



# Standing Orders and Procedure Committee

REPORT 3/57 – JUNE 2020

MODERNISATION AND REFORM OF PRACTICES AND PROCEDURES:  
EPETITIONS SESSIONAL ORDERS

INTERIM REPORT

REPORTS  
COMMITTEES

5

LEGISLATIVE ASSEMBLY  
OF NEW SOUTH WALES



LEGISLATIVE ASSEMBLY

## STANDING ORDERS AND PROCEDURE COMMITTEE

Modernisation and reform of practices and  
procedures: ePetitions sessional orders

Interim report 3/57 – June 2020

New South Wales Parliamentary Library cataloguing-in-publication data:

**New South Wales. Parliament. Legislative Assembly. Standing Orders and Procedure Committee.**

Modernisation and reform of practices and procedures: ePetitions sessional orders / Legislative Assembly, Standing Orders and Procedure Committee. [Sydney, N.S.W.] : the Committee, 2020. – 1 online resource (15 pages). (Report ; no. 3/57)

ISBN: 978-1-921012-91-4

1. New South Wales. Parliament. Legislative Assembly—Rules and practice.
2. Parliamentary practice—New South Wales.

I. Title.

II. O'Dea, Jonathan.

III. Series: New South Wales. Parliament. Legislative Assembly. Standing Orders and Procedure Committee. Report ; no. 3/57.

328.944 (DDC22) The motto of the coat of arms for the state of New South Wales is “Orta recens quam pura nites”. It is written in Latin and means “newly risen, how brightly you shine”.

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## Membership

CHAIR	The Hon. Jonathan O'Dea MP
MEMBERS	The Hon. Mark Speakman MP (from 4 June 2020) The Hon. Andrew Constance MP (9 May 2019 – 4 June 2020) Ms Steph Cooke MP Mr Mark Coure MP Mr Adam Crouch MP Mr Michael Daley MP Mr Lee Evans MP Mr Nick Lalich MP (9 May 2019 – 30 July 2019) Mr Paul Lynch MP (9 May 2019 – 30 July 2019) Mr Ryan Park MP (from 30 July 2019) Mr Greg Piper MP Ms Anna Watson MP (from 30 July 2019) The Hon. Leslie Williams MP
CONTACT DETAILS	Legislative Assembly Standing Orders and Procedure Committee Parliament House Macquarie Street Sydney NSW 2000
<b>Telephone</b>	(02) 9230 2222
<b>E-mail</b>	<a href="mailto:Helen.Minnican@parliament.nsw.gov.au">Helen.Minnican@parliament.nsw.gov.au</a>
<b>Website</b>	<a href="http://www.parliament.nsw.gov.au/lastandingordersandprocedure">www.parliament.nsw.gov.au/lastandingordersandprocedure</a>

## Terms of reference

The Standing Orders and Procedure Committee has been appointed to inquire into, and report on any matter relating to the standing orders or procedures of the House and its committees.

## Speaker's foreword

In the Committee's interim report tabled in October 2019, we recommended a process be adopted to permit the Assembly to receive ePetitions. The information technology infrastructure is now in place to permit ePetitions to be received. This report contains the sessional orders relating to ePetitions which are recommended for adoption by the Assembly.

The ePetitions process will see New South Wales residents able to directly and transparently bring their issues to the Legislative Assembly in line with community expectations about how parliaments should 'listen' to the people.

I thank members of the Committee from all parties for their continued collaborative approach to these reforms.

A handwritten signature in blue ink that reads "Jonathan O'Dea". The signature is written in a cursive, flowing style.

**The Hon. Jonathan O'Dea MP**

Chair

# Recommendation

## **RECOMMENDATION 1**

That the House adopt the sessional orders in Appendix One to permit ePetitions to be received.





## Chapter One – ePetitions sessional orders

- 1.1 The Committee recommends that the Legislative Assembly change the Standing and Sessional Orders to permit ePetitions. The proposed sessional orders are included in Appendix One.

