

Procedure Committee

# ePetitions

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Chair: The Hon John Ajaka MLC.

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## Table of contents

|            |   |     |
|------------|---|-----|
|            | Terms of reference  | iv  |
|            | Committee details   | v   |
|            | Chair's foreword  | vi  |
|            | Recommendations   | vii |
| Chapter 1  | ePetitions in the Legislative Council                             | 1   |
|            | Background to the current inquiry into ePetitions                 | 1   |
|            | Previous inquiry into ePetitions                                  | 1   |
| Chapter 2  | ePetitions in the Legislative Assembly                            | 3   |
|            | Inquiry into modernisation and reform of practices and procedures | 3   |
|            | Development of the ePetitions process                             | 3   |
|            | ePetitions sessional order  | 4   |
|            | Release and review of ePetitions                                  | 4   |
| Chapter 3  | Adapting ePetitions for the Legislative Council                   | 5   |
|            | Assessing the system  | 5   |
|            | Adapting the system   | 5   |
|            | Procedural requirements   | 9   |
|            | Committee comment   | 9   |
| Appendix 1 | Proposed sessional order relating to ePetitions                   | 11  |
| Appendix 2 | Legislative Assembly ePetitions web page                          | 13  |
| Appendix 3 | Legislative Assembly ePetitions sessional order                   | 15  |
| Appendix 4 | Minutes   | 18  |

## Terms of reference

1. That the President report to the Procedure Committee on a proposed system for the receipt of ePetitions hosted on the Parliament's website and presented to the Legislative Council, including procedures to allow for their introduction.
1. That the Procedure Committee be authorized to initiate a trial of an ePetitions process during the coming recess and until the end of 2020.
2. That the Procedure Committee report to the House on the operation of the ePetitions trial by the first sitting day in 2021.

The terms of reference were included in a motion agreed to by the Council on 24 March 2020 and subsequently adopted by the Procedure Committee on 20 June 2019.<sup>1</sup>

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<sup>1</sup> *Minutes*, NSW Legislative Council, 24 March 2020, pp 874-875.

## Committee details

### Committee members

|                                |                               |              |
|--------------------------------|-------------------------------|--------------|
| Hon John Ajaka MLC             | Liberal Party                 | <i>Chair</i> |
| Hon Robert Borsak MLC          | Shooters, Fishers and Farmers |              |
| Hon Mark Buttigieg MLC         | Australian Labor Party        |              |
| Ms Cate Faehrmann MLC          | The Greens                    |              |
| Hon Emma Hurst MLC             | Animal Justice Party          |              |
| Hon Don Harwin MLC             | Liberal Party                 |              |
| Hon Trevor Khan MLC            | The Nationals                 |              |
| Hon Natasha Maclaren-Jones MLC | Liberal Party                 |              |
| Hon Shayne Mallard MLC         | Liberal Party                 |              |
| Hon Sarah Mitchell MLC         | The Nationals                 |              |
| Revd the Hon Fred Nile MLC     | Christian Democratic Party    |              |
| Hon Adam Searle MLC            | Australian Labor Party        |              |
| Hon Penny Sharpe MLC           | Australian Labor Party        |              |

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## Chair's foreword

I am very pleased to present this report of the Procedure Committee on its inquiry into ePetitions.

I acknowledge the work of the Speaker of the Legislative Assembly, the Legislative Assembly Standing Orders and Procedure Committee, officers of the Legislative Assembly and officers of the Department of Parliamentary Services IT Services in the development of the ePetitions system for the Legislative Assembly.

It is upon the Legislative Assembly's system for ePetitions that this report and its recommendations rely.

I thank members of the Procedure Committee for their consideration of this report and the secretariat for managing this inquiry.

Hon John Ajaka MLC

**President**

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## Recommendations

- Recommendation 1** **10**  
That the Legislative Council adopt the ePetitions system developed by the Legislative Assembly, with minor changes as outlined in this report.
- Recommendation 2** **10**  
That the Legislative Council adopt the proposed sessional order providing the rules for ePetitions.
- Recommendation 3** **10**  
That the President undertake early consultation with members in relation to the ePetitions system.
- Recommendation 4** **10**  
That a marketing strategy be developed to promote ePetitions in the Legislative Council.
- Recommendation 5** **10**  
The committee proposes that after 12 months of operation a comprehensive review be undertaken of the new ePetitions system. The review would canvass the technical and procedural aspects of the system as well as options for enhancements including the provision of a take note debate on ePetitions receiving a certain number of signatures and the provision for members to jointly sponsor or present ePetitions.
- .



