



INFORMATION AND GUIDELINES

E-Petitions

Petitioning is one of the traditional methods by which members of the public can make a formal request to the Parliament. Until E-Petitions were introduced in 2004 petitions were only possible in paper form.

Petitions submitted in electronic format are referred to as "E-Petitions".

Information on E-Petitions is available on the Tasmanian Parliament website at www.parliament.tas.gov.au. You can locate E-Petitions, and if you wish, join a current E-Petition, through this web site. If the Government responds to an E-Petition you will also be able to read the response on the website.

E-Petitions and paper petitions

E-Petitions will not replace the paper petition process.

If you wish to start a petition you can now 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. Those who can petition the Legislative Council are quite broad, and include:

- Tasmanian residents;
- Tasmanian citizens; or
- Tasmanian electors (the relevant electorate will be specified on the petition).

The Principal Petitioner will identify who may have an interest in, and may want to support the petition. The group of eligible petitioners will be identified on the website.

How are E-Petitions started?

Step One: Approach a Member of the Legislative Council 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 a Member of the Legislative Council as the first step. (Paper petitions are usually circulated for signatures prior to locating a sponsoring MLC. Only an MLC can present the petition to the Legislative Council).

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

Information on how to contact MLCs is available through the Parliament's website at www.parliament.tas.gov.au or you can contact the Tasmanian Parliament for this information on (03) 6212 2300.

Step Two: Complete an E-Petition request form.

An E-Petition request form is included with this brochure and is also available on the Parliament's website. You may choose to use this form when seeking an MLC to support your proposed E-Petition. The form records:

- the precise wording of the E-Petition;
- the eligibility criteria for persons wishing to join, eg. Tasmanian residents;
- the period the E-Petition will be on the web site;
- the sponsoring MLC's details; and
- the Principal Petitioner's details.

It is not compulsory to use this form to request an MLC to support your proposed E-Petition. However, an E-Petition request form must be filled out once an MLC agrees to sponsor the E-Petition, which both the MLC and you are required to sign.

The MLC may request changes before agreeing to sponsor an E-Petition. If you originally used the E-Petition request form to seek the MLC's support, you will need to fill out and sign a revised version of this form that reflects the MLC's changes.

Step Three: The MLC then submits the signed E-Petition request form to the Clerk of the Council.

The Clerk of the Council will check that it meets the requirements set out in the Standing and Sessional Orders (SO's). If these requirements are satisfied, the E-Petition is posted on the website until the specified closing date.

How long can an E-Petition be posted on the web site?

All current E-Petitions will be accessible from the website. An E-Petition can be posted on the website for a minimum period of 1 week and a maximum period of 6 months.

The Principal Petitioner, together with the sponsoring MLC will 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 will be 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 role of the Legislative Council is only to facilitate the E-Petition process.

What happens after the E-Petition is closed?

Once the posting period for an E-Petition has passed, the E-Petition will be made available in hard-copy format for presenting in Parliament. The Clerk of the Council will give the petition to the sponsoring MLC who will seek to Table it at the first available opportunity.

Will the Government respond to E-Petitions in Parliament?

Under the SO's, the Government must present a response to the House within 15 sitting days. In the case of E-Petitions the response will be posted on the website at www.parliament.tas.gov.au. You will be given the option when you join an E-Petition to be automatically notified by e-mail that a response to the petition is available on line.

Conditions of Use

If you wish to join an E-Petition, you will need to accept the E-Petition's Conditions of Use, which outlines:

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

A breach of the Conditions of Use may amount to contempt of the House. Actions that may be considered to be a contempt of the House include:

- presenting a forged or falsified document to the House 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 House.

Once you accept the Conditions of Use, you will be provided with a random identification number. You will be required to record this number when joining an E-Petition, along with your name, address (including post code) and email address.

What about privacy?

Only the name and address of the Principal Petitioner will be made public on the website as required by the Sessional Orders.

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. However, access to the details of all petitions presented to Parliament (including the names, addresses and email addresses of signatories) may be accessed from the Legislative Council's Bills and Papers Office. Copies will not be made available, however individuals are free to attend at the Legislative Council, Parliament House to view and peruse the Tabled E-Petition.

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

Government Responses

Standing Orders provide that the Clerk shall refer a copy of the text of every Petition presented to and received by the House to the Premier.

