

17. PETITIONS

A petition is basically a request for action. Any citizen or resident, or group of citizens or residents, may petition the House of Representatives to take action. 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 persons. Rarely, a petition from an individual citizen may seek the redress of a personal grievance—for example, the correction of an administrative error.

The subject of a petition must be a matter on which the House has power to act—that is, it must be a Federal rather than a State matter and one involving legislation or government administration in some way.

Presentation

Petitions can be presented in two ways. The usual method is for the Chair of the Petitions Committee to present petitions, as the first item of committee business on Monday mornings. The announcement includes the number of signatures to the petition and subject matter of the petition. After the petitions have been presented, the chair and one other member of the committee may then make statements concerning petitions or reports of the committee. A total of 10 minutes is provided.

The second method of presentation is by a Member during the periods allocated for Members' statements in the House, during constituency statements in the Main Committee, grievance debate or in the adjournment debate (S.O. 207(b)). In all instances, the petition must first be sent to the Standing Committee on Petitions to ensure that it complies with the standing orders.

Generally, at the time of presentation no discussion of the subject matter of a petition is allowed, apart from the statement by the Member presenting the petition. However, a Member may move one of the following motions: 'That the petition be not received', or 'That the petition be referred to a committee' (S.O. 208). A petition is deemed to be received unless the motion that it be not received is agreed to by the House. The moving of these motions is rare.

Subsequent action by House

After a petition has been received by the House the full text of the petition is printed in the Hansard for that day (S.O. 208(d)). The Standing Committee on Petitions has been established to respond to petitions on behalf of the House and report to the House on action taken. After a petition is presented, the Committee may (and normally does) refer a copy of it to the Minister responsible for the administration of the matter raised in the petition.

The Petitions Committee may also decide to hold discussions with petitioners and government officials on the subject of the petition, to be followed by a report to the House, or follow up the petition in some other way.

Each of the general purpose standing committees has the power to consider and report on petitions referred to it by the House (S.O. 215(b)); however, to date none have been referred. In earlier years there were cases of petitions being referred to select committees specifically formed for the purpose.

Responses by Ministers

Where a petition has been referred to a Minister, the Minister is now expected to respond within 90 days of presentation by lodging a written response with the Petitions Committee. Ministerial responses are announced by the Clerk on sitting Mondays and the responses printed in Hansard and published on the House's internet web site (S.O. 209).

Rules on form and content

There are detailed rules relating to the form and content of petitions (S.O.s 204–205). Their purpose is to protect the interests of both the petitioner and the House by ensuring that the authenticity of petitions can be established.

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 which is within the power of the House of Representatives to act on—that is, a Commonwealth legislative or administrative matter;
- state the reasons for petitioning the House; and
- contain a request for the House to take one or more specified actions.

How a petition should be prepared

A petition must conform to the following requirements:

- it must be on paper;
- it must be in the English language or 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;
- the terms of the petition must not exceed 250 words;
- the text of the petition must not contain any alterations;
- it must not have any letters, affidavits or other documents attached to it;

- the language used must moderate. The terms of the petition must not be illegal or promote illegal acts; and
- a petition from a corporation must 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 full name and address of a principal petitioner on the first page of the petition. The principal petitioner is the primary contact point for the Petitions Committee on a particular petition, and his or her contact details will allow the Committee to provide advice on the status of the petition and any subsequent action taken.

All the signatures on a petition must meet the following requirements:

- Each signature must be made by the person signing in his or her own handwriting. Only a petitioner incapable of signing may ask another person to sign on his or her behalf.
- Each signature must be written on a page bearing the terms of the petition, or the action asked for by the petition. Signatures must not be copied, pasted or transferred on to the petition or placed on a blank page or on the reverse of a sheet containing the terms of the petition.
- A Member must not be a principal petitioner or a signatory to a petition.
- A sample petition is available on the Petitions section of the Parliament's web site: <http://www.aph.gov.au/house/work/petitions.htm>.