# Chapter 1 ePetitions in the Legislative Council

## Background to the current inquiry into ePetitions

- 1.1 On 24 March 2020 the House considered a motion moved by Mr David Shoebriidge relating to ePetitions in the Legislative Council.<sup>2</sup> The resolution noted that the Department of Parliamentary Services was in the process of building the IT infrastructure for the Legislative Assembly to receive and manage ePetitions on the Parliament's website, as occurs in several other Australian legislatures.
- 1.2 The resolution authorised the President and Clerk to investigate infrastructure and procedures for ePetitions in the Legislative Council and for the President to report to the Procedure Committee on a proposed system for the receipt of ePetitions, including procedures for presentation to the House.
- 1.3 At a meeting held on 17 June 2020, the Procedure Committee adopted the terms of reference for the inquiry into ePetitions.
- 1.4 The committee does not consider that the adoption of a provision for ePetitions in the Legislative Council would supersede the provision for traditional paper petitions.
- 1.5 Standing Orders 68-70 providing for paper petitions will remain unchanged.

## Previous inquiry into ePetitions

- 1.6 In 2017 the House referred to the Procedure Committee terms of reference to inquire into and report on the merits of introducing ePetitions and the mechanism by which they could be received in the Legislative Council.
- 1.7 The committee received sixteen submissions, including three submissions from members of the Legislative Council and three submissions from overseas parliaments.
- 1.8 Following a visit of inspection to the Australian Parliament, the Chair prepared a discussion paper sharing his observations regarding the House of Representatives' ePetition model.
- 1.9 When the discussion paper was considered by the committee some members expressed in principle support for the receipt of ePetitions by the House, while other members reserved their position.
- 1.10 The committee provided an interim report to the House advising that the Chair would prepare a detailed business case on the replication of the House of Representatives' ePetition model.
- 1.11 In June 2018 the committee reported that the cost of replicating the House of Representative's ePetition model would be \$58,000 and the cost of the development of a comprehensive business case to confirm actual expenditure requirements would be \$18,000.

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<sup>2</sup> *Minutes*, NSW Legislative Council, 24 March 2020, pp 874-875.

- 1.12** Noting that there was little scope to divert financial and expert resources from current IT projects to ePetitions and that committee members had not yet reached a consensus view on whether the House should receive ePetitions, no recommendation was made to the House.<sup>3</sup>

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<sup>3</sup> Procedure Committee, Report No. 11, *EPetitions*, June 2018, p. 1.

## Chapter 2 ePetitions in the Legislative Assembly

### Inquiry into modernisation and reform of practices and procedures

- 2.1 At the commencement of the 57th Parliament the Legislative Assembly Standing Orders and Procedure Committee initiated an inquiry into modernisation and reform of practices and procedures.
- 2.2 The Standing Orders and Procedure Committee conducted research into ePetitions in other parliamentary jurisdictions and considered a range of options including the systems in use in the Australian House of Representatives, the United Kingdom House of Commons, the Canadian House of Commons and the Queensland Legislative Assembly.
- 2.3 From these options, the committee identified a model that best suited the needs of the Legislative Assembly, and developed a process accordingly.
- 2.4 In October 2019 the Committee tabled a report noting that the Committee had reviewed the ePetitions process and infrastructure in a number of jurisdictions and proposed a process by which the Legislative Assembly could receive ePetitions through the Parliament's website. The report contained one recommendation:
- "That the House adopt the proposed process for accepting ePetitions and the Department of the Legislative Assembly receive the funding required to implement and administer the process."<sup>4</sup>
- 2.5 The elements of the proposed process for receiving ePetitions agreed to by the Committee would be:
- (a) petitioners lodge directly online through the Parliament's website.
  - (b) a Member must agree to present the petition and at least five people must agree to support the petition before it is publicly listed for signature.
  - (c) the ePetition remains open for signatures for a set period of time and closes automatically.
  - (d) the Member that agreed to present the petition is automatically the 'presenting' Member.<sup>5</sup>

### Development of the ePetitions process

- 2.6 Procedural subject matter experts from the Legislative Assembly, DPS information technology officers and external consultants formed a project group tasked with developing an additional

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<sup>4</sup> NSW Legislative Assembly Standing Orders and Procedure Committee, Interim Report No. 2/57, *Modernisation and reform of practices and procedures: ePetitions*, October 2019, p. vii.

<sup>5</sup> *Ibid*, p.1.

module within the existing IT framework to host and administer ePetitions via the Parliament's website.

