



Parliament of South Australia

House of Assembly

March 2008

P E T I T I O N S

Petitioning Parliament is a long established fundamental right of all citizens. It allows any individual or group to place grievances before the Parliament. It is one of the few direct means of communication between the people and the Parliament.

WHAT IS A PETITION?

A petition is a request for action. Any citizen, or group of citizens of South Australia, may petition either House of Parliament to take action. As an example the petition may request a House to introduce legislation, or to repeal or amend existing legislation, or take action for a particular purpose or in favour of particular persons.

The subject of the petition must be a matter on which the House has the power to act (ie it must be a State matter rather than a Federal matter) and relate to a legislative or administrative act.

Before commencing a petition, you should consider if it is the most effective means of dealing with your grievance. Other means, such as direct representation by a Member of Parliament or a complaint to the Ombudsman or the various bodies established to conciliate and/or arbitrate on issues arising from dealings with Government agencies are also available.

DRAFTING A PETITION

Care should be taken in the drafting of a petition as the Standing Orders of the House and parliamentary tradition impose certain rules. See *Rules Concerning Public Petitions*. Both the House of Assembly and the Legislative Council produce pro forma Petitions the use of which is encouraged to ensure petitions can be accepted. A copy of the House of Assembly petition pro forma is available from the Parliamentary website at www.parliament.sa.gov.au or from the Procedure Office of the House of Assembly.

COLLECTING SIGNATURES

Although a petition need only have one signature to be accepted it will appear more representative of public feeling if it is signed by as many people as possible. Rules relating to the collection of signatures are also set out in the *Rules Concerning Public Petitions*. Care should be taken to ensure that the address and request appears on every page on which signatures are collected. Failure to ensure that the prayer appears on every page is the most common cause of petitions being rejected for presentation.

HAVING THE PETITION PRESENTED

A petition can only be presented to the House by a Member of that House. This can be any Member, including a Minister, and does not have to be the petitioner's local Member. It is the practice of the House that the Speaker does not present petitions to the House but arranges for another Member to do so on his or her behalf.

A Member is not bound to present a petition sent for presentation, but it is an accepted convention that he or she will present it regardless of the Member's personal views of its content.

Petitions are announced by the Clerk as the first item of business after prayers on every sitting day. The announcement consists of the electorate of the Member presenting the petition, the number of signatories and a precis of the request made.

AFTER THE PETITION IS PRESENTED

On presentation to the House of Assembly the petition becomes a public document and can be viewed by any Member of Parliament or any citizen.

No debate takes place at the time of the petition presentation although a Member may move a motion to note the petition or refer it to a Standing Committee which would result in a debate on the subject matter of the petition. The moving of any of these motions is rare. A Member may also address the subject of the petition during grievance or adjournment debates.

Petitions, once presented, are noted in the minutes of the House, called the Votes and Proceedings, and in the Hansard for that day. Standing Orders also require that the Clerk refer the petition to the Minister responsible for the matters raised.

Ministers may respond to a petition in any way they see fit, for example by writing to the petitioners or a selection of them, or by ordering some administrative action to be taken.

Even though it may seem that the petition produces no immediate or obvious result, they are an effective method of informing all Members and the Government in a public way of the views of sections of the population.

STATISTICS

About 160 petitions are presented to the House each session. The largest single petition to date was presented in the session of 1999-2000 by the, Leader of the Opposition, Hon M D Rann, and signed by 102 501 citizens requesting that the House urge the Government to increase prison sentences for persons convicted of robbery with violence of residential property. Perhaps the most famous petition tabled in the House of Assembly is the 'Women's Suffrage Petition of 1894', signed by over 16 000 citizens and was credited as an important element in the campaign that resulted in the granting of the vote to women.

FURTHER INFORMATION

The drafting and circulation of a petition is a time-consuming and sometimes difficult exercise. It is therefore essential that the form of the petition be correct and comply with the Rules Concerning Public Petitions and the Standing Orders so that it can be presented to the House. Any questions relating to the appropriate form of a petition, preferably before its circulation for signatures, should be directed to the Procedure Office of the House of Assembly on telephone number (08) 8237 9384 or (08) 8237 9206 or Fax (08) 8237 9213.