A Government response to each Petition shall be laid before the House within 15 sitting days of its communication to the Premier.

Once such response is Tabled the Clerk:

- forwards a copy of the response to the Member of Parliament who presented the Petition; and
- ensures the response is published on the Parliament's Internet website.

Rules concerning Petitions

The following Standing and Sessional Orders provide rules for petitions:-

PETITIONS

Contents of a Petition.

42. A Petition will –

1. Be lodged only by a Member.
2. Be legible.
3. Be addressed to the President of the Council.
4. State the action or remedy sought from the Council.
5. Be in English or be accompanied by a translation certified to be correct.
6. Contain at least one signature.
7. Contain the action or remedy sought on the top of every sheet.
8. Contain the names and addresses of the petitioners and their own signatures or marks, except in case of incapacity or sickness where someone else may sign on their behalf.
9. Be respectful and temperate in its language.
10. If from a corporation, be made under its common seal.

Petitions will not contain

43. A Petition will not –

1. Have letters, affidavits or other documents attached to it.
2. Be lodged by a Member who has signed the petition as a petitioner.
3. Make an application for direct grant of public money to be paid to an individual.
4. Have signatures pasted or otherwise transferred to the Petition.

Procedure for lodgement and presentation

44. The procedure for the lodging and presentation of a Petition –

1. The Member must write the number of signatures contained in the petition on the front sheet and sign the front sheet.
2. The Clerk will, prior to presentation, certify on the petition that it is in conformity with the Standing Orders.

3. The Member presenting the petition will announce the subject matter of the petition in brief and the number of signatures attached to it unless the President determines otherwise.
4. The Petition will be received unless the Council or the President determines otherwise.
5. No discussion of the subject matter is allowed.
6. The Clerk shall read the Petition in full after which a question shall be put "That the Petition be received".
7. The text of each Petition which the House has received shall be communicated to the Premier by the Clerk of the House.
8. A Government response to each Petition shall be laid before the House within 15 sitting days of its communication to the Premier by the Leader of the Government.

E-PETITIONS

1. An E-Petition is a petition:
 - (a) in the correct form, stating a grievance and containing a request for action by the Council;
 - (b) sponsored by a Member and lodged with the Clerk for publication on the Parliament's Internet Website for a nominated period ("posted period");
 - (c) persons may elect to indicate their support of ("join the petition") by electronically providing their name, address (including postcode) and signifying their intention to join the petition.
2. 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 Parliament's Internet Website.
3. The Member sponsoring the 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.
4. Once published on the Parliament's Internet Website an E-Petition cannot be altered.
5. Only one E-Petition dealing with substantially the same grievance and requesting substantially the same action by the Council shall be published on the Parliament's Internet Website at the same time.
6. 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 Council in the name of the Member that sponsored the E-Petition.
7. An E-Petition published on the Parliament's Internet Website, but not presented to the Council prior to the prorogation of the Parliament or the dissolution of the House of

Assembly, shall be presented to the subsequent Parliament and become a petition of the subsequent Parliament.

8. An E-Petition may be sponsored during any adjournment of the Legislative Council and during any period of prorogation.
9. Persons must join an E-Petition by filling out their correct details and personally agreeing to join the E-Petition, and by no one else, except in the case of incapacity from sickness.
10. A person cannot sign or join an E-Petition more than once.
11. Only the name and address of the Principal Petitioner shall be made public on the Legislative Council's website.
12. The Clerk may decline to publish an E-Petition on the website not in conformity with these Orders and shall advise the sponsoring Member accordingly.
13. The Clerk shall ensure that all Government responses to E-Petitions are posted on the website.
14. The Clerk or any Member may seek a ruling from the President of the Legislative Council relating to the conformity or otherwise of any E-Petition with these Orders.
15. The Clerk is authorised to create and maintain an appropriate internet website on which to publish E-Petitions, responses to E-Petitions and other explanatory information and do all things necessary in order to give effect to these Orders.
16. The Clerk must dispose of all electronic personal data relating to the posting and joining of an E-Petition within six months after an E-Petition is printed and presented to the Legislative Council.
17. The Standing Orders for petitions have application to E-Petitions insofar as they can be applied.

The Legislative Council can be contacted on:

Phone (03) 6212 2300 (Reception)
(03) 6212 2310 (Bills and Papers Office)
Fax (03) 6231 1849
Email: mark.baily@parliament.tas.gov.au