- 2.7 An agreed concept formed the basis of the product which could be built on as the project developed. The project took approximately four months of intensive work to complete with regular showcases and meetings to adjust and improve on the original design.
- 2.8 During the technical development of the product, the Legislative Assembly consulted with members to ensure in principle support and confidence in the process and the proposed system.
- 2.9 A marketing strategy was also incorporated into the project which included the Speaker promoting ePetitions to members and an information kit, including media release template, developed for use by members.

### **ePetitions sessional order**

- 2.10 On 29 July 2020 the Legislative Assembly agreed to a sessional order permitting the House to receive ePetitions, attached at appendix 3.<sup>6</sup>

### **Release and review of ePetitions**

- 2.1 The Legislative Assembly successfully launched ePetitions in August 2020. At the time of reporting, 23 ePetitions had been initiated and 11 had received electronic signatures numbering in the thousands.
- 2.2 The Standing Orders and Procedure Committee have committed to reporting on a full review of the ePetitions system and process within 12 months of its release.

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<sup>6</sup> *Votes and Proceedings*, NSW Legislative Assembly, 29 July 2020, pp 723-726.

## Chapter 3     **Adapting ePetitions for the Legislative Council**

### **Assessing the system**

- 3.1     Following the resolution of the House of 24 March 2020, the Clerk formed a project team to assess the suitability of the Legislative Assembly's ePetitions system. A briefing was provided by the Assembly project team and Council officers attended a series of meetings to observe the system as it progressed through the development, building, and testing stages leading up to the release in August 2020.

### **Adapting the system**

- 3.1     Overall, the committee is confident that the development process undertaken by the Legislative Assembly has produced a robust and reliable system.
- 3.2     Based on the research undertaken and presented by the Legislative Council project team, the committee is also confident that the ePetitions system can be adapted to meet the requirements of the Legislative Council, assuming these are relatively minor, at a reasonable cost and in a relatively short timeframe.
- 3.3     There are certain aspects of the system implemented by the Legislative Assembly which are open to variation including:
- the word limit of the ePetition,
  - the number of petitioners required to support the publication of the ePetition,
  - that a member is required to agree to present the petition, and
  - the number of weeks an ePetition remains open.
- 3.4     However, it is considered important that the Legislative Assembly and Legislative Council ePetitions systems match as closely as possible to minimise work required in development and for clarity and ease of use by petitioners.
- 3.5     However there are three substantive aspects of the Legislative Assembly system that are contrary to current paper petition practice in the Legislative Council:
- the closed petition is announced to the House by the Clerk, rather than presented to the House by a member (consistent with the procedure for paper petitions in the Legislative Assembly),
  - the petition may be presented provided they are in English, whereas Legislative Council standing orders provide that petitions not in English must be accompanied by a translation,

- the sessional order provides for debate on ePetitions in the Legislative Assembly.

3.6 The table below describes the steps and rules in the Legislative Assembly ePetitions system<sup>7</sup>, where the committee agrees with the procedures, and where modification may be required by the Legislative Council.

| Stage  | Description of Legislative Assembly process  | Committee comment  |
|--|--|--|
| <p><b>The initiator of the petition creates an account</b></p>             | <p>The initiator of the petition accepts the terms and conditions of the website and provides their contact details:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Physical address</li> <li>• Email address</li> <li>• Phone number</li> </ul> <p>The initiator of the petition must confirm they are a resident of New South Wales.</p> | <p>These requirements are appropriate.</p> <p>The details are required to permit the Table Office to contact the initiator of the petition if changes required.</p>  |
| <p><b>The content and form of the petition is submitted for review</b></p> | <p>The initiator creates a petition which must be:</p> <ul style="list-style-type: none"> <li>• addressed to the Legislative Assembly</li> <li>• limited to 250 words with no links or images</li> <li>• not in the same form as a current ePetition</li> <li>• in English.</li> </ul>   | <p>A mandatory address to the President and Members of the Legislative Council is appropriate.</p> <p>The limit of 250 words is appropriate. The petition must contain a request for action by the House or the Parliament as required for paper petitions.</p> <p>Consistent with standing order 69, the Legislative Council could allow for ePetitions in a language other than English if accompanied by a translation "certified to be correct by the member who presents it".</p> |

<sup>7</sup> This table was produced in the NSW Legislative Assembly Standing Orders and Procedure Committee, Interim Report No. 2/57, *Modernisation and reform of practices and procedures: ePetitions*, October 2019, Appendix 1, pp. 2-4 and has been annotated to add the third column outlining Legislative Council views and requirements.

