



Citizens initiated referenda

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The [Citizens Initiated Referenda Act 1993](#) establishes a process that allows persons or organisations to initiate a non-binding national referendum on a subject of their choice, if 10 percent of registered voters sign a petition in support of the question. The Clerk of the House of Representatives determines the precise wording of the question to be asked in the petition, on the basis of the promoter's proposal and a public consultation process. The promoter then has 12 months in which to collect the necessary signatures to cause a referendum to be held. The costs of holding the referendum are borne by the government.
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At times a [government response](#) to a petition or referendum will be necessary. Most petitions or referenda are likely to be the subject of public attention and to be politically significant. Any decision on when and how to respond will need to be made by the government collectively. Individual Ministers should in general refrain from becoming personally involved in a petition or referendum proposal without Cabinet approval.
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The government may decide to respond to a referendum proposal at any stage of the referendum process. A response could involve:

a. a declaration of support for the proposal;

b. an indication of willingness to take account of public debate over the issue;

c. a rejection of the proposal; or

d. the provision of information to inform the debate.
- If it is possible that the government might support the proposal, the question of a formal response should be addressed early in the process.
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As a matter of principle, departments should avoid commenting publicly on the merits of referendum proposals unless they have the permission of the Minister to do so.

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It is appropriate for departments to give the Clerk of the House of Representatives technical assistance in finalising the wording of the question. This assistance must be restricted to helping ensure that the question conveys clearly the purpose and effect of the proposal put forward by the promoter. Even the apparently technical task of assisting with wording may raise sensitive issues, however, and care must be taken to ensure that comment could not be perceived as partisan. Departments should note that their comments are made available to the promoter as part of the Clerk's consultation on the wording, and that information held by the Clerk about processes under the Citizens Initiated Referenda Act is subject to the [Official Information Act 1982](#).
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