

Procedure Committee

E-petitions

Ordered to be printed 7 June 2018

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

New South Wales. Parliament. Legislative Council. Procedure Committee.

Report on e-petitions / Legislative Council, Procedure Committee. [Sydney, N.S.W.] : the Committee, 2018. – [7] pages; 30 cm. (Report no. 11, June 2018 / Procedure Committee)

Chair: The Hon John Ajaka MLC.

“Ordered to be printed June 2018”

ISBN 9781920788247

1. New South Wales. Parliament—Rules and practice.
2. Parliamentary practice—New South Wales.
3. Legislative bodies—New South Wales—Rules and practice.
 - I. Title
 - II. Ajaka, John.
 - III. Series: New South Wales. Parliament. Legislative Council. Procedure Committee. Report ; no. 11

328.944 (DDC22)

Table of contents

	Terms of reference	iv
	Committee details	v
Chapter 1	E-petitions	1
Appendix 1	Minutes	3

Terms of reference

Inquiry into e-petitions

1. That the Procedure Committee inquire into and report on the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
2. That the committee report by the last sitting day in June 2017.¹

¹ 23 February 2017, Minutes No. 92, item 17, p1415. Reporting date extended until last sitting day in 2017, Minutes No. 115, item 8, p1744; Reporting date extended until last sitting day in June 2018, Minutes No. 136, item 44, p2194.

Committee details

Committee members

The Hon John Ajaka MLC President	Liberal Party	<i>Chair</i>
The Hon Trevor Khan MLC Deputy President	The Nationals	
Revd the Hon Fred Nile MLC Assistant President	Christian Democratic Party	
The Hon Don Harwin MLC Leader of the Government	Liberal Party	
The Hon Niall Blair MLC Deputy Leader of the Government	The Nationals	
The Hon Adam Searle MLC Leader of the Opposition	Australian Labor Party	
The Hon Walt Secord MLC Deputy Leader of the Opposition	Australian Labor Party	
The Hon Natasha Maclaren-Jones MLC Government Whip	Liberal Party	
The Hon Shaoquett Moselmane MLC Opposition Whip	Australian Labor Party	
The Hon Robert Borsak MLC	Shooters, Fishers and Farmers Party	
Dr Mehreen Faruqi MLC	The Greens	
The Hon Wes Fang MLC	The Nationals	

Contact details

Email	<i>Procedure.committee@parliament.nsw.gov.au</i>
Telephone	<i>02 9230 2431</i>

Chapter 1 E-petitions

- 1.1 On 23 February 2017, the House referred to the Procedure Committee terms of reference to inquire into and report on the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
- 1.2 At its meeting on 5 April 2017, the committee resolved to accept the terms of reference from the House. The Chair wrote to the members of the Legislative Council and to other Australian and overseas parliaments inviting submissions to the inquiry. The committee received sixteen submissions, including three submissions from members of the Legislative Council and three submissions from overseas parliaments. All submissions received are available on the committee inquiry webpage.
- 1.3 On 14 June 2017, the Chair made a visit of inspection to the Australian Parliament, during which the Chair was briefed on the House of Representatives e-petition system. The Chair prepared a discussion paper sharing his observations regarding the House of Representatives' e-petition model. The discussion paper was published in Report No. 10 of the committee.²
- 1.4 When the discussion paper was considered by the committee some members of the committee expressed in principle support for the acceptance of e-petitions by the House, while other members reserved their position. The committee agreed that the Chair should prepare further information to inform the committee on the feasibility of replication of the House of Representative's e-petition model on the NSW Parliament's website.
- 1.5 At its meeting on 7 March 2018, the Chair briefed the committee on the indicative cost to replicate the House of Representative's e-petition model (\$58K) and on the cost of a comprehensive business case which would confirm actual expenditure requirements (\$18K). The Chair also briefed the committee on the current list of prioritised information technology initiatives for the Parliament.
- 1.6 The committee noted there was little scope to divert financial and expert resources from current projects to the preparation of a comprehensive business case on e-petitions, and that there was a limited number of sitting days until the conclusion of the 56th Parliament. The committee further noted that it still had not reached a consensus view on whether the House should accept e-petitions.
- 1.7 Given the absence of consensus on the question of whether the House should accept e-petitions, the current financial situation of the parliament with respect to information technology initiatives and the limited number of sitting days prior to the expiration of the current parliament, the report does not include any recommendations regarding e-petitions.