|   |   |  |
|---|---|--|
|   | The petitioner selects the duration for the ePetition to be open for signature: one week, three weeks or twelve weeks   | The options for the duration for which an ePetition will remain open are appropriate.  |
| <b>Petitioners confirm their support for the petition</b>           | The initiator identifies five people who support the petition and provides their email addresses.<br><br>If the ePetition is approved, the supporters of the petition are the first signatories to the ePetition.   | This step is intended to reduce frivolous ePetitions. The support of five additional signatories is appropriate.   |
| <b>A member is identified as the presenting member</b>              | The petitioner identifies a Member of the Legislative Assembly to 'present' the petition.   | This provision is appropriate.   |
| <b>Review of the ePetition</b>                                      | The Legislative Assembly Table Office reviews the ePetition against the requirements of the standing and sessional orders.<br><br>This process may involve discussion with the initiator of the petition before being finalized.                              | This process is consistent with the vetting process for paper petitions and is appropriate.  |
| <b>Five petitioners must confirm their support for the petition</b> | Once the Table Office has assessed the ePetition as meeting requirements, an email is sent to the five identified potential supporters who must confirm their support.  | If five people do not confirm support, the petition does not proceed.  |
| <b>Member agrees to present the petition</b>                        | Once five people have confirmed support an email is automatically sent to the identified member which contains a link to the ePetition and contact details for the petitioner.<br><br>The member agrees to present the petition, refuses, or doesn't respond. | The confirmation of a presenting member is important at this stage to provide certainty to the petitioners that the petition will be presented to the House when closed. |

|  |   |  |
|--|---|--|
|  | <p>If the member refuses or doesn't respond within 14 days, the petitioner is advised and can identify another member. This can be repeated up to five times.</p>   |  |
| <b>Petition is open for signatures</b>                   | <p>Once a member has agreed to present the petition it is made public on the Legislative Assembly petition webpage and is open for the specified time.</p> <p>Signatories must provide name, email address, confirmation that they are a resident of New South Wales, and confirmation that they accept terms and conditions including acknowledging the privacy statement.</p> <p>Only the name of the initial ePetitioner and the number of signatories are displayed online.</p> <p>The webpage is only accessible in Australia.</p> | <p>A separate Legislative Council ePetitions website would be developed that would replicate the Legislative Assembly's page.</p> <p>See screen shots attached at appendix 2.</p>  |
| <b>Duration of ePetition expires</b>                     | <p>At the conclusion of the one, three or twelve week duration, the ePetition automatically closes.</p> <p>The ePetition is automatically listed for presentation by the Clerk on the next Legislative Assembly sitting day and sent to the relevant minister for their information or response within 35 days.</p>   | <p>This aspect of the process should be varied for the Legislative Council to include a new status of "awaiting presentation".</p> <p>Members will be able to present ePetitions to the House in the same manner as for paper petitions.</p> |
| <b>Petitioners advised that the ePetition has closed</b> | <p>An email is automatically sent to the petitioner and all signatories advising that the ePetition has been tabled.</p>  |  |
| <b>ePetition is presented to the</b>                     | <p>The ePetition is listed for</p>  | <p>It is proposed that the</p>   |

|   |  |  |
|---|--|--|
| <b>House</b>  | presentation in the House.   | system be modified to provide that, once closed for signatures, the ePetition remain visible on the website until the member has presented the ePetition to the House. |
| <b>Take note debate is listed on the Business Paper</b> | If the signature threshold of 20,000 is reached, the ePetition is listed on the Business Paper for a 'take note' debate. | The committee does not support the provision of a debate on ePetitions at this stage.  |
| <b>Government's response</b>                            | When received the Government's response is linked to the ePetition.  | This provision is appropriate.   |

### Procedural requirements

- 3.7** As the current Legislative Council Standing Orders relating to petitions provide only for paper petitions, the committee recognises the need to adopt a sessional order detailing the requirements for the proposed system and provision for presentation in the Legislative Council. The proposed sessional order is attached at appendix 1.

### Committee comment

- 3.8** The committee acknowledges the work of the Legislative Assembly Standing Orders and Procedure Committee and officers of the Legislative Assembly and Department of Parliamentary Services in researching, developing and successfully launching the ePetitions system.
- 3.9** The committee supports the adoption of an ePetitions system in the Legislative Council and the adaption of the Legislative Assembly's process, given the relatively low cost of retrofitting the system to suit the Legislative Council's needs.
- 3.10** It is proposed that, should the House agree to the adoption of an ePetition system as outlined in this report, early consultation be undertaken with members to ensure support for and confidence in the development process and the final ePetitions product for the Legislative Council.
- 3.11** The committee proposes that after 12 months of operation a comprehensive review be undertaken of the new ePetitions system. The review would canvass the technical and procedural aspects of the system as well as options for enhancements including the provision of a take note debate on ePetitions receiving a certain number of signatures and the provision for members to jointly sponsor or present ePetitions.

