



Infosheet

PETITIONS

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The right of petitioning Parliament is a long-established fundamental right of the citizen. It is the only direct means by which an individual or group can ask the Parliament to take action—all other processes entail communicating through a parliamentary representative (Member or Senator) or a parliamentary committee.

What is a petition?

A petition is basically a request for action. The subject of a petition must be a matter on which the House has the power to act, that is, it must be a Federal (nationally controlled) rather than a State matter and one involving legislation or government administration.

The 'terms' of a petition consist of the reasons for petitioning the House and a request for action by the House. For example, petitions may ask the House to introduce legislation, or to repeal or change existing legislation, or to take action for a certain purpose or for the benefit of particular people. Less commonly a petition from an individual citizen may seek the redress of a personal grievance, for example, the correction of an administrative error.

New arrangements for petitions

In the past, the Parliament was informed of the subject matter of each petition and the number of signatures. They were then forwarded to the relevant Minister but responses were unusual.

At the commencement of the 42nd Parliament in 2008 the House of Representatives amended standing orders (the rules of the House) relating to

the way petitions are dealt with. A Standing Committee on Petitions has been established to ensure that all petitions presented to the House are considered and responded to appropriately. The Petitions Committee will consider each petition and let the petitioners know the response made on behalf of the House. It will also report from time to time on any discussions or other actions, including meetings with one or more petitioners, that have been taken in relation to petitions.

The principal petitioner

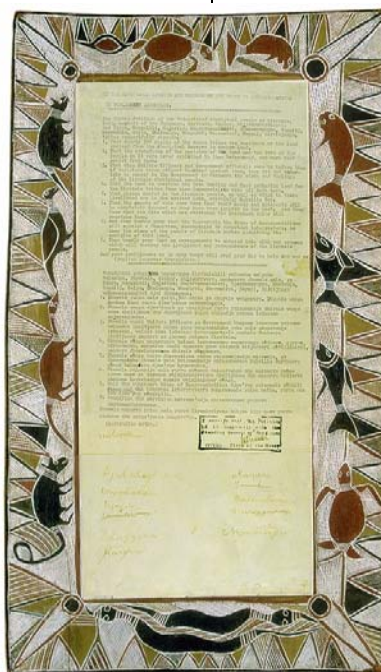
In order to improve the House's ability to respond to petitions, the rules for petitions now require a principal petitioner (even where a group of people sponsor a petition). This person, who initiates, sponsors or organises a petition, must provide his or her signature along with full contact details on the first page of the petition. This will enable the Petitions Committee to contact him or her regarding any response or follow-up to the petition.

Contact details are for the use of the Petitions Committee and they

will not be published. It is not possible for a Member of the House of Representatives to be a principal petitioner or indeed to sign a petition.

Drawing up the petition

Care must be taken in the preparation of petitions as the House has certain rules about their form and content. These rules are designed to ensure the authenticity of petitions and protect the intentions of petitioners and are covered in detail later in this Infosheet. A recommended form of a petition to the



1963 petition from the Yirrkala people concerning land rights, on traditionally decorated bark

House of Representatives is at the end of this Infosheet.

The standing orders do not impose any particular style of expression but certain other requirements must be met. Those involved in drawing up petitions should familiarise themselves with the rules before collecting signatures. (The terms of the petition may not be altered after the collection of signatures commences.) If in doubt, the principal petitioner should contact the Petitions Committee secretariat early in the process of developing a petition to ensure it conforms with standing orders and can be accepted by the House. This will avoid the possibility of the petition being ruled out of order and not being presented to the House. The main requirements are set out below.

What must be in a petition

To be presented to the House, a petition must:

- be addressed to the House of Representatives;
- refer to a matter on which the House has the power to act, that is, a Commonwealth legislative or administrative matter;
- state the reasons for petitioning the House; and
- contain a request for action by the House.

How a petition should be prepared

At present the House of Representatives does not accept petitions in electronic form. Petitions must be on paper. In addition:

- the petition must show the terms (the facts or reasons for the petition and the specific action requested) at the top of the first page of the petition and the request must be at the top of every subsequent page;
- the terms must not contain any alterations and must not exceed 250 words (i.e. reasons and request together);
- the language used must be moderate and the petition must not be illegal or promote illegal acts;
- if the petition is not in English it must be accompanied by a translation certified to be correct. The person certifying the translation must place his or her name and address on the translation;
- it must not have any letters, affidavits or other documents attached to it and any such

attachments will be removed before presentation to the House;

- a petition from a corporation should be made under its common seal. Otherwise it will be received as the petition of the individuals who signed it.

Rules about signatures

Every petition must contain the signature and address of the principal petitioner on the first page.

Each signature on the petition must be made by the person signing in his or her own handwriting. A petitioner who is not able to sign may ask another person to sign on his or her behalf.

Every signature must be written on a page bearing the request part of the terms of the petition. Signatures must not be copied, pasted or transferred on to the petition. They must not be placed on a blank page or on the reverse of a sheet containing the terms of the petition.