### **RECOMMENDATION 1**

That the House adopt the sessional orders in Appendix One to permit ePetitions to be received.

## Appendix One – Proposed ePetitions sessional orders

**Sessional order changes relating to electronic petitions (ePetitions)**

<i>Standing Order</i>	<i>Current sessional order</i>	<i>New sessional order</i>
<p><b>Lodgement of petitions</b>  <b>119.</b> A petition must be lodged with the Clerk by 12 noon on the day it is to be reported to the House.</p>		<p><b>Lodgement of paper petitions and electronic petitions</b>  <b>119.</b> A paper petition must be lodged with the Clerk by 12 noon on the day it is to be reported to the House.  <b>119A.</b> An electronic petition is considered to be lodged with the Clerk once the petition is no longer open for signatures.</p>
<p><b>120.</b> A petition must bear the Clerk's certification that it is in conformity with the standing orders.</p>		<p><b>120.</b> A paper petition must bear the Clerk's certification that it is in conformity with the standing orders.  <b>120A.</b> An electronic petition is in conformity with the standing orders when it is open for signatures.</p>
<p><b>121.</b> A petition must:</p> <ol style="list-style-type: none"> <li>(1) Be legible and contain no alterations.</li> <li>(2) Be in English or be accompanied by a translation certified to be correct by the lodging Member.</li> <li>(3) Contain the request of the petitioner(s).</li> <li>(4) Contain the names and addresses of the petitioner(s) and their own original signatures on sheets containing the petition or the request and they must not be</li> </ol>		<p><b>121.</b> A paper petition must:</p> <ol style="list-style-type: none"> <li>(1) Be legible and contain no alterations.</li> <li>(2) Be in English or be accompanied by a translation certified to be correct by the lodging Member.</li> <li>(3) Contain the request of the petitioner(s).</li> <li>(4) Contain the names and addresses of the petitioner(s) and their own original signatures on sheets containing the petition or the request and they must not be</li> </ol>

<p>pasted on or otherwise transferred to the petition. A petitioner unable to write may affix their mark in the presence of a witness who shall list their own name and address as well as the name and address of the petitioner.</p> <ul style="list-style-type: none"><li>(5) Contain at least one signature on the same sheet as the request.</li><li>(6) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.</li><li>(7) If from a corporation, be made under its common seal.</li><li>(8) Be received only as the petition of the parties signing the same.</li></ul>		<p>pasted on or otherwise transferred to the petition. A petitioner unable to write may affix their mark in the presence of a witness who shall list their own name and address as well as the name and address of the petitioner.</p> <ul style="list-style-type: none"><li>(5) Contain at least one signature on the same sheet as the request.</li><li>(6) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.</li><li>(7) If from a corporation, be made under its common seal.</li><li>(8) Be received only as the petition of the parties signing the same.</li></ul> <p><b>121A. An electronic petition must:</b></p> <ul style="list-style-type: none"><li>(1) Be in English.</li><li>(2) Contain the request of the petitioner expressed in no more than 250 words.</li><li>(3) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.</li><li>(4) Be supported by at least five people before it is open to the public for signatures, with the petitioner and</li></ul>
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		<p>all signatories residents of New South Wales.</p> <p>(5) Be open for signatures for a period of one, three or twelve weeks.</p> <p>(6) Be received only as the petition of the parties signing the same.</p>
<p><b>122.</b> A petition must not:</p> <ol style="list-style-type: none"> <li>(1) Have letters, affidavits, or other documents attached to it, except if it is a petition for a private bill.</li> <li>(2) Make reference to any debate in Parliament.</li> <li>(3) Be lodged by a Member who has signed the petition as a petitioner.</li> <li>(4) Contain language disrespectful to either House or the Governor.</li> </ol>		<p><b>122.</b> A paper petition or electronic petition must not:</p> <ol style="list-style-type: none"> <li>(1) Have letters, affidavits, or other documents attached to it, except if it is a petition for a private bill.</li> <li>(2) Make reference to any debate in Parliament.</li> <li>(3) Be lodged by a Member who has signed the paper petition as a petitioner.</li> <li>(4) Contain language disrespectful to either House or the Governor.</li> </ol>
<p><b>123.</b> The procedure for the lodging and presentation of a petition is as follows:</p> <ol style="list-style-type: none"> <li>(1) The Member must be acquainted with the contents of the petition.</li> <li>(2) The Member must ensure that the petition is in conformity with the Standing Orders.</li> <li>(3) The Member must sign the front sheet and, if applicable, certify that</li> </ol>	<p><b>123.</b> The procedure for the lodging and presentation of a petition is as follows:</p> <ol style="list-style-type: none"> <li>(1) The Member must be acquainted with the contents of the petition.</li> <li>(2) The Member must ensure that the petition is in conformity with the Standing Orders.</li> <li>(3) The Member must sign the front sheet and, if applicable, certify that</li> </ol>	<p><b>123.</b> The procedure for the lodging and presentation of a paper petition is as follows:</p> <ol style="list-style-type: none"> <li>(1) The Member must be acquainted with the contents of the paper petition.</li> <li>(2) The Member must ensure that the paper petition is in conformity with the Standing Orders.</li> </ol>