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**Recommendation 1**

That the Legislative Council adopt the ePetitions system developed by the Legislative Assembly, with minor changes as outlined in this report.

**Recommendation 2**

That the Legislative Council adopt the proposed sessional order providing the rules for ePetitions.

**Recommendation 3**

That the President undertake early consultation with members in relation to the ePetitions system.

**Recommendation 4**

That a marketing strategy be developed to promote ePetitions in the Legislative Council.

**Recommendation 5**

The committee proposes that after 12 months of operation a comprehensive review be undertaken of the new ePetitions system. The review would canvass the technical and procedural aspects of the system as well as options for enhancements including the provision of a take note debate on ePetitions receiving a certain number of signatures and the provision for members to jointly sponsor or present ePetitions.

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## Appendix 1 Proposed sessional order relating to ePetitions

### Sessional order – electronic petitions

That for duration of the current session:

#### *Presentation of electronic petitions*

- (1) An electronic petition may only be presented to the House by a member.
- (2) At the time provided a member may present an electronic petition on public or individual grievances, if it relates to a matter over which the House has jurisdiction.
- (3) When presenting a petition, a member may state:
  - (a) the petitioners,
  - (b) the number of signatures,
  - (c) the subject matter of the petition, and
  - (d) the request for action.
- (4) When presenting a petition, a member may move:
  - (a) “That the petition be received”, and
  - (b) “That the petition be read by the Clerk”.
- (5) No amendment or debate may be made on questions relating to electronic petitions.
- (6) A member may not present a electronic petition from that member.
- (7) An electronic petition may not be presented to the House once the House proceeds to the orders of the day, except by leave of the House.
- (8) The Clerk must refer a copy of every electronic petition which is received by the House to the Minister responsible for the administration of the matter the subject of the petition.

#### *Form of electronic petitions*

- (1) An electronic petition must:
  - (a) contain the request of the petitioner expressed in no more than 250 words,
  - (b) 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,
  - (c) be supported by a member who agrees to present the electronic petition
  - (d) be open for signatures for a period of one, three or twelve weeks.
- (2) An electronic petition is to be in the English language where practicable, and if not, must be accompanied by a translation, in English, certified to be correct by the member who presents it.

**3. *Content of electronic petitions***

- (1) No reference may be made in an electronic petition to any debate in Parliament of the same session, unless it is relevant to the petition.
- (2) An electronic petition must be respectful, decorous and temperate in its language, and must not contain language disrespectful to the Parliament.
- (3) A member presenting an electronic petition must be acquainted with its contents, and take care that it is in conformity with the rules and orders of the House.
- (4) An electronic petition must not request, either directly or indirectly, a grant of public money.

**4. *Government response***

- (1) When a petition referred to a Minister under standing order 68 contains more than 500 signatures, the Clerk must also refer the petition to the Leader of the Government in the House who must table a response within 35 calendar days of the petition being received by the House.
- (2) If at the time the Leader of the Government in the House is required to table the response the House is not sitting, the response may be lodged with the Clerk.
- (3) A response presented to the Clerk is:
  - (a) on presentation, and for all purposes, deemed to have been laid before the House,
  - (b) to be printed by authority of the Clerk,
  - (c) for all purposes, deemed to be a document published by order or under the authority of the House, and
  - (d) to be recorded in the Minutes of the Proceedings of the House.
- (4) A copy of the response provided by the Leader of the Government is to be forwarded by the Clerk to the member who lodged the petition.
- (5) When a response to a petition has not been received within 35 calendar days, the President is to inform the House on the next sitting day. If the Leader of the Government has not provided the response by the end of that sitting week, the President is to again inform the House on the first day of each sitting week until the response is provided.

## Appendix 2 Legislative Assembly ePetitions web page

PARLIAMENT OF NEW SOUTH WALES

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### ePetitions open for signature

Search...

| Title   | Close Date | Petitioner          | No. of Signatories |
|---|------------|---------------------|--------------------|
| Wyoming Public School Pedestrian Crossing Upgrade                         | 30/09/2020 | Miss Hollie Spender | 152                |
| Put a pause on the Cultural and Civic Space Project, Coffs Harbour        | 09/10/2020 | Ms Yvonne Capell    | 849                |
| Save Our Stages NSW - Immediate funding to save NSW's live music industry | 12/10/2020 | Mr Sam Nardo        | 25473              |
| Minister Must Review The New Lambton Public School Intake Boundaries      | 02/11/2020 | Mr Chad Griffith    | 369                |
| Proclaim the NSW Modern Slavery Act 2018 Now                              | 03/11/2020 | Dr Keri Spooner     | 10034              |
| Protect Jobs at New South Wales Public Universities                       | 03/11/2020 | Mr Michael Thomson  | 7223               |
| Calling for the End of Blanket Pet Bans in New South Wales Strata Schemes | 04/11/2020 | Ms Johanna Cooper   | 10391              |
| A ground-breaking initiative for Lismore - a Youth Koori Court            | 09/11/2020 | Miss Edwina Lloyd   | 828                |
| Introduction of mandatory nurse-to-patient ratios in NSW hospitals        | 12/11/2020 | Mr Brett Cooke      | 2709               |