Getting the petition presented

Petitions can be mailed to the Petitions Committee in the House of Representatives. Alternatively, petitioners may ask any Member, including a Minister, to present it in person. In both cases, The Committee checks that petitions are 'in order' (comply with the rules for petitions) before presentation.

What happens in the House?

Petitions are usually presented by the Speaker on Mondays and are announced to the House by the Clerk. For each petition the Clerk announces who the petition is from, the number of signatories and a short summary of the action requested by the petition. On a trial basis for the second half of 2008, petitions are to be presented by the Chair of the Petitions Committee.

If a Member wishes to present a petition in person, he or she can speak about matters raised in the petition at the time of presentation. There are a number of opportunities for this including the time for statements in the Main Committee (the House's second debating chamber), the daily adjournment debate in the House, the adjournment debate on Thursdays in the Main Committee and the grievance debate on Mondays.

Petitions presented to the House are received by the House and they become part of the records of the House. At the time of presentation no discussion of the subject matter of a petition takes

place (other than the Member's statement if it is presented personally).

What happens after a petition has been presented?

After a petition has been announced in the House the full terms of the petition (but not the signatures) are printed in the Hansard for that day. The Petitions Committee meets regularly to consider the petitions, responds to them on behalf of the House and also reports back to the House from time to time regarding any follow-up action on petitions. The Petitions Committee will contact the principal petitioner to advise him/her of its response on behalf of the House. Petitioners will also be able to see what action has been taken by the Committee through information on the Committee's web site.

Responses to petitions

The Petitions Committee's response to a petition may be as simple as a letter or it may include an invitation to the principal petitioner and perhaps others to meet with the Committee to discuss the petition. It will not be possible to hold discussions on all petitions.

In some cases, the Petitions Committee may decide that a petition should be referred to the Minister responsible for the administration of the matter raised in the petition. If this happens, the Committee will ask the Minister to inform it of his/her response and any ministerial responses to petitions will be printed in Hansard and published on the Committee's website.

Regardless of the response, all petitions have the result of informing Members and the Government, in a public way, of the views of sections of the population and they serve as one means of placing community concerns on the parliamentary agenda.

Some statistics

In recent years an average of about 370 petitions have been presented to the House each year. Since 1988, when the number of signatures was first recorded, the petition with the greatest number of signatures was one presented on 4 December 2000 concerning taxation and beer prices, with 792,985 signatures. In 1993 a petition concerning health care funding signed by more than 500 000

people was presented. Taxation and health matters are regularly the subject of petitions but petitions can cover a wide range of issues.

Historical note

In the United Kingdom the right of petitioning the Crown and Parliament for redress of grievances dates back to the reign of King Edward I in the 13th century. The origins of Parliament itself can be traced back to those meetings of the King's Council which considered petitions. The terms 'bill' and 'petition' originally had the same meaning. Some of the earliest legislation was in fact in form no more than a petition which had been agreed to by the King.

The present form of petitions developed in the late 17th century. The House of Commons passed the following resolutions in 1669:

That it is an inherent right of every Commoner of England to prepare and present petitions to the House in case of grievance; and of the House of Commons to receive them.

That it is the undoubted right and privilege of the House of Commons to adjudge and determine, touching the nature and matter of such Petitions, how far they are fit and unfit to be received.

The effect of these resolutions was inherited by the Australian Parliament and the right of petitioning thus became the right of every Australian.

In modern times the practice of petitioning Parliament does not have the same primary role as an initiator of legislation or other action by the Parliament as it did in early history. There are now other, and usually more effective, means of dealing with individual grievances—for example, by direct representation by a Member of Parliament, by the Commonwealth Ombudsman or by bodies like the Administrative Appeals Tribunal. It is hoped that the new arrangements for responding to petitions may result in them becoming an important means of community involvement in the work of the Parliament.

For more information

House of Representatives Practice, 5th edn. Department of the House of Representatives, Canberra, 2001. pp 611–620.
www.aph.gov.au/house/work/petitions.htm.



The largest petition presented

SAMPLE PETITION

This form is designed to help you prepare the front page of a petition. Subsequent pages need to include only the 'request' of the petition, with names and signatures below it.

For more information contact the Petitions Committee
petitions.committee.reps@aph.gov.au or by phone (02) 6277 2152

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES

Petitions must be addressed to the House of Representatives

This petition of ...

Here insert words describing who the petition is from, e.g. 'Certain citizens of Australia'

draws to the attention of the House:

REASON
This must be a matter on which the House has power to act - a Commonwealth legislative or administrative matter

We therefore ask the House to:

REQUEST
*Note: the reasons and the request together comprise the 'terms' of the petition and together must **not** exceed 250 words*

PRINCIPAL PETITIONER

Name: _____ Signature: _____

Address: _____

_____ Postcode: _____

Email (if available): _____ Telephone: _____

CONTACT DETAILS for PRINCIPAL PETITIONER
This information is only for the use of the Petitions Committee. It will not be published

NAME AND SIGNATURE

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.

SIGNATURES OF OTHER PETITIONERS

- *If required, attach additional pages for signatures*
- *The request must appear at the top of each additional page*
- *Other information such as postal addresses may also be provided*
- *Signatures on the reverse of a petition, or on a blank page, will **not** be counted*