² Procedure Committee, Report No. 10, *Report relating to rules for notices of motions, the rules for questions, e-petitions and two new sessional orders*, November 2017.

Appendix 1 Minutes

Minutes No. 7

Wednesday 5 April 2017

President's Dining Room, 1.05 pm

1. Members present

Mr Ajaka (Chair)
 Dr Faruqi
 Mr Harwin
 Mr Khan
 Mrs Maclaren Jones
 Mr Moselmane
 Mr Searle
 Mr Secord

2. Apologies

Mr Borsak.

3. Previous minutes

Minutes no. 6 confirmed on the motion of Mr Searle.

4. Inquiry into e-petitions

The Chair tabled the terms of reference for the inquiry that was received from the House on 23 February 2017.

The committee deliberated.

Resolved, on the motion of Mr Harwin:

- That the committee accept the terms of reference and proceed to conduct an inquiry into the merits of introducing e-petitions and the mechanisms by which they could be accepted in the Legislative Council.
- That the Chair, on behalf of the committee, write to the members of the Legislative Council and to other Australian and overseas parliaments inviting submissions to the inquiry by 31 May 2017.

5. Inquiries into the rules for notices of motions and the rules for questions

5.1 Submissions

The committee noted that the following submissions had been received and published by the committee clerk under the authority of the resolution of the committee:

- New Zealand House of Representatives
- Legislative Assembly of Queensland
- Legislative Assembly for the Australian Capital Territory
- Legislative Assembly of the Northern Territory
- Victorian Legislative Assembly
- Legislative Council of the Parliament of Tasmania
- Victorian Legislative Council
- Australian House of Representatives
- Legislative Council of Western Australia
- New South Wales Legislative Assembly.

: -

5.2 Discussion papers

Resolved, on the motion of Mr Searle: That the secretariat prepare a discussion paper on the terms of reference for each inquiry for consideration by the committee at a future meeting.

6. Adjournment

The Committee adjourned at 1.20 pm *sine die*.

David Blunt

Clerk to the Committee

Minutes No. 8

Wednesday 11 October 2017

President's Dining Room, 1.15 pm

1. Members present

Mr Ajaka (Chair)
Dr Faruqi
Mr Franklin
Mr Harwin
Mr Khan
Mrs Maclaren Jones
Mr Moselmane
Revd Mr Nile
Mr Searle
Mr Secord

2. Previous minutes

Minutes no. 7 confirmed on the motion of Mr Khan.

3. Inquiry into e-petitions

The discussion paper highlighting the House of Representatives e-petition system having been previously circulated was taken as being read.

The committee deliberated.

Resolved, on the motion of Revd Mr Nile, that the Chair, at a future meeting, provide the committee with detailed business case on the replication of the House of Representatives e-petition model on the NSW Parliament's website.

4. Inquiry into the rules for notices of motions

The discussion paper on the rules for notices of motions having been previously circulated, was taken as being read.

The committee deliberated.

Resolved, on the motion of Mr Harwin, that the Chair prepare a draft report, based on the committee's deliberations on the discussion paper.

5. Inquiry into the rules for Questions

The discussion paper on the rules for Questions, having been previously circulated, was taken as being read.

The committee deliberated.

Resolved, on the motion of Mr Harwin, that the Chair prepare a draft report, based on the committee's deliberations on the discussion paper.

6. Proposed new sessional orders

The proposed new sessional orders for extending debate on an item of business on which debate time has concluded and for the failure of a minister to provide a response to a petition containing 500 or more signatures were considered by the committee.

Resolved, on the motion of Revd Mr Nile, that the committee endorse the two new sessional orders and they be presented to the House for consideration of their adoption.

7. Adjournment

The Committee adjourned at 1.35 pm *sine die*.