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### ePetitions closed for signature

Search...

ePetitions listed on this page have closed for signatures.  
ePetitions are received by the Legislative Assembly on the next available sitting day after they have closed for signatures.

| Title  | Close Date | Petitioner                | No. of Signatories |
|--|------------|---------------------------|--------------------|
| Remove coronavirus-related restrictions from NSW schools   | 17/09/2020 | Ms Carmen Atkinson        | 446                |
| Stop Centennial Coal putting 62,000 coal trucks a year on public roads in Western Lake Macquarie | 03/09/2020 | Mr Jason Gordon           | 1350               |
| Save Our Northern Beaches Buses  | 01/09/2020 | Ms Natasha Phillips-Mason | 1700               |

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### Create an ePetition

Overview and Terms Your Details Your ePetition Supporters and Presenter Review

#### Instructions

- To submit a petition you will need to provide your name, email address, physical address and a contact phone number. We need this information so we can contact you if there are any problems with your petition. Only your name will be listed publicly, once your petition has been made public.
- You will need to provide at least five names and email addresses of people who will support your petition. We recommend you provide details for more than five supporters in case some don't respond.
- You will need to identify a Member of the Legislative Assembly who will present the petition for you. We recommend you contact the Member to let them know you are asking them to agree to present your petition.

Accept [privacy statement and terms and conditions.](#)

## Appendix 3 Legislative Assembly ePetitions sessional order

### 14 SESSIONAL ORDERS

Mr Mark Speakman moved, by leave, That this House:

- (1) Agrees to the proposed amendments to the sessional orders as follows –

#### LODGEMENT OF PAPER PETITIONS

That, during the current session, unless otherwise ordered, Standing Order 119 shall read as follows:

**119.** A paper petition must be lodged with the Clerk by 12 noon on the day it is to be reported to the House.

#### LODGEMENT OF ELECTRONIC PETITIONS

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

**119A.** An electronic petition is considered to be lodged with the Clerk once the petition is no longer open for signatures.

#### CLERK'S CERTIFICATE – PAPER PETITIONS

That, during the current session, unless otherwise ordered, Standing Order 120 shall read as follows:

**120.** A paper petition must bear the Clerk's certification that it is in conformity with the Standing Orders.

#### CONFORMITY WITH THE STANDING ORDERS – ELECTRONIC PETITIONS

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

**120A.** An electronic petition is in conformity with the Standing Orders when it is open for signatures.

#### CONTENTS OF PAPER PETITIONS

That, during the current session, unless otherwise ordered, Standing Order 121 shall read as follows:

**121.** A paper petition must:

- (1) Be legible and contain no alterations.
- (2) Be in English or be accompanied by a translation certified to be correct by the lodging Member.
- (3) Contain the request of the petitioner(s).
- (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 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.
- (5) Contain at least one signature on the same sheet as the request.
- (6) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.
- (7) If from a corporation, be made under its common seal.
- (8) Be received only as the petition of the parties signing the same.

#### CONTENTS OF ELECTRONIC PETITIONS

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

**121A.** An electronic petition must:

- (1) Be in English.
- (2) Contain the request of the petitioner expressed in no more than 250 words.
- (3) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.
- (4) 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.
- (5) Be open for signatures for a period of one, three or twelve weeks.
- (6) Be received only as the petition of the parties signing the same.

**PETITIONS MUST NOT CONTAIN**

That, during the current session, unless otherwise ordered, Standing Order 122 shall read as follows:

**122.** A paper petition or electronic petition must not:

- (1) Have letters, affidavits, or other documents attached to it, except if it is a petition for a private bill.
- (2) Make reference to any debate in Parliament.
- (3) Be lodged by a Member who has signed the paper petition as a petitioner.
- (4) Contain language disrespectful to either House or the Governor.

