



# e-Petitions information and guidelines

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## e-Petitions

Petitioning is one of the traditional methods by which members of the public can make a formal request to the Legislative Assembly. In addition to a paper format, the Legislative Assembly also allows online petitioning. Petitions submitted in electronic format are referred to as “e-Petitions”.

Information on e-Petitions is available on the ACT Legislative Assembly website at <https://epetitions.parliament.act.gov.au/create>. You can locate e-Petitions, and if you wish, join a current e-Petition, through this website. When a Minister responds to an e-Petition you will also be able to read the response on the website.

## e-Petitions and paper petitions

e-Petitions do not replace the paper petition process.

If you wish to start a petition you can choose to circulate either a paper petition or an e-Petition. As the “Principal Petitioner”, you will also have the option of running both processes in order to reach the widest audience.

## Who is eligible to join an e-Petition?

Most people are eligible to initiate or join an e-Petition. People who can petition the ACT Legislative Assembly are ACT residents and/or citizens as set out in the Assembly’s standing orders.

The Principal Petitioner will identify who might have an interest in, and want to support, the petition.

## How are e-Petitions started?

### Step One: Approach a Member of the Legislative Assembly (MLA) to sponsor your petition

The key difference between the paper-based and electronic process for petitions relates to how the process is started. In the case of e-Petitions, you must seek the sponsorship of an MLA prior to submitting your e-petition (Paper petitions are usually circulated for signatures prior to locating a sponsoring MLA.)

Only an MLA can lodge the petition with the Clerk for announcement in the Assembly.

You may approach any MLA to sponsor an e-Petition, however you should approach only one MLA at a time.

Information on how to contact MLAs is available through the Assembly’s website at [www.parliament.act.gov.au](http://www.parliament.act.gov.au) or you can contact the Assembly for this information on 6205 0439.

### Step Two: Fill in the e-Petition online request form

The e-Petition request form is located on the Assembly’s website.

The form records:

- the precise wording of the e-Petition;
- the eligibility criteria for persons wishing to join, eg ACT residents;
- the period the e-Petition will be on the website;
- the sponsoring MLA’s details; and
- the Principal Petitioner’s details.

The MLA may request changes before agreeing to sponsor an e-Petition. These will be discussed with the Principal Petitioner prior to lodgement.

### Step Three: The sponsoring member will then endorse your e-petition and it will be forwarded to the Assembly Petitions Team

The Clerk will check that it meets the requirements set out in the standing orders. If these requirements are satisfied, the e-Petition is posted on the website until the specified closing date. (The Clerk or the Office of the Legislative Assembly may make minor changes and are available at any stage of the e-Petition development process for advice regarding conformity with the standing orders).

### **How long can an e-Petition be posted on the website?**

All current e-Petitions are accessible from the website. An e-Petition can be posted on the website for a minimum period of one week and a maximum period of six months.

The Principal Petitioner, together with the sponsoring MLA, decide the length of time the e-Petition will remain open for people to join.

### **Who will promote an e-Petition?**

As with paper petitions, the Principal Petitioner is responsible for raising awareness in the community about the availability of the specific e-Petition. (The name and address of the Principal Petitioner will be provided on the website.)

The ACT Legislative Assembly's role is only to facilitate the e-Petitions process.

### **What happens after the e-Petition is closed?**

Once the posting period for an e-Petition has closed, the e-Petition will be made available in hard copy format for presentation to the Assembly. The Clerk of the Legislative Assembly will announce the terms of the petition in the sponsoring MLA's name at the first available opportunity. The e-Petition will be referred to the relevant Minister and, if it has received 500 or more signatures, will also be referred to an appropriate Assembly committee.

### **Will Ministers respond to e-Petitions in the Assembly?**

The relevant Minister must present a response to the Assembly within three months of the presentation of the petition. These responses are also recorded in the *Minutes of Proceedings* and *Hansard*.

In the case of e-Petitions, when a Minister presents a response to the Assembly, the response will also be posted on the website at [www.parliament.act.gov.au](http://www.parliament.act.gov.au).

