposed of, or debate on any related motion is adjourned.

(d) The Speaker may grant precedence to a privilege motion over other business if satisfied that:

(i) a *prima facie* case of contempt or breach of privilege has been made out; and

(ii) the matter has been raised at the earliest opportunity.

(e) If a matter of privilege related to the proceedings of the Federation Chamber is raised in the Federation Chamber, the Deputy Speaker must suspend the proceedings and report to the House at the first opportunity.

52 Privilege matter raised when House not sitting

(a) When the House is not sitting and is not expected to meet for at least two weeks, a Member may raise with the Speaker a matter of privilege which has arisen since the House last met and which the Member proposes be referred to the Committee of Privileges and Members' Interests.

(b) The Speaker must refer the matter to the Committee of Privileges and Members' Interests immediately, if satisfied that:

(i) a *prima facie* case of contempt or breach of privilege has been made out; and

(ii) the matter requires urgent action.

(c) The Speaker must report the referral to the House at its next sitting. Immediately after the Speaker's report, the Member must move that the referral be endorsed by the House. If the motion is not agreed to, the Committee of Privileges and Members' Interests shall take no further action on the matter.

53 Complaint against publication

If a Member cites a statement in a published document, in connection with a contempt or breach of privilege, he or she must present to the House an extract of the publication containing the statement and be able to identify the author, printer or publisher.