**PROCEDURE FOR LODGEMENT AND PRESENTATION OF PAPER PETITIONS**

That, during the current session, unless otherwise ordered, Standing Order 123 shall read as follows:

**123.** The procedure for the lodging and presentation of a paper petition is as follows:

- (1) The Member must be acquainted with the contents of the paper petition.
- (2) The Member must ensure that the paper petition is in conformity with the Standing Orders.
- (3) The Member must sign the front sheet and, if applicable, certify that the paper petition has been signed by 500 or more persons.
- (4) The paper petition may be lodged for presentation by the Clerk.
- (5) In the House the Clerk shall announce that paper petitions have been received.
- (6) The terms of the paper petition presented shall be printed in Hansard and in the Votes and Proceedings.
- (7) No discussion upon the subject matter of a paper petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.

**PROCEDURE FOR LODGEMENT AND PRESENTATION OF ELECTRONIC PETITIONS**

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

**123A.** The procedure for the lodging and presentation of an electronic petition is as follows:

- (1) The Member must be acquainted with the contents of the electronic petition.
- (2) The Member must agree to present the electronic petition.
- (3) The electronic petition is considered presented after it is no longer open for signatures.
- (4) In the House the Clerk shall announce that electronic petitions have been received.
- (5) The terms of the electronic petition presented shall be printed in Hansard and in the Votes and Proceedings.
- (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.

**PETITIONS DEEMED TO HAVE NOT BEEN RECEIVED**

That, during the current session, unless otherwise ordered, Standing Order 124 shall read as follows:

**124.** 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.

**REFERRAL TO MINISTER AND RESPONSE**

That, during the current session, unless otherwise ordered, Standing Order 125 shall read as follows:

**125.**

- (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 Minister responsible for the administration of the matter which is the subject of the petition or electronic petition.
- (2) The Minister must lodge a response with the Clerk within 35 calendar days of a paper petition or electronic petition being received by the House if that paper petition or electronic petition has been signed by 500 or more persons.
- (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 paper petition or electronic petition. The response shall also be published.

**DEBATE ON PETITIONS SIGNED BY 10,000 OR MORE PERSONS**

That, during the current session, unless otherwise ordered, Standing Order 125A shall read as follows:

**125A.**

- (1) The subject matter of every paper petition or electronic 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, 20,000 or more persons for electronic petitions, shall be automatically set down as an Order of the Day 'That the House take note of the petition'.
- (2) The Order of the Day shall take place at 4.00 p.m. on the Thursday of the next sitting week
- (3) Any further paper or electronic 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
- (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
- (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.
- (2) Agrees to the proposed changes to the sessional orders coming into force on and from 7 August 2020.

Question put and passed.<sup>8</sup>

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<sup>8</sup> *Minutes*, NSW Legislative Assembly, 29 July 2020, pp 723-726.

## Appendix 4 Minutes

### Minutes No. 4

Thursday 3 September 2020

Preston Stanley Room, 10.04 am

#### 1. Members present

Mr Ajaka (*Chair*)

Mr Borsak

Mr Buttigieg (*from 10.06 am*)

Mr Harwin

Ms Hurst

Mr Khan

Mrs Maclaren-Jones

Mr Mallard

Mrs Mitchell

Mr Roberts

Mr Searle

Ms Sharpe

Mr Shoebridge (*substituting for Ms Faehrmann*)

Mr Tudehope

#### 2. Substitutions

Mr Shoebridge substituted for Ms Faehrmann.

#### 3. Draft minutes

Resolved, on the motion of Mr Roberts: That draft minutes no. 3 be confirmed.

#### 4. Correspondence

Resolved, on the motion of Mr Searle: That the committee note the following items of correspondence:

##### ***Received:***

- 8 January 2020 – Email from Mr Percy Allan, Chair, Steering Committee, Evidence Based Policy Research Project, providing a further late submission to the inquiry.
- 8 July 2020 – Email from Mr Percy Allan, Chair, Steering Committee, Evidence Based Policy Research Project, clarifying that the Evidence Based Policy Research Project is separate from the newDemocracy Foundation and subsequent emails.
- 21 July 2020 – Email from Mr Percy Allan, Chair, Steering Committee, Evidence Based Policy Research Project, providing a further late submission to the inquiry.
- 18 August 2020 - Email from Mr Percy Allan, Chair, Steering Committee, Evidence Based Policy Research Project, providing a further late submission to the inquiry.

#### 5. Consideration of Chair's draft report on inquiries into consultation on highly contentious bills and committee access to external experts

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

The committee considered the report as a whole.

Resolved, on the motion of Mr Shoebridge: That the following paragraphs be inserted after 3.5:

**3.6** The committee has reviewed the proposal from Professor Allan for a statement of public interest and sees some utility in the suggestion. The committee suggests that the Government consider the proposal to table a statement of public interest with each bill introduced. The committee will then review the standing orders in light of the Government's response to this report.