<p>the petition has been signed by 500 or more persons.</p> <p>(4) The petition may be lodged for presentation with the Clerk.</p> <p>(5) In the House the Clerk shall announce that petitions have been received.</p> <p>(6) The terms of the petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(7) No discussion upon the subject matter of a petition shall be allowed, except by way of substantive motion.</p>	<p>the petition has been signed by 500 or more persons.</p> <p>(4) The petition may be lodged for presentation by the Clerk.</p> <p>(5) In the House the Clerk shall announce that petitions have been received.</p> <p>(6) The terms of the petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(7) No discussion upon the subject matter of a petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.</p>	<p>(3) The Member must sign the front sheet and, if applicable, certify that the <b>paper</b> petition has been signed by 500 or more persons.</p> <p>(4) The <b>paper</b> petition may be lodged for presentation by the Clerk.</p> <p>(5) In the House the Clerk shall announce that <b>paper</b> petitions have been received.</p> <p>(6) The terms of the <b>paper</b> petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(7) No discussion upon the subject matter of a <b>paper</b> petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.</p> <p><b>123A.</b> The procedure for the lodging and presentation of an electronic petition is as follows:</p> <p>(1) The Member must be acquainted with the contents of the electronic petition.</p> <p>(2) The Member must agree to present the electronic petition.</p>
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		<p>(3) The electronic petition is considered presented after it is no longer open for signatures.</p> <p>(4) In the House the Clerk shall announce that electronic petitions have been received.</p> <p>(5) The terms of the electronic petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(6) No discussion upon the subject matter of an electronic petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.</p>
<p><b>124.</b> Petitions shall be deemed to be received by the House unless a motion, moved on the next sitting day (not being a Friday), is agreed to, without debate or amendment, that a petition be not received.</p>	<p><b>124.</b> Petitions shall be deemed to be received by the House unless a motion, moved on the next sitting day, is agreed to, without debate or amendment, that a petition be not received.</p>	<p><b>124.</b> Paper petitions and electronic petitions shall be deemed to be received by the House unless a motion, moved on the next sitting day, is agreed to, without debate or amendment, that a petition be not received.</p>
<p><b>125.</b> (1) A copy of every petition lodged with the Clerk and received by the House shall be referred by the Clerk to the Minister responsible for the</p>		<p><b>125.</b> (1) A copy of every paper petition and electronic petition lodged with the Clerk and received by the House shall be referred by the Clerk to the</p>



