

41ST PARLIAMENT



Procedure and Privileges Committee

Report 5

Electronic Petitions

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Presented by  
Mr Stephen Price MLA

November 2023

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# Procedure and Privileges Committee

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## *e-petitions*

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### Report No. 5

Presented by

**Mr Stephen Price, MLA**

**Deputy Speaker of the Legislative Assembly**

Laid on the Table of the Legislative Assembly on 9 November 2023

## Recommendation

The Committee recommends –

- (1) That a new Temporary Order, as outlined below, be adopted by the Assembly to apply until the end of 2024:

### **E-petitions**

- (1) An e-petition is a petition —
  - (a) in the correct form prescribed by Standing Order 64;
  - (b) signed by the person promoting the petition (“the Principal Petitioner”) who must reside in Western Australia or, if a corporation, have its registered office in Western Australia;
  - (c) facilitated by a member (“Facilitating Member”) and lodged with the Clerk for publication on the Parliament’s website for a nominated period (“posted period”); and
  - (d) by which persons must indicate their support of (“join the petition”) by electronically providing their name, address (including postcode) and email address, 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 website.
- (3) The Facilitating Member 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 facilitate the e-petition.
- (4) Once published on the Parliament’s website an e-petition cannot be altered other than by order of the Speaker.
- (5) 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 by the Facilitating Member.
- (6) An e-petition published on the Parliament’s website, but not presented to the Assembly prior to the dissolution of the Legislative Assembly may be presented in the subsequent Parliament and become a petition of the subsequent Parliament.

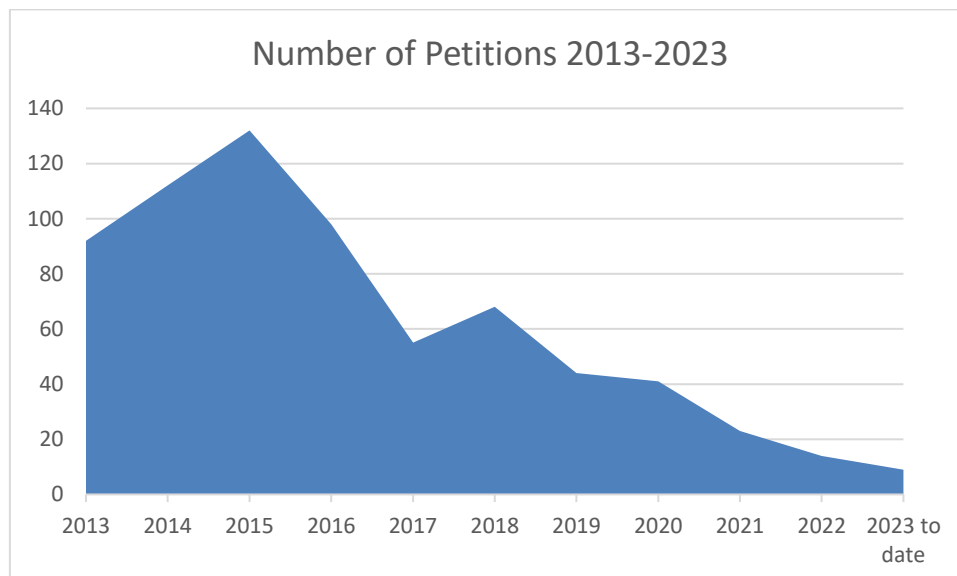
- (7) An e-petition may be facilitated during any adjournment of the Assembly but not during any period of prorogation.
  - (8) Persons must join an e-petition by filling out their correct details and personally agreeing to join the e-petition, and by no one else, except in the case of incapacity from sickness or disability.
  - (9) Only the name of the Principal Petitioner shall be made public on the Parliament's website.
  - (10) Only residents of Western Australia will be eligible to join an e-petition.
  - (11) The Clerk may decline to publish an e-petition on the website not in conformity with this Order and shall advise the Facilitating Member accordingly.
  - (12) The Clerk is authorised to create and maintain an appropriate website on which to publish e-petitions and other explanatory information and do all things necessary in order to give effect to this Order.
  - (13) 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 Assembly.
  - (14) The Standing Orders for petitions have application to e-petitions insofar as they can be applied.
- (2) The Standing Orders are suspended accordingly to the extent necessary to effect these arrangements.