Resolved, on the motion of Mr Shoebridge: That paragraph 1.45 be amended to read:

**1.45** The model involves the recruitment of three additional senior research staff and the establishment of a panel of subject matter experts. The panel would be administered by the Parliamentary Library Research Services and accessed on an as needs basis.

Resolved, on the motion of Mr Shoebridge: That paragraph 1.46 be amended to read:

**1.46** The model estimates the cost of a subject matter expert, for a committee inquiry at \$40,000 and also assumes the allocation of one FTE Research Service officer to prepare an Issues Paper for each inquiry. On that basis, the estimated cost of providing research for four bill inquiries in a year is \$613,370.00, and the cost for seven bill inquiries is \$876,244.00.

Resolved, on the motion of Mr Shoebridge, that paragraph 3.14 be amended to read:

**3.14** Based on the allocation of both a subject matter expert, and one FTE Research Service staffer to prepare an Issues Paper for each inquiry, the table below estimates costs for four inquiries in a year and seven inquiries in a year:

Resolved, on the motion of Mr Shoebridge, that paragraph 3.15 be amended to read:

**3.15** On the other hand, the NSW Parliamentary Library Research Service submission to the inquiry into committee access to external experts provides a proposal for the establishment of an expert panel and additional resources for the Research Service to establish and administer the panel only.

Resolved, on the motion of Mr Searle, that paragraph 1.26 be amended to read:

**1.26** Over the last 20 year period between three and 17 private members' bills have been introduced in the Council each year, with an increasing number in recent Parliaments. However, it is rare that the House has supported private members' bills, with the vast majority being defeated at the second reading stage, 47 passing the Legislative Council but not the Legislative Assembly, 47 passing the Legislative Council but not the Legislative Assembly, and only 20 proceeding through both Houses during that period.

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

That the report be tabled on 15 September 2020.

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

## **6. Inquiry into ePetitions**

The Chair tabled a briefing paper prepared by the Secretariat in relation to the ePetitions system being developed by the Legislative Assembly.

Resolved, on the motion of Mr Shoebridge: That the Clerk continue to work with IT to develop an ePetitions system for the Council based on the current Legislative Assembly system.

Resolved, on the motion of Mr Shoebridge: That the Secretariat draft a report for consideration by the committee including:

- the rules and processes adopted by the LA
- any feedback from the LA on the operation of the petitions system
- any variations recommended or required based on current practices and procedures in the Council
- a sessional order for the implementation of petitions in the Legislative Council.

**7. Briefing paper on orders for papers issues**

The Chair tabled a briefing paper prepared by the Secretariat in relation to orders for papers. The committee noted that the briefing paper will be included as an agenda item at the next meeting.

**8. Inquiry into the broadcast of proceedings resolution**

The committee noted that the draft report on the inquiry into the Broadcast of Proceedings will be circulated prior to the next meeting.

**9. Adjournment**

The Committee adjourned at 11.07 am, *sine die*.

David Blunt

**Clerk to the Committee**

**Minutes No. 5**

Wednesday 21 October 2020

Jubilee Room, 1.35 pm

**1. Members present**

Mr Ajaka (*Chair*)  
Mr Buttigieg (*from 10.06 am*)  
Mr Harwin  
Ms Hurst  
Mrs Maclaren-Jones  
Mr Mallard  
Mrs Mitchell  
Ms Sharpe

**2. Apologies**

Mr Borsak, Mr Khan, Mr Roberts and Mr Searle

**3. Participating member**

Mr Tudehope

**4. Draft minutes**

Resolved, on the motion of Mrs Mitchell: That draft minutes no. 4 be confirmed.

**5. Consideration of Chair's draft report on inquiry into ePetitions**

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

The committee considered the report as a whole.

Resolved, on the motion of Ms Sharpe:

(1) That the following paragraph be inserted after 3.10:

**3.11** The committee proposes that after 12 months of operation a comprehensive review be undertaken of the new ePetitions system. The review would canvass the technical and procedural aspects of the system as well as options for enhancements including the provision of a take note debate on ePetitions receiving a certain number of signatures, and the possibility of providing for members to jointly sponsor or present ePetitions.

(2) That recommendation 5 be amended by inserting at the end:

"including any enhancements required such as the provision of a take note debate on ePetitions receiving a certain number of signatures, and a provision for members to jointly sponsor or present ePetitions."

Resolved, on the motion of Mr Mallard:

That the draft report, as amended, be the report of the committee and the committee present the report to the House on Thursday 22 October 2020.

**6. Adjournment**

The Committee adjourned at 1.45 pm, *sine die*.

David Blunt  
**Clerk to the Committee**