<p>administration of the matter which is the subject of the petition.</p> <p>(2) The minister must lodge a response with the Clerk within 35 calendar days of a petition being received by the House if that petition has been signed by 500 or more persons.</p> <p>(3) The receipt of the response shall be reported to the House by the Clerk and a copy of the response sent to the Member who lodged the petition. The response shall also be published.</p>		<p>Minister responsible for the administration of the matter which is the subject of the petition <b>or electronic petition</b>.</p> <p>(2) The <b>Minister</b> must lodge a response with the Clerk within 35 calendar days of a <b>paper petition or electronic petition</b> being received by the House if that <b>paper petition or electronic petition</b> has been signed by 500 or more persons.</p> <p>(3) The receipt of the response shall be reported to the House by the Clerk and a copy of the response sent to the Member who lodged the <b>paper petition or electronic petition</b>. The response shall also be published.</p>
	<p><b>125A.</b></p> <p>(1) The subject matter of every petition received by the House and certified by a Member and announced by the Speaker as having been signed by 10,000 or more persons, shall be automatically set down as an Order of the Day "That the House take note of the petition".</p>	<p><b>125A.</b></p> <p>(1) The subject matter of every <b>paper petition or electronic petition</b> received by the House and certified by a Member and announced by the Speaker as having been signed by 10,000 or more persons, <b>20,000 or more persons for electronic petitions</b>, shall be automatically set down as an Order of the Day "That</p>

	<p>(2) The Order of the Day shall take place at 4.00 p.m. on the Thursday of the next sitting week</p> <p>(3) Any further petitions received after the first Order of the Day is disposed of shall be set down on succeeding Thursdays in the order in which they are presented</p> <p>(4) The following time limits shall apply:          First speaker - 5 minutes          Four other Members – 5 minutes each          Response by Minister – 3 minutes          First speaker in reply – 2 minutes          Total – 30 minutes</p> <p>(5) If a Member does not seek the call when the Order of the Day is called on, the Order of the Day will lapse.</p>	<p>the House take note of the petition".</p> <p>(2) The Order of the Day shall take place at 4.00 p.m. on the Thursday of the next sitting week</p> <p>(3) Any further <b>paper or electronic</b> petitions received after the first Order of the Day is disposed of shall be set down on succeeding Thursdays in the order in which they are presented</p> <p>(4) The following time limits shall apply:          First speaker - 5 minutes          Four other Members – 5 minutes each          Response by Minister – 3 minutes          First speaker in reply – 2 minutes          Total – 30 minutes</p> <p>(5) If a Member does not seek the call when the Order of the Day is called on, the Order of the Day will lapse.</p>
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## Appendix Two – Extracts from Minutes

### **Minutes of Proceedings of the Standing Orders and Procedure Committee Meeting No. 12 (57<sup>th</sup> Parliament)**

4.03pm, Tuesday 22 October 2019  
Speaker's Dining Room, Parliament House

#### **Members present:**

The Hon. Jonathan O'Dea MP, Speaker (Chair)  
Ms Steph Cooke MP  
Mr Greg Piper MP  
The Hon. Andrew Constance MP  
Mr Lee Evans MP  
Mr Michael Daley MP  
Mr Ryan Park MP  
Ms Anna Watson MP  
Mr Mark Coure MP  
Mr Adam Crouch MP

#### **Officers in attendance:**

Ms Helen Minnican, Clerk  
Ms Carly Maxwell, Clerk-Assistant, Table  
Mr Simon Johnston, Director, Procedural Research and Protocol  
Mr Jonathan Elliott, Director, Table and Chamber Services

#### **Other attendees (by previous resolution of the Committee)**

Mr Paul Blanch, Office of the Speaker  
Ms Rebecca Cartwright, Office of the Government Whip  
Mr Angus McKenzie-Wills, Office of the Leader of the Government

The Chair opened the meeting at 4.03pm.