## ***e-petitions***

### **Introduction**

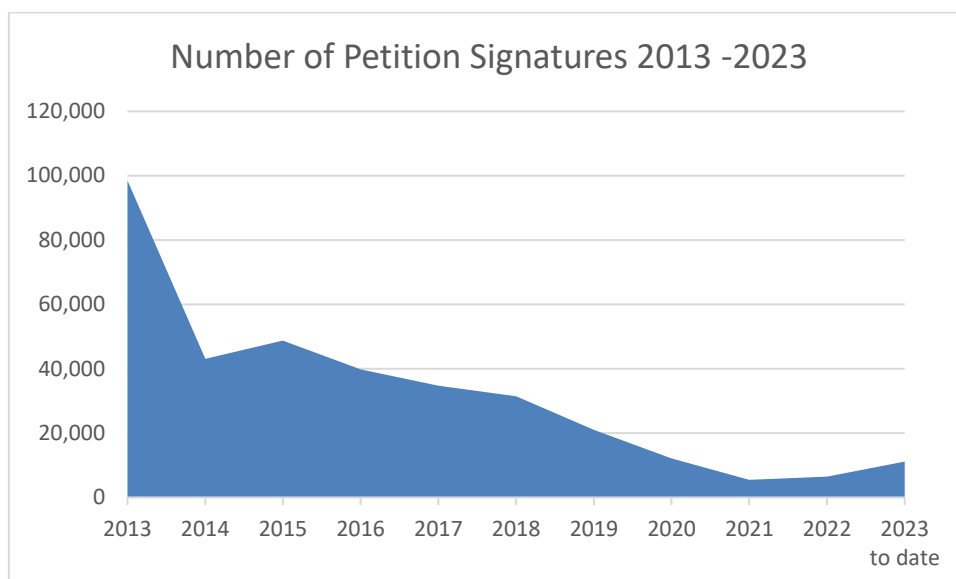
Petitions are an ancient mechanism whereby the public can formally bring to the attention of the Parliament a grievance and request a remedy. They have been described as ‘the oldest of all parliamentary forms, the fertile seed of all proceedings in the House of Commons’,<sup>1</sup> and as Erskine May states ‘... [t]he right to petition Crown and Parliament is of great antiquity and of importance to both constitutional and procedural development ...’.<sup>2</sup> Traditionally, petitions addressed to the Parliament take the form of a written document outlining an issue of concern, requesting the legislature to heed the ‘prayer’ of the petition and take some action. Subscribers to a petition provide their name, address and signature (or mark) and a member of Parliament presents the petition to the legislature on behalf of the petitioners. The petition is the only way an individual can directly place grievances before the Parliament.

Over the last decade, there has been a steady downward trend in the number of paper petitions presented in the Assembly and in the number of signatories to the petitions, as can be seen in the following graphs.



<sup>1</sup> J Redlich *The Procedure of the House of Commons: a study of its history and its present form*, Constable, London, 1918, vol II, p 239.

<sup>2</sup> Erskine May, *Parliamentary Practice*, 21<sup>st</sup> Edition, p 754.



E-petitions are online petitions which petitioners ‘sign’, or subscribe to, by electronically providing their name, address and, in most cases, their email address.

E-petitions were last reviewed by the Assembly’s Procedure and Privileges Committee (PPC) in March 2008. The PPC noted at the time that ‘e-petitioning is still in its infancy’ and recommended that:

*“[T]he Legislative Assembly does not introduce an e-petitions process at this time”.<sup>3</sup>*

In March 2023 your Committee resolved to investigate e-petitions, particularly the various arrangements in other Australian parliaments. A summary of the arrangements in other Australian parliaments (excluding upper houses) may be found at **Appendix 1**.

The Assembly does not currently permit e-petitions.<sup>4</sup>

Your Committee is of the view that the time has come for the Assembly to adopt e-petitions.

## The advent of e-petitions

Around the turn of the millennium, advances in technology caused several jurisdictions to review their procedures as part of ‘e-democracy’ initiatives, as a

<sup>3</sup> PPC Report No 1, *Review of E-petitions*, 20 March 2008, p 4.

<sup>4</sup> The Assembly is one of two lower houses in Australia which does not, the other being the House of Assembly in South Australia.

means of improving community engagement. One such initiative was the e-petition.

Most parliaments which accept e-petitions host them on a dedicated page on their parliament's website,<sup>5</sup> which can enable users to:

- view current e-petitions and previous petitions;
- check the closing date and status of e-petitions;
- obtain the name and contact details of principal petitioners;
- view the number of signatories (and, less frequently, the actual signatures) to e-petitions;
- read background information relating to a particular e-petition;
- forward an e-petition to another person via email;
- subscribe to updates on a particular petition or petitions generally;
- participate in an online discussion forum related to an e-petition;
- join an e-petition; and
- monitor the progress and outcome of the e-petition once it has closed.