RULES CONCERNING PUBLIC PETITIONS

1. Petitions can only be lodged for presentation to the House by a Member of the House of Assembly.
2. Every Petition to be presented to the House of Assembly should begin with the words "To the Honourable the Members of the House of Assembly in Parliament Assembled".
3. Every Petition must contain a request setting out the general object of the Petitioner(s) or the nature of the relief asked for. The request signifies that part of the Petition which expresses the particular object of the petitioners.
4. A Petition may be legibly written, type-written or printed.
5. A Petition must be signed by at least one person on the sheet on which the Petition (the formal parts and the request) is written.
6. Every signature should be written on the petition or on the sheets containing the request of the petition and are not to be pasted upon or otherwise transferred to the petition or the sheets containing the request. Copies or facsimiles of signatures are not acceptable.
7. If signatures are affixed to more than one sheet, the address and request of the Petition must be repeated at the head of each sheet.
8. A Petition must be in the English language or be accompanied by an English translation certified to be correct by the Member who lodges it.
9. A Petition must be signed by the parties whose names are appended to it with their names or marks written or made by themselves and by no one else, except in cases of physical incapacity.
10. Petitions of Corporations must be made under their Common Seal.
11. No letters, affidavits or other documents may be attached to a Petition. (A Petition for a Private Bill may have the Gazettes and newspapers containing the necessary advertisements attached together with a copy of the Bill.)
12. A Petition shall be respectful, decorous and temperate in its language.
13. No reference shall be made in a Petition to any debate in Parliament.
14. All Petitions shall be received only as the Petitions of the parties signing the same.

PETITION PRO FORMA

Below is an example of a petition. It is shown to provide an indication of how a petition should be set out. This is followed by a petition pro forma. This pro-forma can be used in the collection of signatures. The first page provides space for a description or an argument in support of the Petitioners' request followed by the specific request for action by the House of Assembly. The subsequent page provides a pro forma for the collection of additional signatures. These pages must contain the address and the text of the specific request of the Petitioners.

SAMPLE ONLY

Front page of the Petition

PETITION

To the Honourable the Members of the **House of Assembly** in Parliament assembled –

The Petition of the undersigned residents of Campbelltown and greater South Australia.

Argument

We draw the attention of your Honourable House the great inconvenience suffered by the residents of Campbelltown by the lack of action in completing the road-works on the North East Road. In particular, the lack of traffic lights at the junction of Smith Street and North East Road has made it virtually impossible to turn left onto North East Road during the hours of 5.00 to 6.00 pm on a week day due to the large volume of traffic. This situation has lead to a number of impatient drivers taking risks with their safety and that of others just to access the North East Road. This dangerous situation must be rectified before someone is killed!

Request

Your petitioners therefore request that your Honourable House will urge the Government to take immediate action to complete the road-works on the North East Road in the Campbelltown area and in particular, install traffic lights at the junction of Smith Street and North East Road.

SIGNATURES

ADDRESSES

ON PRESENTATION TO THE HOUSE OF ASSEMBLY THIS PETITION WILL BECOME A PUBLIC DOCUMENT

SAMPLE ONLY

SAMPLE ONLY

For use as an additional page for inclusion in the Petition

PETITION

To the Honourable the Members of the **House of Assembly** in Parliament assembled –

Title Installation of traffic lights at the junction of Smith Street and North East Road.

Your petitioners therefore request that your Honourable House will urge the Government to take immediate action to complete the road-works on the North East Road in the Campbelltown area and in particular, install traffic lights at the junction of Smith Street and North East Road.

SIGNATURES

ADDRESSES

ON PRESENTATION TO THE HOUSE OF ASSEMBLY THIS PETITION WILL BECOME A PUBLIC DOCUMENT

SAMPLE ONLY

Any additional pages must contain the text of the specific request at (3)

PETITION

To the Honourable the Members of the **House of Assembly** in Parliament assembled –

The Petition of the undersigned (1)

(2)

Your petitioners therefore request that your Honourable House will (3)

SIGNATURES

ADDRESSES

ON PRESENTATION TO THE HOUSE OF ASSEMBLY THIS PETITION WILL BECOME A PUBLIC DOCUMENT

- (1) Insert description of Petitioners, such as “electors” or “residents of South Australia”
- (2) Insert a description of the matter or an argument in support of the Petitioners request.
- (3) Insert the specific request for action you wish the House of Assembly to undertake.

PETITION

To the Honourable the Members of the **House of Assembly** in Parliament assembled –

Title (1)

Your petitioners therefore request that your Honourable House will (2)

SIGNATURES

ADDRESSES

ON PRESENTATION TO THE HOUSE OF ASSEMBLY THIS PETITION WILL BECOME A PUBLIC DOCUMENT

- (1) Insert title based on the subject matter of the Petition.
- (2) Insert the specific request for action you wish the House of Assembly to undertake.