

Petitioning the 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 involve 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.

## Arrangements for petitions

Prior to the 42nd Parliament, when a petition was presented, the House was informed of its subject matter 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.

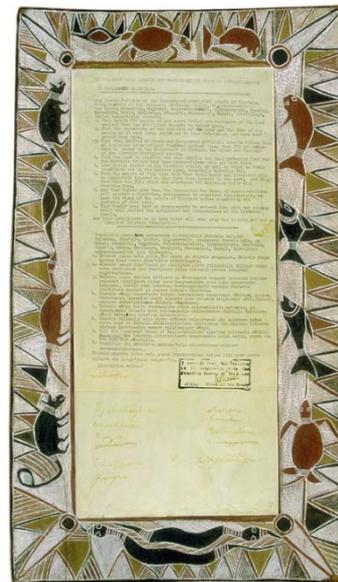
Standing orders were further amended in 2016 to introduce an e-petitions system, enabling members of the public to submit and sign petitions online, and to track the progress of petitions as they are presented, referred to Ministers and responded to.

## The principal petitioner

Each petition requires a principal petitioner (even where a group of people sponsor a petition), who must be a citizen or resident of Australia. This person, who initiates, sponsors or organises a petition, must provide their original handwritten signature along with their full contact details on the first page of a paper petition. A principal petitioner for an e-petition must provide their full name and address. The Petitions Committee uses this information to update the principal petitioner on any response or follow-up to the petition. This information is not published.

A Member of the House of Representatives cannot be a principal petitioner or 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.



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

## Creating a petition

The House has rules about what can be included in a petition. These rules, about the form and content of a petition, ensure that petitions presented to the House use appropriate language and contain clear reasons and a request that can be actioned by the House.

The terms of a petition may not be altered after the collection of signatures commences. It is recommended that petitioners contact the Petitions Committee secretariat before collecting signatures on a paper petition, and before submitting an e-petition. The secretariat can provide guidance on whether the draft terms of a petition would be likely to meet requirements. Seeking advice early in the process reduces the risk that a petition is later ruled 'out of order' and not presented to the House. Once received or submitted, the Petitions Committee will decide whether a petition meets requirements. 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

The Standing Committee on Petitions welcomes petitions in either electronic format or paper format. Some requirements of both paper and e-petitions include:

- the language used must be moderate
- the terms of a petition must not be illegal or promote illegal acts
- the terms (the reasons and request) must not exceed 250 words
- a petition must not include any Universal Resource Locators (URLs) or reference to specific web links.

Paper petitions have some additional considerations:

- paper petitions must be submitted with original signatures

- the petition must show the full terms (including the reasons for the petition and the specific action requested) at the top of the first page of the petition
- the request, exactly as appears on the first page, must be included at the top of every subsequent page, to make clear what the signatories are supporting
- if the petition is not in English it must be accompanied by a certified translation
- the petition must not have any letters, affidavits or other documents attached (any such documents will be removed from the petition)
- 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.

A sample paper petition is available on the Petitions web page at: [www.aph.gov.au/petitions](http://www.aph.gov.au/petitions).

## Rules about signatures

Paper petitions must contain a front page with the original handwritten signature and full name and address of the principal petitioner, who must be either a resident or citizen of Australia.

Each person signing a petition must do so in their own handwriting, and they must confirm that they are either a resident or citizen of Australia. No contact details are required to be given. If a person is incapable of signing on their own, they may ask another person to sign on their behalf.

Every signature must be in original handwriting, on a page containing the request of the petition (not on the reverse side or a separate page). Signatures must not be copied, pasted, or transferred onto the petition.

Once approved by the Petitions Committee, an e-petition is published on the House website and is open for signatures for four weeks.

To sign an e-petition, a person must give their name and email address. The person must confirm their intention to sign through a notice sent by email. An email address can only be used once per petition.

## Getting a petition presented

The Petitions Committee assesses each petition against the rules of the House. If they are 'in order', petitions can be presented to the House by the Chair of the Committee. Alternatively, petitioners may ask any Member, including a Minister, to present an 'in order' petition on their behalf.

Once an e-petition has closed for signatures, it can be presented to the House in the same way as a paper petition.

## What happens in the House?

Petitions are usually presented on Mondays by the Chair of the Petitions Committee. The Chair presents a report containing the subject and the number of signatories to each petition. The Chair traditionally makes a short statement to draw attention to any petition trends, provide general information on petitioning the House or to update the House on the work of the Committee.

If a Member wishes to present a petition they can do so at other allocated times, including during Members' statements, constituency statements, the adjournment debate or the grievance debate.

Once presented, petitions are included in the Votes and Proceedings (the official record of the House).

## What happens after a petition has been presented?

After a petition has been presented in the House the full terms of the petition and the number of signatures are printed in the Hansard for that day. They are also published on the House petitions webpages. The Committee may refer the petition to the Minister responsible for the matter raised in the petition, requesting a written response. Once received by the Committee, responses to petitions are presented in the House by the Chair, printed in Hansard and published on the petitions webpage. Most petitions are actioned in this way.

Other actions available on petitions include the ability for the Petitions Committee to hold an inquiry into any matter relating to petitions. The only other possible action is a motion on notice to refer a petition to a particular committee. Historically, these actions have been rare.

## Some statistics

From 2008, an average 161 petitions have been presented each year. Following the introduction of e-petitioning in the 45th Parliament, there has been renewed interest in petitioning the House. In 2017, 329 petitions were presented (both paper and e-petitions). In 2018, 317 petitions were presented. Since recording of signatures began in 1988, the petition with the greatest number of signatures was 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.



The largest petition presented in the House of Representatives

## Historical note

Petitioning in the House has its origins in the United Kingdom, where 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.

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. However, petitioning the House continues to offer Australians the opportunity to engage directly with the Parliament about matters of concern to them.

### **For more information**

*House of Representatives Practice*, 7th edn, Department of the House of Representatives, Canberra, 2018, pp. 629–40.

House of Representatives Petitions webpage:  
[www.aph.gov.au/petitions](http://www.aph.gov.au/petitions).

*Image on first page courtesy of AUSPIC*