## **Advantages of e-petitions**

Your Committee notes that the benefits of e-petitions include:

- **Accessibility:** e-petitions make it easier for people to participate in the democratic process. They can be accessed and signed online from anywhere, removing the barriers of physical location and allowing a broader range of individuals to participate.
- **Convenience:** e-petitions provide a convenient way for individuals to express their opinions and support causes they care about. They can sign petitions quickly and easily, without the need for physical signatures or paper documents.
- **Efficiency:** e-petitions streamline the process of gathering signatures and collating information. They eliminate the need for manual handling and data entry, saving time and resources for both petition organisers and parliamentary staff processing petitions.
- **Reach and impact:** e-petitions have the potential to reach a larger audience and generate more signatures compared to traditional paper-based

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<sup>5</sup> The Northern Territory accepts e-petitions, but does not host them.



petitions. Online sharing and social media platforms allow petitions to spread rapidly, amplifying their impact and raising awareness about the issues at hand. This is particularly relevant to rural, regional and remote parts of Western Australia, where it may be physically impractical to gather paper signatures from numerous small communities spread across vast distances.

- **Transparency and accountability:** e-petition platforms can provide transparency by displaying the number of signatures, allowing the public to track the progress and impact of a petition. This transparency can foster trust and hold decision-makers accountable, as the public can see the level of support for a particular cause.
- **Environmental impact:** By eliminating the need for paper and physical transportation, e-petitions reduce their environmental footprint compared to traditional petitions.

## **Challenges with e-petitions**

Your Committee is aware that e-petitions face challenges that can affect their effectiveness and impact. Some of these include:

- **Verification and authenticity:** Ensuring the authenticity and accuracy of signatures on e-petitions can be a challenge. Without verification measures, there is a risk of fraudulent signatures or individuals signing multiple times using different names and addresses. This is also a risk with paper petitions whose signatures are generally taken at face value.
- **Representativeness and the digital divide:** E-petitions may not always represent a diverse range of voices and perspectives. Online platforms can attract certain demographics more than others, potentially leading to an imbalanced representation of public opinion. For example, e-petitions rely on internet access and digital literacy, which can create a digital divide. Individuals who lack access to the internet or have limited technological skills may face barriers in participating in e-petitioning processes. This could create challenges in accurately gauging the broader sentiment on an issue and may disproportionately favour the concerns of particular groups. It should be remembered that in all jurisdictions where they exist, e-petitions complement, rather than replace, traditional paper petitions.
- **Attention and impact:** With the ease of signing online petitions, it can be challenging to capture and sustain public attention on a particular issue. There is a potential that an abundance of petitions competing for attention

can dilute the impact of individual petitions, particularly if they fail to gain significant traction.

- Perception and influence: Some decision-makers may view e-petitions as less credible or influential compared to other forms of public engagement, such as face-to-face meetings or organized lobbying efforts. The perception of e-petitions as a form of "slacktivism" or low-effort engagement can undermine their perceived importance and impact.

Your Committee has discussed these concerns and considers that they do not outweigh the benefits of allowing citizens to engage with the petitioning process electronically.

## **E-petitions in the Legislative Council**

The Legislative Council of Western Australia introduced e-petitions by way of a Temporary Order on 9 September 2021, to apply from January 2022 to March 2023. This followed several recommendations from the Council's Standing Committee on Procedure and Privileges (LC PPC) in reports from 2016 to 2021.<sup>6</sup> In February 2023, the Temporary Order was extended to apply until 31 October 2024.

An abridged explanation of the Council's e-petition process is as follows:<sup>7</sup>

- The principal petitioner creates and prepares an e-petition via the portal on the Parliament's website.
- The principal petitioner receives an email containing a PDF copy of their e-petition.
- The principal petitioner presents their e-petition to a member of the Council with a request that the member agree to facilitate the e-petition.
- The member (if they agree) signs the facilitation request and presents the e-petition to the Clerk's Office.
- The Clerk checks the e-petition for compliance with the Standing Orders.
- The Clerk's Office arranges for the e-petition to be hosted on the Parliament's website.
- The principal petitioner receives an email confirmation of the e-petition going 'live' on the Parliament's website, and a link to the specific e-petition page.
- The principal petitioner shares the link via email or social media to gather 'signatories'.

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<sup>6</sup> LC PPC Report 40, *E-petitions*, 28 June 2016; LC PPC Report 45, *Outstanding Matters from the 39<sup>th</sup> Parliament*, 24 August 2017; LC PPC Report 64, *Review of the Standing Orders*, 2 September 2021.

<sup>7</sup> LC PPC Report 69, *Preliminary review of E-petitions*, February 2023.

- At the conclusion of the nominated hosting period the e-petition is automatically closed and the Clerk's Office receives a notification to prepare the e-petition for presentation to the Council.
- The facilitating member tables the e-petition in the Council.
- The e-petition stands referred to the Environment and Public Affairs Committee for inquiry and report: SO 102(6).

As at the time of the LC PPC's report in February 2023, the total number of signatures collected since 2 February 2022 (including e-petitions yet to close) exceeded 96,000 signatures, averaging nearly 9,000 signatures per month, or 300 per day.