#### **1. Apologies**

Mrs Leslie Williams MP

#### **2. Minutes of previous meeting**

Agreed, on the motion of Mr Piper, seconded Mr Daley, that the minutes of meeting 11 be adopted.

#### **3. Inquiry – Modernisation and reform of Legislative Assembly practices and procedures, and the operation of the House and its committees**

The Committee considered the following matters:

...

- ePetitions process – business case

*Discussion ensued.*

Resolved, on the motion of Mr Daley, seconded Mr Crouch, that the business case relating to the implementation of ePetitions be endorsed.

The Committee noted that, once the ePetitions process was in operation, the Clerk would monitor the number of ePetitions received.

4. ...

5. ...

6. ...

7. ...

**8. Next meeting**

Tuesday 19 November (venue and time tbc)

There being no further business, the Committee adjourned at 4.45pm

**Minutes of Proceedings of the Standing Orders and Procedure Committee Meeting No. 13 (57<sup>th</sup> Parliament)**

3.35pm, Tuesday 19 November 2019  
Speaker's Dining Room, Parliament House

**Members present:**

The Hon. Jonathan O'Dea MP, Speaker (Chair)  
Ms Steph Cooke MP  
Mr Greg Piper MP  
The Hon. Andrew Constance MP  
Mr Lee Evans MP  
Mr Michael Daley MP  
Mr Ryan Park MP  
Ms Anna Watson MP  
Mr Mark Coure MP  
Mr Adam Crouch MP

**Officers in attendance:**

Ms Helen Minnican, Clerk  
Ms Carly Maxwell, Clerk-Assistant, Table  
Mr Simon Johnston, Director, Procedural Research and Protocol

**Other attendees (by previous resolution of the Committee)**

Mr Paul Blanch, Office of the Speaker  
Ms Rebecca Cartwright, Office of the Government Whip  
Mr Angus McKenzie-Wills, Office of the Leader of the Government

Ms Ellie Laing, Office of the Speaker

The Chair opened the meeting at 3.35pm.

**1. Apologies**

Mrs Leslie Williams MP

**2. Minutes of previous meeting**

Agreed, on the motion of Mr Daley, seconded Mr Piper that the minutes of meeting 12 be adopted.

**3. ...**

**4. ...**

**5. ...**

**6. Next meeting**

First sitting week of 2020, date and time tbc.

There being no further business, the Committee adjourned at 4.11pm

**Minutes of Proceedings of the Standing Orders and Procedure Committee Meeting No. 14 (57<sup>th</sup> Parliament)**

5.15pm, Tuesday 12 May 2020

Room 814/815 & Webex teleconference, Parliament House

**Members present:**

The Hon. Jonathan O'Dea MP, Speaker (Chair)

Ms Steph Cooke MP

Mr Greg Piper MP

The Hon. Mark Speakman MP (by invitation)

Mr Lee Evans MP

Mr Michael Daley MP

Mr Ryan Park MP

Mr David Mehan MP (in place of Ms Anna Watson MP)

Mr Adam Crouch MP

**Officers in attendance:**

Ms Helen Minnican, Clerk

Ms Carly Maxwell, A/Deputy Clerk

Mr Simon Johnston, A/Clerk Assistant, House and Procedure

**Other attendees (by previous resolution of the Committee)**

Mr Paul Blanch, Office of the Speaker

Ms Rebecca Cartwright, Office of the Government Whip

Ms Ellie Laing, Office of the Speaker  
 Ms Georgia Luk, Office of the Speaker

The Chair opened the meeting at 5.22pm.

**1. Apologies**

Ms Anna Watson MP, Mr Mark Coure MP and Mrs Leslie Williams MP

Pursuant to Standing Order 295(1) it was resolved on the motion of Mr Michael Daley seconded by Mr Greg Piper: that Mr David Mehan be authorised to attend the meeting.