### **Conditions of use**

If you wish to join an e-Petition, you will need to accept the e-Petition's conditions of use, which outline:

- the eligibility requirements;
- the requirement that a person may only join an e-Petition once; and
- the prohibition on the use of false names.

A breach of the conditions of use might amount to contempt of Parliament. Actions that are considered to be in contempt of Parliament include:

- presenting a forged or falsified document to the Assembly or a committee;
- submitting a petition containing false, scandalous or groundless allegations; or
- inducing a person to sign a petition by fraud and misleading the Assembly.

The Assembly may take action against you if it finds you in contempt.

### **What about privacy?**

Only the name and address of the Principal Petitioner will be made public on the web site.

The personal details of people who join e-Petitions will not be published in any form on the website. The website will only show a tally of the number of signatures collected.

A Privacy Statement on the website details how your personal information will be protected.

## **Rules concerning petitions**

### **Petitions to be lodged with Clerk and to bear certificate**

83. Every petition shall be lodged with the Clerk by 5 pm on the day previous to the meeting of the Assembly at which it is proposed that it be presented; when presented the petition must bear a certificate signed by the Clerk or the Deputy Clerk that it conforms with the standing orders.

### **Petitions which do not conform with the Standing Orders**

- 83A. Petitions which do not conform with the standing orders may be lodged with the Clerk and may be presented by a Minister in accordance with standing order 74. The Minister may indicate the subject matter of the paper and the number of signatories.

### **Time for presenting certain petitions**

84. A petition referring to a motion or an order of the day may be presented when such motion or order of the day is called on. A petition presented in this manner must contain certification from the Clerk or Deputy Clerk that it is in order.

### **To be addressed to the Assembly and legible**

85. Every petition shall be addressed to the Assembly, shall refer to a matter within the power of the Assembly, shall request action by the Assembly, and shall be fairly written, typewritten, printed or reproduced by mechanical process, without interlineation or erasure.

### **To be from residents/citizens of the Australian Capital Territory**

86. Petitions must only contain signatures of residents/citizens of the Australian Capital Territory.

### **To be in English or accompanied by translation**

87. Every petition shall be in the English language or be accompanied by a translation certified to be correct. A person certifying a translation to be correct shall affix his or her name and address to the translation.

### **To be signed on the same sheet**

88. Every petition shall contain the signature and address of at least one person on the sheet on which the petition is inscribed.

### **To be signed by persons themselves**

89. Each signature must be made by the person signing in his or her own handwriting: provided that persons unable to write shall affix their marks in the presence of a witness, who shall, as such, also affix his or her signature and address, and the address of the petitioner.

### **Signatures not to be transferred**

90. Every 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 on the reverse of a sheet containing the terms of the petition.

### **To be received only as from persons signing**

91. All petitions shall be received only as the petitions of the parties signing the same.

### **From corporations**

92. 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.

### **Documents not to be attached**

93. Letters, affidavits, or other documents, may not be attached to a petition.

### **Must be respectful and within ministerial responsibility**

94. Every petition shall be respectful, decorous and temperate in its language, and shall not contain irrelevant statements. If, in the opinion of the Speaker, the subject matter is not within the ministerial responsibility of the Territory or is critical of the character or conduct of a person, contains unbecoming expressions, is not respectful, decorous or temperate in its language or offends any standing order other than those relating to petitions, the paper shall be returned to the Member who lodged it.

### **Must be lodged by a Member**

95. Petitions for presentation to the Assembly can be lodged with the Clerk only by Members, but Members cannot lodge petitions from themselves. Petitions shall be free from any indication that a Member may have initiated the petition.

### **Members to sign and indicate number of petitioners**

96. Every Member lodging a petition with the Clerk for presentation to the Assembly shall sign the beginning of that petition and indicate the number of eligible petitioners.