The LC PPC has noted a small number of 'procedural and practical subtleties' during the trial, including:<sup>8</sup>

- An initial data-set problem with the cross-matching of suburbs and postcodes.
- Issues with security and auto form-fill features.
- Duplicate signatures.
- Alterations to e-petitions.<sup>9</sup>

The LC PPC concluded, in their 2023 review of e-petitions, that "[t]he E-Petitions process has complemented the existing process for petitioning the Parliament and has proven to be a user friendly alternative for Members and the public alike".<sup>10</sup>

## **The proposed e-petitions model for the Assembly**

In its considerations, the following questions were discussed by your Committee.

1. Should e-petitions be limited to residents of Western Australia?

Whilst no such prescription applies for traditional petitions, the Committee is of the view that there should be a requirement that only residents of Western Australia can create or join an e-petition. Otherwise, the potential exists for large numbers of persons with little or no connection to Western Australia to electronically join a petition.

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<sup>8</sup> Ibid, at [3.6].

<sup>9</sup> A small number of requests to alter e-petitions have been approved by the President. Typically, these requests have been to extend a hosting period, to shorten a hosting period, and to make a minor formatting correction to a published e-petition. At the time of the LC PPC's review, a request for a substantive alteration to an e-petition had not occurred. Ibid, at [3.21].

<sup>10</sup> Ibid, at [4.1].

2. Should character or word limits apply, and if so:

- should there be separate limits for the grievance and the remedy sought; and
- what should the limits be?

Whilst the Council does not impose a word limit on their e-petitions, your Committee considers that word limits ought to apply to Assembly e-petitions. Imposing word limits encourages the Principal Petitioner to concisely describe their issue and what action they wish the Assembly to take. Your Committee recommends a word limit of 250 words apply (in total) to state the issue and the remedy requested. This is consistent with the word limit in other jurisdictions<sup>11</sup> and is comparable to having a petition limited to the size of an A4 page.

3. Should a member be required to sponsor or facilitate the e-petition?

The Committee agreed that this is a sound feature of the e-petitions process which works well in other jurisdictions. The Committee agreed that the appropriate verb to describe the role of the member is to 'facilitate' rather than to 'sponsor', as a member can facilitate an e-petition without necessarily lending their support to it.

## **Consistency with the Council**

The Committee is of the view that the Assembly's e-petition process should be consistent with that of the Council. This will help avoid confusion among petitioners, members, and the public, as they can rely on a consistent set of procedures and conditions of use when engaging with e-petitions on the Parliament's website. This conformity ensures that the essential principles of inclusivity, data privacy, and responsible management of electronic personal data are upheld throughout the e-petition process.

## **The recommended Temporary Order**

Your Committee has recommended a Temporary Order to give effect to e-petitions.<sup>12</sup>

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<sup>11</sup> In Victoria the word limit is 200 words for the issue and 120 words for action sought. In the House of Representatives and New South Wales the word limit is 250 words for both the reason and the request. The House of Commons (UK) imposes an 80-character limit for the petition title, 300 characters for the request and 500 for the issue.

<sup>12</sup> The Assembly's proposed Temporary Order is based on the Temporary Order of the Legislative Council of Western Australia, which in turn is based on the e-petitions rules of the Legislative Council of Tasmania, which in turn is modelled on the e-petition rules of the Legislative Assembly of Queensland.

The Temporary Order introduces the concept of a Principal Petitioner for e-petitions, sets out the requirements for e-petitions, the role of the Facilitating Member, and time limits for the petition to be posted.

The concept of a Principal Petitioner does not exist in the Standing Orders for paper petitions. However, in the context of an e-petition process, your Committee considers that introducing a requirement for a Principal Petitioner is sensible.

The Temporary Order also imposes a duty on the Clerk to ensure that electronic personal data relating to the posting of and joining an e-petition will be disposed of within six months of its presentation to the Assembly. Only the name of the Principal Petitioner, the Facilitating Member and the number of signatures would be made public on the Parliament's website.

Once the posted period concludes the e-petition is printed off, and presented in the Assembly by the Facilitating Member as a petition in the normal course.

The current practice of the Assembly is that members of the public cannot obtain copies of tabled petitions, but members of Parliament may access and obtain a copy of a tabled petition which includes the names and addresses of the petitioners.<sup>13</sup>

It is important to note that the printed e-petition, which will be tabled, will contain the email addresses of the petitioners, in addition to the petitioners' names and addresses. As per the current practice of the Assembly, only members of Parliament will have access to this information.

It is intended that the Assembly's e-petition page on the Parliament's website and the back-end processes will operate in the same way as in the Council. One difference will be the imposition of word limits for the text of the petition.