The Speaker noted that the Hon. Mark Speakman MP would replace the Hon. Andrew Constance MP on the Committee, following advice received from the Premier indicating that the Hon. Mark Speakman MP has been appointed Leader of the House from 8 May 2020. The Committee resolved to approve the attendance of the Hon. Mark Speakman at the meeting, pending the formal motion by the House for the Minister to replace the Hon. Andrew Constance.

**2. Minutes of previous meeting**

Agreed, on the motion of Mr Greg Piper, seconded Mr Adam Crouch that the minutes of meeting 13 be adopted.

3. ...

4. ...

5. ...

**6. ePetitions**

The Clerk and Speaker spoke to the ePetitions sessional orders paper provided, noting that the ePetitions technical system will be able to receive ePetitions from end June.

The Clerk advised that Speaker's Guidelines for petitions would be introduced in conjunction with the introduction of ePetitions. The current guidelines on the website are more restrictive than the Standing Orders and the Speaker's Guidelines would establish that the Legislative Assembly Clerk and staff are responsible for determining conformity with the Standing Orders as distinct from matters relating to the use of Members' entitlements.

*Discussion ensued.*

The Committee noted that guidelines for petitions would clearly establish the operation and limitations of petitions to manage the expectations of petitioners.

Resolved, on the motion of Mr Michael Daley, seconded by Mr Lee Evans, that the Committee recommend the adoption of sessional orders relating to ePetitions and recommend that the NSW Government provide the funding required to enable to the Legislative Assembly to receive and administer ePetitions.

7. ...

8. ...

9. ...

10. ...

11. ...

**12. Next meeting**

Date and time to be confirmed.

There being no further business, the Committee adjourned at 6.12pm

**Unconfirmed Minutes of Proceedings of the Standing Orders and Procedure Committee Meeting No. 15 (57<sup>th</sup> Parliament)**

12:00pm, Tuesday 17 June 2020  
Room 814/815, Parliament House

**Members present:**

The Hon. Jonathan O'Dea MP, Speaker (Chair)  
Mr Greg Piper MP  
The Hon. Mark Speakman MP  
Mr Lee Evans MP  
Mr Michael Daley MP  
Mr Ryan Park MP

**Officers in attendance:**

Ms Helen Minnican, Clerk  
Mr Simon Johnston, A/Clerk Assistant, House and Procedure  
Ms Caroline Hopley, Research Officer

**Other attendees (by previous resolution of the Committee)**

Mr Paul Blanch, Office of the Speaker  
Ms Ellie Laing, Office of the Speaker  
Ms Georgia Luk, Office of the Speaker

The Chair opened the meeting at 12.05pm.

**1. Apologies**

Ms Steph Cooke MP, Ms Anna Watson MP, Mr Adam Crouch MP, Mr Mark Coure MP, Mrs Leslie Williams MP

The Speaker confirmed the change in membership of the Committee as recorded in the Votes and Proceedings no. 53, Thursday 4 June 2020, entry 14:

The Hon. Mark Speakman MP appointed to serve on the Committee in place of The Hon. Andrew Constance MP, discharged.

**2. Minutes of previous meeting**

Agreed, on the motion of Mr Park, seconded Mr Piper: that the minutes of meeting 14 be adopted.

...

**3.** ...

**4.** ...

**5. ePetitions**

The Committee noted the Speaker's Guidelines for Petitions.

The Clerk and A/Clerk Assistant – House and Procedure provided the Committee with a demonstration of the ePetitions process and briefed the Committee on the draft Interim Report.

Discussion ensued.

Resolved, on the motion of Mr Piper, seconded Mr Evans, that the Interim report 'Sessional Orders for ePetitions' be adopted, with the removal of Recommendation Two and content related to the recommendation.

**6.** ...

**7.** ...

**8. Next meeting**

12 pm, Wednesday 29 July, Room 814/815 and Webex (venue tbc)

There being no further business, the Committee adjourned at 12.45pm