



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

OFFICE OF THE LEGISLATIVE ASSEMBLY

Ms Lucy Wicks MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Ms Wicks

Inquiry into the future of petitioning in the House – Submission

Thank you for your invitation to the ACT Legislative Assembly to respond to your inquiry into the future of petitioning in the Parliament of Australia's House of Representatives. I understand that as part of its inquiry, the Standing Committee on Petitions will give consideration to the petitions processes and procedures of other jurisdictions.

Petitioning the ACT Legislative Assembly

Petitioning parliament has been a feature of the ACT Legislative Assembly (the Assembly) from the outset. Key features of the Assembly's system include that petitioners cannot present a petition in person but must request a Member to present it on their behalf; and petitions can only be received if they relate to matters over which the Assembly has jurisdiction.

The Assembly receives both paper and electronic petitions (e-petitions). The Assembly has had an e-petitions system since 2013, which was designed to operate as closely as possible to paper petitions. The main difference with e-petitions is the requirement of a Member to be involved at the start of the process, rather than at the end.

Chapter 8 of the Assembly's Standing Orders contains the procedures relating to petitions, including e-petitions. The relevant Standing Orders can be found online at https://www.parliament.act.gov.au/in-the-assembly/standing_orders/chapter-8-petitions

E-petitions

I refer the Committee to the Assembly's submission to the Committee's inquiry about e-petitions, dated 28 September 2017. This submission provides information about the Assembly's e-petition system. I have attached a copy to this submission for ease of reference.

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Paper petitions

In relation to paper petitions, I provide the following brief outline:

- The petitioners' request must be written on every page that contains signatures.
- Signatures must be original—they must not be photocopied, pasted or transferred.
- All petitions must be respectful, accurate and reasonable.
- Once a paper petition is complete, the petitioner must seek a member of the Assembly to lodge it. Members are not obliged to agree to lodge a petition, and their agreement does not imply that they support its content.
- The sponsoring member must lodge the petition with the Clerk, who before it is presented to the Assembly, will check and certify that the petition complies with the rules.
- Each sitting day the Clerk announces to the Assembly the terms of any petitions lodged. Petitions are usually presented after the Speaker opens the morning session. The Clerk provides a summary of the petition, identifying the sponsoring member, the number of signatures, and the request being made.
- Petitions are not debated by the Assembly, although many MLAs seek leave to make a statement. In addition, the terms of the petition, without the signatures, are printed in Hansard.
- Once the petition has been presented, the Clerk will refer a copy to the relevant minister. The minister must lodge a reply with the Clerk within three months.
- Petitions containing at least 500 signatures are also automatically referred to the relevant Assembly committee for consideration. To date, no committee has conducted an inquiry on the basis of a petition referred to it by the Assembly.
- In the last five years, 92 petitions have been presented to the Assembly and 25 have been referred to committees (including a paper and e-petition with the same subject matter).
- Standing Order 246A provides, amongst other things, that a committee may resolve to make a statement to the Assembly about a particular inquiry being undertaken by the Committee. In the last five years, 17 such statements have been made in relation to petitions.

Review of standing orders

On 25 October 2018, the Speaker of the Assembly presented Report No 8 of the Standing Committee on Administration and Procedure on its review of standing orders and continuing resolutions of the Assembly. Two significant recommendations in the report related to petitions:

- Proposed new standing order 98A: *Following the Clerk's announcement of petitions and petition responses, the Speaker shall propose the question—That the petitions and responses so lodged be noted. The time allocated for the debate shall be 30 minutes with each member speaking for not more than 5 minutes; and*
- Proposed new standing order 99A: *A petition and/or e-petition with at least 500 signatories in total from residents/citizens of the Australian Capital Territory presented to the Assembly on the same day shall be referred to the relevant Assembly standing committee for consideration.*

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The report is due to be debated by the Assembly in the final sitting week of this year, and, if adopted, it will take effect from 1 January 2019.

Please do not hesitate to contact me if you would like to discuss this submission.

Yours sincerely

Tom Duncan
Clerk of the Legislative Assembly

20 November 2018

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