## Conditions of Use

Before signing an e-petition, petitioners must acknowledge that they agree to certain conditions. A draft Conditions of Use may be found at **Appendix 2**. These are adapted from those put in place by the Council, with the following exceptions:

- an explanation is included that members may request to view a presented e-petition and thus access the details of the e-petitioners; and
- the threat of imprisonment for committing a contempt of Parliament has been omitted.

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<sup>13</sup> Lisa Baker MLA, Deputy Speaker, Statement – Procedure and Privileges Committee - Petitions, *Hansard*, Legislative Assembly, 22 February 2018, p 484: "... copies of petitions are to be made available to members upon request, but not to third parties".

## Privacy Statement

The current Privacy Statement for the Parliament of Western Australia is found at **Appendix 3**. There will need to be slight modifications to this statement to accommodate Assembly e-petitions. For example, it is proposed that the name of the Principal Petitioner will be made public.

## Conclusion

In recommending a Temporary Order to introduce e-petitions, this report highlights the growing importance and relevance of digital engagement in modern democratic processes. Over the years, the role of petitions as a means for citizens to voice their concerns and request action from their representatives has evolved. The move towards e-petitions reflects an adaptation to the changing technological landscape and the desire to enhance public participation in the democratic process.

The experience of the Council in implementing e-petitions, as detailed in the report, serves as a valuable case study. The Council's positive findings, including significant public engagement and user-friendliness, provide evidence of the viability and effectiveness of e-petitions as a complementary tool to traditional paper petitions.

In light of these considerations, the adoption of e-petitions by the Assembly appears not only feasible but also desirable. E-petitions have the potential to empower citizens, bridge geographical gaps, and enhance public engagement in the democratic process. The proposed Temporary Order, with its safeguards and provisions, lays a solid foundation for the responsible and effective use of e-petitions in the Assembly.

## Recommendation

The Committee recommends –

- (1) That a new Temporary Order, as outlined below, be adopted by the Assembly to apply until the end of 2024:

### **E-petitions**

- (1) An e-petition is a petition —
  - (e) in the correct form prescribed by Standing Order 64;
  - (f) signed by the person promoting the petition (“the Principal Petitioner”) who must reside in Western Australia or, if a corporation, have its registered office in Western Australia;
  - (g) facilitated by a member (“Facilitating Member”) and lodged with the Clerk for publication on the Parliament’s website for a nominated period (“posted period”); and
  - (h) by which persons must indicate their support of (“join the petition”) by electronically providing their name, address (including postcode) and email address, 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 website.
- (3) The Facilitating Member 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 facilitate the e-petition.
- (4) Once published on the Parliament’s website an e-petition cannot be altered other than by order of the Speaker.
- (5) 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 by the Facilitating Member.
- (6) An e-petition published on the Parliament’s website, but not presented to the Assembly prior to the dissolution of the Legislative Assembly may be presented in the subsequent Parliament and become a petition of the subsequent Parliament.
- (7) An e-petition may be facilitated during any adjournment of the Assembly but not during any period of prorogation.

- (8) 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 or disability.
  - (9) Only the name of the Principal Petitioner shall be made public on the Parliament's website.
  - (10) Only residents of Western Australia will be eligible to join an e-petition.
  - (11) The Clerk may decline to publish an e-petition on the website not in conformity with this Order and shall advise the Facilitating Member accordingly.
  - (12) The Clerk is authorised to create and maintain an appropriate website on which to publish e-petitions and other explanatory information and do all things necessary in order to give effect to this Order.
  - (13) 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 Assembly.
  - (14) The Standing Orders for petitions have application to e-petitions insofar as they can be applied.
- (2) The Standing Orders are suspended accordingly to the extent necessary to effect these arrangements.



**Hon Michelle Roberts, MLA**  
**Chair of the Committee**  
**9 November 2023**



# Appendix 1

## Comparison Chart of Australian Lower Houses

	House of Reps	NSW	VIC	QLD	WA	SA	TAS	ACT	NT
e-petitions	yes	yes	yes	yes	no	no	yes	yes	accepts not hosts
referred to Minister	possible	yes	yes	yes	no	yes	yes (Premier)	yes	yes
Ministerial response	possible	500+	not obliged	yes	n/a	not obliged	yes	yes	yes
referred to Committee	possible	no	no	no	possible but unused	10,000+	no	500+	yes
debate in the House	no	10,000+ (20,000+ for e-petition)	no	no	no	no	no	yes	yes

### House of Representatives (2015)<sup>14</sup>

The House of Representatives hosts e-petitions on its website.

To request a new e-petition petitioners follow the web link on the Petitions Committee homepage to take them to a page where mandatory fields must be filled in to validate a new e-petition. The principal petitioner must verify an email link within 8 hours of posting the e-petition.