David Blunt

Clerk to the Committee

Minutes No. 9

Wednesday 15 November 2017

President's Dining Room, 1.02 pm

1. Members present

Mr Ajaka (Chair)
Mr Borsak
Dr Faruqi
Mr Franklin
Mr Harwin
Mrs Maclaren Jones
Mr Moselmane
Revd Mr Nile
Mr Searle
Mr Secord

2. Apologies

Mr Blair
Mr Khan

3. Previous minutes

Minutes no. 8 confirmed on the motion of Mr Moselmane.

4. Draft report on inquiries into rules for notices of motions, rules for questions and e-petitions, and committee endorsement of two new sessional orders

The Chair submitted his draft report which, having been circulated, was taken as being read.

The committee considered the report.

Resolved, on the motion of Mr Searle:

That the draft report, as read, be the report of the committee and the committee present the report to the House.

That the submissions, minutes of proceedings and correspondence relating to the inquiries be tabled in the House with the report.

5. Inquiry into e-petitions – extension of reporting date

The committee noted that the Chair's draft report (item 4) outlined the committee's progress with respect to the inquiry into e-petitions. The committee further noted that the current reporting date for the inquiry is the last sitting day in 2017.

: -

Resolved, on the motion of Mr Searle: That the committee request the House to extend the reporting date for the inquiry to the last sitting day in June 2018.

6. Adjournment

The Committee adjourned at 1.08 pm *sine die*.

David Blunt

Clerk to the Committee

Minutes No. 10

Wednesday 7 March 2018

President's Dining Room, 1.06 pm

1. Members present

Mr Ajaka (Chair)
Mr Borsak
Dr Faruqi
Mr Fang
Mr Harwin
Mrs Maclaren Jones
Mr Moselmane
Revd Mr Nile
Mr Searle
Mr Secord

2. Apologies

Mr Blair
Mr Khan

3. Membership of committee

The Chair noted that Mr Fang had replaced Mr Franklin as a member of the committee.

4. Previous minutes

Minutes no. 9 confirmed on the motion of Revd Mr Nile.

5. Correspondence

The committee noted the following items of correspondence.

Received

Email dated 14 February 2018 from Mr David Shoebridge to the Chair regarding consideration by the committee of a reference relating to the rules governing the lodging of written questions.

Sent

Letter dated 15 February 2018 from the Chair to Mr David Shoebridge acknowledging Mr Shoebridge's correspondence

6. Inquiry into e-petitions

The committee noted that the reporting date for the inquiry was the last sitting day in June 2018.

The Chair updated the committee on the current list of information technology priorities, while noting the limited number of sitting days until the conclusion of the 56th parliament.

The committee also noted that the question of whether the Legislative Council should adopt an e-petition facility had still not been determined.

7. Proposal to consider variance of rules governing the lodgement of written questions

The committee considered the correspondence from Mr David Shoebridge dated 14 February 2018.

Resolved, on the motion of Mr Harwin: That the secretariat prepare briefing material on how written questions are handled in other comparable parliamentary jurisdictions.

8. Adjournment

The Committee adjourned at 1.20 pm *sine die*.

David Blunt

Clerk to the Committee

Draft Minutes No. 11

Thursday 7 June 2018

President's Dining Room, 1.00 pm

1. Members present

Mr Ajaka (Chair)
 Dr Faruqi
 Mr Fang
 Mr Harwin
 Mrs Maclaren Jones
 Mr Moselmane
 Revd Mr Nile
 Mr Searle
 Mr Secord

2. Apologies

Mr Khan

3. Previous minutes

Minutes no. 10 confirmed on the motion of Revd Mr Nile.

4. Inquiry into e-petitions

The Chair submitted his draft, which, having been circulated, was taken as being read.

The committee considered the report.

Resolved, on the motion of Mr Searle: That the draft report, as read, be the report of the committee and the committee present the report to the House.

5. Lodgement of written questions

The committee noted the information, prepared by the secretariat, on the rules and practice in other Australasian parliaments for the lodgement of written questions by members.

6. Adjournment

The Committee adjourned at 1.10 pm *sine die*.

David Blunt

Clerk to the Committee