House of Representatives

# 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 to the House?

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 or Local matter and one involving legislation or government administration.

The 'terms' of a petition must include 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.

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

## Arrangements for petitions

Prior to the 42nd Parliament, the House was informed of the subject matter of each petition and the number of signatures. Petitions 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 was established to ensure that all petitions presented to the House were considered and responded to appropriately. The role of the Petitions Committee is to receive and process petitions and to inquire into and report to the House on any matters relating to petitions and the petitions system.

## The principal petitioner

In order to improve the House's ability to respond to petitions, the rules for petitions 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 original handwritten 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 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.

In the rare case a petition is from a corporation, its name and common seal (not logo) will take the place of the principal petitioner's name and signature.

## Drawing up a 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 to protect the intentions of petitioners. A recommended sample format for the first page of a petition to the House of Representatives is at the end of this Infosheet. Information on subsequent page formatting is also on this page.

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 (or "To the Honourable Speaker and Members of the House of Representatives")—but to no other body or persons
- 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
- 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 with original signatures. In addition:

- the petition must show the full terms (the facts or reasons for the petition and the specific action requested) at the top of the first page of the petition. The terms must not exceed 250 words (this includes both the *reasons* and *request*)
- The request, exactly as appears on the first page, must be at the top of every subsequent page, to make clear what the signatories are supporting
- the language used must be moderate and the terms of 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
- do not attach any letters, affidavits or other documents to the petition, as 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 a petition from individuals and requires a principal petitioner.

## Rules about signatures

Petitions must contain a front page with the original handwritten signature and full name and address of the principal petitioner.

Each signature on the petition must be made by the person signing in his or her own handwriting. In rare circumstances of incapacity, a petitioner who is unable 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 onto the petition. No electronic signatures or copies of handwritten originals are accepted. They must not be written on a blank page or the blank reverse side of a sheet containing the terms of the petition. Addresses of signatories other than the principal petitioner are not required.

## Getting a 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 a petition in person. In both cases, the Committee must check that petitions are 'in order' (comply with the rules for petitions) before presentation.

## What happens in the House?

Petitions are usually presented on Mondays by the Chair of the Petitions Committee. The Chair announces the subject of the petition and the number of signatories to each petition. If a Member

wishes to present a petition in person, there are a number of opportunities for this, including the time for Members' statements, adjournment debate and the grievance debate.

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. They are also published on the Petitions Committee's webpage. The Committee may forward the terms of the petition to the Minister responsible for the administration of the matter raised in the petition. Responses to petitions are announced in the House, printed in Hansard and are published on the Committee's webpage. The Petitions Committee may also decide to hold discussions with the principal petitioner and government officials on the subject of the petition, at its discretion.

Since 2008, under the new petitioning procedures, almost all petitions presented have been referred to Ministers and received responses.

## Some statistics

Since 2008, an average 140 petitions have been presented each year. Since 1988, when the number of signatures was first recorded, the petition with the greatest number of signatures was one presented on 26 February 2014 concerning funding support for community pharmacies, with 1,210,471 signatures. The second largest was presented on 4 December 2000 concerning taxation and beer prices, with 792,985 signatures. Petitions received cover a wide range of issues including, for example, health care, education and the environment.

## 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 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.

*The largest petition presented*

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 current arrangements for responding to petitions highlights petitioning as an important means of community involvement in the work of the Parliament.

## For more information

*House of Representatives Practice,* 6th edn. Department of the House of Representatives, Canberra, 2012. pp 628–638.

House of Representatives Petitions webpage: www.aph.gov.au/house/petitions

Image on first page courtesy of AUSPIC

# SAMPLE PETITION

This sample page is designed to help you prepare the first page of a petition.
Details of how to prepare subsequent pages are also included below.

**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 (not to the Government, a Minister or any other group or individual)*

This petition of …… (e.g. certain citizens of Australia) ……

*Describe who the petition is from*

draws to the attention of the House:

…… (i.e**. reasons** for the petition) ……

**TERMS**
*Maximum of 250 words, comprising:*
- ***Reasons** (outline the issue)*
- ***Request** (ask the House only for a specific action)*

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

We therefore ask the House to:

…… (i.e. **request** for action; what you are asking the House to do)……

**PRINCIPAL PETITIONER**

Name: _____ Signature: _____

Address:_____

_____ Postcode: _____

Email (if available): _____ Telephone:_____

**PRINCIPAL PETITIONER**
*Provide principal petitioner contact details and handwritten signature on first page for Committee's information (not for publication)*

*Only the principal petitioner's signature is needed on the first page, but others can be added*

**NAME AND SIGNATURE**

| |
|---|
| 1. |
| 2. |
| 3. |

**SIGNATURES OF OTHER PETITIONERS**
- *Signatures must be handwritten originals (not electronic, faxed or photocopied)*
- *The **request** must appear on any subsequent pages with signatures*
- *Only names and signatures needed, if asking for additional information it should be noted as optional*

## SUBSEQUENT PAGES

- **Each subsequent page** (for additional signatures) **must have the identical wording of the request** (i.e. what you are asking the House to do) as it appears on the first page. The full terms of the petition can be used, if preferred.
- Names and signatures should appear below the request (as shown in the above table).
- Signatures on pages without the request (e.g. blank pages) or with an altered request or terms will not be counted.