The next processing stage involves the secretariat preparing meeting papers that include new petitions that are lodged for the Committee's consideration at its next private meeting. The Petitions Committee rules the received petitions either in or out of order. After the Committee meeting, all e-petitions deemed in order are posted on the website to collect signatures for 4 weeks. The principal petitioner is advised via email of this process.

A sponsoring member is not required.

The e-petitions system collects signatures via validated email addresses and tallies the number of signatories but does not make the emails or names of signatories public. If the petition is ruled out of order, the petitioner is also advised via email.

<sup>14</sup> The year in brackets denotes the year that e-petitions were adopted by the House.

After the close of signatures, the petition is presented to the House by the Chair of the Petitions Committee, or another member if advised by the principal petitioner, on the next available sitting Monday. Members also have the opportunity to present petitions to the House outside of the allocated time on a sitting Monday as per Standing Order 207 (b). After presentation each petition is usually referred to the relevant Minister for response. The Minister is expected to respond in writing to the petition within 90 days of presentation. All Ministerial responses are printed in Hansard and published on the Petition Committee's website. The principal petitioner is advised when the petition is presented and when a Government response to their petition is tabled in the House.

### **New South Wales (2020)**

The Legislative Assembly of New South Wales hosts e-petitions on its website.

A sponsoring member is not required, although a member must agree to present the e-petition.

An e-petition is deemed presented after it is no longer open for signatures. An e-petition must be supported by at least five people before it is open to the public for signatures, with the petitioner and all signatories residents of New South Wales. An e-petition may be open for signatures for a period of three, twelve or twenty-four weeks.

The Clerk will announce receipt of petitions to the House after Question Time. Petitions with more than 10,000 signatures (or 20,000 in the case of e-petitions) will be announced by the Speaker.

The subject matter of the petition and the member who lodged it will be published in the Votes and Proceedings and the terms of each petition will be printed in Hansard.

A copy of every petition received is forwarded to the Minister responsible for the subject contained in the petition.

Ministers are required to lodge, with the Clerk, a response to a petition signed by 500 or more persons. The response must be received within 35 calendar days from the date a petition is received. The response is also reported in the House and published in the Votes and Proceedings and Hansard.

Petitions of more than 10,000 signatures (or 20,000 for e-petitions) will be scheduled for debate in the House. Dates for petition debates are published on the Parliament's website and in the Business Paper.

A copy of every paper petition and e-petition lodged with the Clerk and received by the House are also referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition or electronic petition. The Minister must lodge a response with the Clerk within 35 calendar days of a paper petition or e-petition being received by the House if that paper petition or electronic petition has been signed by 500 or more persons.<sup>15</sup>

## **Victoria (2021)**

The Legislative Assembly of Victoria hosts e-petitions on its website.

The form of e-petitions is much the same as that of the Legislative Council of Victoria, which adopted e-petitions in 2017.

Petitions are sponsored by a member. The sponsoring member must nominate a posted period for the length of time that the e-petition will be available to sign on the Parliament's website. This must be a minimum of one week and a maximum of six months.

To start an e-petition, a petitioner fills out an e-petition template on the Parliament website. The template includes spaces for the petitioner to enter the issue (maximum 200 words), action requested (maximum of 120 words) and contact details. A Victorian street address is required (PO Boxes are not accepted). The petitioner also supplies the name of the member who will sponsor the petition.

The petitioner also agrees to terms and conditions and that they have understood the Privacy Statement.

The e-petition request will then be reviewed by the Assistant Clerk Committees. If the e-petition request complies with the Standing Orders, the sponsoring member nominated will be contacted to confirm that they agree to sponsor the e-petition.

The e-petition will then be available for the public to sign on the website, and the principal petitioner is informed that it is ready for signatures.

Once published online, the petition can be promoted via social media websites.

Once the period for signing the petition has ended, the Clerk will table the e-petition on the next sitting day.

Once an e-petition is tabled in the Assembly it becomes a public document and forms part of the original papers of the House. As with a traditional paper petition, the names and addresses of signatories will be recorded and published in a tabled e-petition.

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<sup>15</sup> Legislative Assembly of New South Wales – Standing Order 125.

## **Queensland (2002)**

The Legislative Assembly of Queensland hosts e-petitions on its website. It was the first parliament in Australia to do so.

Petitions must be sponsored by a member.

Petitions are checked for compliance with Standing and Sessional orders by the Clerk.

Once a petition is live, a member of the public who wishes to sign the e-petition accepts conditions of use, is granted a unique ID, and submits their unique ID, name, address, postcode (only Queensland postcodes accepted) and email address, and is provided an option to be notified by email if and when a ministerial response is provided.

Petitions once presented are forwarded to the relevant Minister who has 30 days to respond to the House. The response is tabled and forwarded to the presenting member and principal petitioner.

The data provided by petitioners is deleted six months after a petition is tabled or after a Minister responds.