### **Standing orders to be observed**

97. Every Member lodging a petition shall take care that the petition conforms to these standing orders.

### **Clerk to announce particulars of petitions lodged**

98. The Clerk shall make an announcement as to the petitions lodged for presentation to the Assembly, indicating in the case of each petition the Member who lodged it, the identity and number of the eligible petitioners and the subject matter of the petition, and any Ministerial responses to petitions previously presented.
- 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.

### **Question on presentation**

99. Upon the presentation of a petition to the Assembly, or on the next sitting day, a Member may move without notice that a particular petition be referred to a committee.

### **Referred to committee**

- 99A. Petitions and/or e-petitions in similar terms 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. In the event that the subject matter of the petition makes it unclear which committee it should be referred to, the Speaker will determine the appropriate committee.

### **Referred to Ministers – Minister's response**

100. A copy of every petition and/or e-petition lodged with the Clerk and received by the Assembly shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition. A Minister must respond to that petition within 3 months of the tabling of the petition by lodging a response with the Clerk for presentation to the Assembly, such response being announced at the end of the petitions announcement.

### **Electronic petitions ("e-petitions")**

- 100A. (a) An e-petition is a petition:

- (i) in the correct form, stating a grievance and containing a request for action by the Assembly;
  - (ii) sponsored by a Member and lodged with the Clerk for publication on the Assembly's website for a nominated period ("posted period"); and
  - (iii) in which persons elect to indicate their support ("join the petition") by electronically providing their name, address (including postcode), email address and signifying their intention to join the petition.
- (b) The posted period for an e-petition is to be a minimum of one week and a maximum of six months from the date of publication on the Assembly's website.
  - (c) A Member sponsoring an e-petition must provide the Clerk with the details of the petition in the correct form, the posted period and a signed acknowledgment that they are prepared to sponsor the e-petition.
  - (d) Once published on the Assembly's website an e-petition cannot be altered.
  - (e) Only one e-petition dealing with substantially the same grievance and requesting substantially the same action by the Assembly shall be published on the Assembly's website at the same time.
  - (f) Once the posted period for an e-petition has elapsed, a paper copy of the petition shall be printed by the Clerk in full (including the details of the persons who joined the petition) and presented to the Assembly.
  - (g) An e-petition published on the Assembly's website, but not presented to the Assembly prior to the expiration of an Assembly, may be presented to the subsequent Assembly to become a petition of the subsequent Assembly.
  - (h) An e-petition cannot be sponsored after the expiration of an Assembly and until the new Assembly has met and Members sworn.
  - (i) Persons may join an e-petition themselves and not on behalf of others, except in the case of a person who is not able to join due to an incapacity, in which case, with the agreement of that person, another person may join on behalf of that person.
  - (j) A person cannot sign or join the same e-petition more than once.

#### **Duties and powers of the Clerk and Speaker regarding e-petitions**

- 100B. (a) The Clerk may decline to publish an e-petition on the Assembly's website not in conformity with these standing orders and advise the sponsoring Member accordingly.
- (b) The Clerk or a Member may seek a ruling from the Speaker about the conformity of any petition with these standing orders.
- (c) The Clerk is authorised to create and maintain an appropriate website on which to publish electronic petitions, responses to petitions and explanatory information and do all things necessary in order to give effect to these standing orders.
- (d) The Clerk must dispose of all electronic personal data related to the posting and joining of an e-petition within six months after an electronic petition is printed and presented to the Assembly.

#### **Application of standing orders to e-petitions**

- 100C. The standing orders relating to petitions apply to e-petitions insofar as they can be applied.)

The Legislative Assembly can be contacted on:

Phone	(02) 6205 3116 (General Inquiries) (02) 6205 0173 (Petition Enquiries) (02) 6205 0171 (Deputy Clerk's Office)
Facsimile	(02) 6205 3109
Email	<a href="mailto:LApetitions@parliament.act.gov.au">LApetitions@parliament.act.gov.au</a>
Website	<a href="http://www.parliament.act.gov.au">www.parliament.act.gov.au</a>

