



HOUSE OF ASSEMBLY INFORMATION SHEET 2014

PETITIONS

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.

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. Some of the earliest legislation was in the form of a petition which had been agreed to by the King.

WHAT IS A PETITION?

A petition is a request for action. Any citizen, or group of citizens, may petition either House of Parliament to take action provided the remedy requested is within the constitutional competence of the Parliament. In other words, the subject of the petition must be a matter on which the House has the power to act (ie. it must be a State rather than a Local or Federal matter) and relate to a legislative or administrative act.

The practice of petitioning is one of a number of ways of addressing the house. Today there are many other means of dealing with individual grievances, such as direct representation to a Member of Parliament or a complaint to the Ombudsman or various other bodies established to conciliate and/or arbitrate on issues arising from dealings with Government agencies. However, petitions still provide opportunities for a number of like-minded citizens to directly raise issues or place grievances before the Parliament. Requests to introduce legislation, or to repeal or amend existing legislation, or take action for a particular purpose are commonly the subject of petitions.

DRAFTING A PETITION

Care should be taken in the drafting of a petition as the Standing Orders of the House and parliamentary practice impose certain rules (see *Rules Concerning Public Petitions* below). Both the House of Assembly and the Legislative Council produce *Petition templates*, the use of which is encouraged to ensure petitions can be accepted.

A copy of a House of Assembly petition template is attached to this information sheet. It is also available from the parliamentary website at www.parliament.sa.gov.au. Also attached is a sample petition as an example of how a petition may be worded.

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 set out below. Care should be taken to ensure that every page is correctly addressed *To the Honourable the Members of the House of Assembly in Parliament assembled* and that the request (the prayer) appears on every page on which signatures are collected. Failure to ensure that the request 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 but arranges for another Member to do so on his or her behalf.

A Member is not bound to present a petition, 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 of the House as one of the first items of routine business after 2.00 pm on every sitting day. The Clerk announces the electorate of the Member presenting the petition, the number of signatories and a précis 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 during Private Members Business time in the House. The moving of any of these motions is rare. A Member may also address the subject of the petition during grievance or adjournment debates.

After a petition has been announced to the House its presentation is recorded 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 of the House 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 130 petitions are presented to the House each session. The largest single petition to date was presented in the session of 1999-2000 by the then 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.

PETITION TEMPLATE

Attached is a petition template. The first page provides space for a description or argument in support of the Petition 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 and must contain the text of the specific request of the Petitioners. These pages can be copied to provide additional forms for signatures however, every signature must be original.

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 prayer 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.

This is a sample front page of a petition to be used as an example of how a petition may be worded.

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

This is a sample second or subsequent page of a petition shown here as an example of how it may be set out.

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	ADDRESS

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 (3)

SIGNATURES	ADDRESS

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.