## **Tasmania (2004)**

The House of Assembly in Tasmania hosts e-petitions on its website. Petitions must be sponsored by a member. Once a sponsoring member has been found, a petitioner completes an 'e-petition Request Form' which records:

- the precise wording of the e-petition;
- the eligibility criteria for persons wishing to join, e.g. Tasmanian residents;
- the period the e-petition will be on the website;
- the sponsoring member's details; and
- the principal petitioner's details.

Petitions are checked for compliance with the Standing Orders by the Clerk.

To sign an e-petition, a petitioner must agree to the Conditions of Use. 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 the posting period for an e-petition has passed, the e-petition will be made available in hard-copy format for presenting in the House. The Clerk of the House will give the petition to the sponsoring member who will seek to table it at the first available opportunity.

The text of each petition (including e-petitions) received by the House are communicated to the Premier by the Clerk, and a Government response is laid before the House within 15 sitting days of the communication to the Premier.

### **Australian Capital Territory (2012)**

The Legislative Assembly of the Australian Capital Territory hosts e-petitions on its website.

Petitions are sponsored by a member.

Once a sponsoring member is found the principal petition completes an online 'e-petition Request Form' which records the same information as in the Tasmanian form.

The member then lodges the petition with the Clerk, who vets the terms of the petition and certifies that the petition confirms with Standing Orders. If the e-petition is in order it is placed on the website for a period between one week and six months.

At the conclusion of the agreed period, the Clerk's Office runs off a hard copy of the petition (complete with the names and addresses of all petitioners) and arranges for it to be presented to the Assembly.

Upon the Clerk's announcement of petitions and petition responses, the House debates for 30 minutes (5 minutes per speaker) the question that 'the petitions and responses so lodged be noted'.

As with paper petitions, the-petition is forwarded to the appropriate Minister for a response and, if it has received 500 or more signatures, will also be referred to an appropriate Assembly committee.

## **Northern Territory (2016)**

The Northern Territory does not host e-petitions on its website.

The Legislative Assembly of the Northern Territory provides in its Standing Order 119(9) that:

"any petition signed by electronic means or which claims to have been electronically endorsed by petitioners will be certified by the presenting Member that to the best of his or her knowledge the petition has been endorsed by the number of petitioners claimed."

The (then) Speaker of the Northern Territory noted that this 'simple approach has permitted members to present and read petitions received from website campaigns and have them referred to Ministers for response pursuant to Standing Order 122.<sup>16,17</sup>

Petitions must be certified by the Clerk as conforming with the Standing Orders before they can be presented. The Clerk confirms a petition is in a form that follows the Standing Orders. If the petition does not comply with the rules the Assembly may grant leave for it to be presented.

## **South Australia**

Both Houses of the South Australian Parliament currently maintain paper petitions only.

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<sup>16</sup> Legislative Council of New South Wales, *Inquiry into E-petitions*, Submission No 2, Hon Kezia Purick MLA, 15 May 2017.

<sup>17</sup> Standing Order 122 of the Legislative Assembly of the Northern Territory, 4<sup>th</sup> edition, in force as of 21 April 2016, provides that 'a copy of the terms of every petition lodged with the Clerk and received by the Assembly will be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition'.

## Appendix 2

### Conditions of Use

The petitions process is governed by a Temporary Order adopted by the Legislative Assembly of Western Australia. The Temporary Order enables the Legislative Assembly of Western Australia to accept electronic petitioning (“e-petitions”).

By electing to join an e-petition, you acknowledge that you meet the conditions detailed below.

1. You meet the eligibility requirement specified for the e-petition.
2. You are a resident of Western Australia.
3. You have not already joined the e-petition.
4. The name, address and email address details provided are your true details. Otherwise, you are entering the name, address and email address details of someone else because they are physically incapable of entering their details and:
  - have given you express permission to act on their behalf to record their details for the purposes of joining the e-petition (provided that the authority to act on their behalf is not revoked at the time of joining the e-petition); and
  - to the best of your knowledge the details that you enter are true and correct.
5. By electing to join an e-petition, you acknowledge that your name, address and email address will be published on the physical tabled paper of the e-petition retained by the Legislative Assembly. This personal information will not be viewable in any form on the website; however, the hard copy of the tabled paper of the e-petition containing this information may be obtained from the Clerk of the Legislative Assembly by a member of the Parliament of Western Australia. This information is not provided by the Legislative Assembly to third parties. You acknowledge that it is possible for a member of the Parliament of Western Australia, on request, to access and disseminate your information.
6. Your name, address and email address details will not be added to any mailing list by the Legislative Assembly. All electronic personal data relating to the posting and joining of an e-petition will be disposed of within six months of the e-petition being presented to the Legislative Assembly. Further information on the collection and storage of personal information is available in our Privacy Statement.

**IMPORTANT:** Failing to comply with these Conditions of Use may amount to a contempt of Parliament.

## **Appendix 3**

### **Privacy Statement**

#### **Freedom of Information**

The Parliament of Western Australia is exempt from Freedom of Information under Schedule 2 of the *Freedom of Information Act 1992*.

#### **Privacy Statement**

This privacy statement applies to your personal information collected on the Parliament of Western Australia website [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au).

#### **Maintenance of the site**

The Parliamentary Services Department is responsible for Information Technology Infrastructure and technical administration of the website.

The Legislative Council, Legislative Assembly and the Parliamentary Services Department, use the website for communication with agencies, organisations and the public. All three departments are therefore responsible for content, and the collection and management of any personal information received.

The website is regularly reviewed to ensure the quality of information is maintained.

Any personal information provided through website content links is retained within internal systems in accordance with the *State Records Act 2000*.

#### **Security of Information**

Security of information is a priority for all three departments. Our website and other information systems are monitored to maintain information security. This includes the information that you provide us through the website. This increases the safety of our systems from external influences.

#### **Collection of personal information**

You are not required to provide personal information in order to browse our website.



There are certain areas of the website where you may choose to provide us with information, which include:

- emailing one of our departments
- subscribing to Rich Site Summary (RSS) feeds and alerts for Chamber Documents and Bills [to add additional RSS feeds if approved]
- subscribing to an online educational or community newsletter
- using our Education Tour Booking System
- using our Feedback form

Email addresses and content are retained when you send an email directly from the Parliament website content links.

### **Submissions to Parliamentary Committees**

All submissions determined by a Committee for release will be published to the website under the inquiry or Committee activity that it relates to. Personal details provided on submissions will not be published. This does not apply to the publication of the contact details of organisations.

### **Petitions**

Once tabled in the Legislative Council, a petition can be accessed in hard copy. A synopsis of the petition and the number of signatories are included on the website. Reports of the Standing Committee on Environment and Public Affairs on petitions (where a detailed investigation is conducted) are also available electronically on the website.

In the Legislative Assembly, copies of petitions are made available to members upon request, but not to third parties. The name of the tabling member and a synopsis of the petition are provided on the website.

### **Use and disclosure of personal information**

Information collected will only be used for the purposes for which it was provided and except where otherwise stated in this *Privacy Statement*, will not be disclosed to third parties.

### **Access and correction of personal information**

In relation to personal information supplied to the three Parliamentary Departments, you can request that this be corrected if you believe it is wrong. You will need to contact the relevant department to which the information was provided.

### **Statistical information and cookies**

Some information is retrieved when you visit our website; however, this information is not used to identify individual users. The information is used for statistical purposes to improve the website's content and customisation to better meet your needs. Statistical information may be viewable by third parties contracted to provide administrative or technical support for the website.

This information includes:

- IP (Internet Protocol) address of the machine used to access the site
- the address of your server
- the search terms you used
- pages accessed, links clicked on and documents downloaded
- pages shared
- date and time of your visit to the site
- referring site to the Parliament of Western Australia website
- your operating system (i.e. Windows, Android or Mac)
- web browser used (i.e. Internet Explorer, Chrome)

A cookie is a small text file placed on your computer when you visit a website. It enables the website to recognise you in subsequent visits. Cookies do not personally identify you but do identify your browser.

The Parliament of Western Australia uses cookies on this website. Firstly, through Google Analytics which is used to gather the above statistical information. Secondly, when social media is embedded through use of a third-party provider such as Twitter or YouTube (to play videos).

You may refuse the use of cookies by selecting the appropriate settings on your browser. Please be aware that restricting cookies may impact your ability to use the full functionality of the website.

**Google Analytics**

Google Analytics is a web analytics service provided by Google Inc. to source analytic data. Information about your use of the website is transferred to and stored on Google Servers. Google uses this information to evaluate your use of the website and to collate reports on website activity.

By using this website, you consent to the processing of data by Google in the manner set out above.

**Further information**

For further information on this privacy statement contact the Website Administrator.

## Appendix 4

### Committee's Functions and Powers

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Legislative Assembly Standing Order No. 284 provides the following functions, powers and terms of reference to the Procedure and Privileges Committee —

#### **Procedure and Privileges Committee**

##### **284.**

- (1) A Procedure and Privileges Committee will be appointed at the beginning of each Parliament to —
  - (a) examine and report on the procedures of the Assembly; and
  - (b) examine and report on issues of privilege; and
  - (c) wherever necessary, confer with a similar committee of the Council.
- (2) Membership of the committee will consist of the Speaker and four other members as the Assembly appoints.
- (3) Standing Order 278 will apply except that where possible any report of the committee will be presented by the Deputy Speaker.
- (4) When consideration of a report from the committee is set down as an order of the day it will be considered using the consideration in detail procedure.



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