



CONSTITUTION

of the

COUNTRY LIBERAL PARTY of the NORTHERN
TERRITORY

FOREWORD

The Country Liberal Party is an independent conservative political Party formed in 1974 in the Northern Territory of Australia. It is the smallest political party to have ever governed in Australia and is also the most successful having the longest term in office of present administrations in Australia.

The Country Liberal Party exists to serve the people of the Northern Territory of Australia.

This is the Constitution of the Country Liberal Party of the Northern Territory. The Constitution is the body of rules by which the Country Liberal Party is governed.

The Constitution may only be altered or amended by Annual Conference or at a Special Conference called for that purpose.

The Section and Clause headings and Table of Contents have been inserted for convenience only. They are not part of the Constitution and are not to be used in its interpretation or construction.

ISSUE HISTORY		
Version	Approved	Comments
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COUNTRY LIBERAL PARTY of the NORTHERN TERRITORY

CONSTITUTION

CONSTITUTION OF THE COUNTRY LIBERAL PARTY

SECTION 1 - THE PARTY

1.1 NAME

1.1.1 The name of the *Party* shall be the “Country Liberal Party of the Northern Territory”.¹

1.2 DEFINITIONS

1.2.1 ‘*Alternate Branch delegate*’ means a *member* elected by a *Branch* to represent it at *Central Council*, or *Annual*, *Special* or *Regional Conferences* in place of a *Branch delegate* who, for some reason, is not able to attend.

1.2.2 ‘*Annual Conference*’ is the peak body of the *Party*, being an annual meeting of the *Party* held in accordance with Section 4 of the Constitution.

1.2.3 ‘*Auditor*’ is an accredited member of the accounting profession who either volunteers their services or who is paid to audit the accounting records of the *Branches* or the *Party* as a whole.

1.2.4 ‘*Branch*’ means a Branch of the *Party*, established and conducted in accordance with Section 3 of the Constitution.

1.2.5 ‘*Branch delegate*’ means a *member* elected by a *Branch* at its Annual general meeting to represent it at *Central Council* or *Annual*, *Special* or *Regional Conferences*.

1.2.6 ‘*Branch executive committee*’ means those *members* of a *Branch* elected as office bearers of a *Branch* in accordance with Section 3.2.

1.2.7 ‘*Casting vote*’ is a vote additional to a deliberative vote exercised by the *President* or Chairperson of a meeting where the counted votes are exactly equal for and against a motion.

1.2.8 ‘*Central Council*’ means a meeting of the *Party*, convened and conducted in accordance with Section 7.

1.2.9 ‘*Central Councillor*’ means a member of *Central Council*, being a person specified in Clause 7.2.1.

¹ Name changed AC2017/01

1.2.10 '*Central register*' means the list of *members* of the *Party* not affiliated with any *Branch*, approved for membership in accordance with Clause 2.3.5.

1.2.11 '*Country Liberal Women*²' means the voluntary association of women *members* of the *Party* convened and conducted in accordance with Section 10.

1.2.12 '*Country Liberal Women's Convenor*³' means the leader of *Country Liberal Women* elected in accordance with Section 10.

1.2.13 '*Conference delegate*' means a person entitled to participate in and vote at *Annual* and *Special Conferences*.

1.2.14 '*Deputy Leader*' means the deputy leader of the *Parliamentary Wing* of the *Party* in the Northern Territory Legislative Assembly.

1.2.15 '*Federal Member*' means a *Party member* elected to the House of Representatives or the Australian Senate.

1.2.16 '*Finance Committee*' means that Standing Committee of *Central Council* established and conducted in accordance with Section 8.3.

1.2.17 '*Honorary Life Member*' is a person of good character who having rendered outstanding service to the *Party* is accorded that title by *Annual Conference*.

1.2.18 '*Leader*' means the leader of the *Parliamentary Wing* of the⁴ *Party* in the Northern Territory Legislative Assembly.

1.2.19 '*Life Member*' means a person who has paid a membership fee as determined by *Central Council* entitling that person to membership of the *Party* for life without further payment.

1.2.20 '*Management Committee*' means that Standing Committee of *Central Council* established and conducted in accordance with Section 8.2.

1.2.21 '*Member*' means a person (including a *member* under suspension) who has paid a current membership fee to the *Party*, subscribes to any party rules⁵ the *Philosophy and Platform* and Constitution of the *Party*, and whose application for membership has been approved by:

- a) a *Branch* of the *Party*; or
- b) *Central Council*

1.2.22 '*Newly constituted Branch*' means a *Branch* whose formation has been accepted by *Central Council*, but has yet to be ratified by *Annual Conference*.

1.2.23 '*Northern Territory*' means the Northern Territory of Australia plus such other territories as may from time to time be joined to the Northern Territory for electoral purposes under the Commonwealth Electoral Act (for example, Indian Ocean Territories).

² Was "Country Liberals Women" changed AC2017/01

³ Adopted pursuant to footnote 2 above, AC2017/01

⁴ Insertion of word "the" previously omitted, AC2013/01

⁵ Inserted 'any party rules' AC2023/08

1.2.24 '*Notice*' means formal advice issued to *members* or *Branches* in writing, sent by normal mail or, when the *member* or *Branch* has so agreed, by electronic mail.

1.2.25 '*Panel advisers*' means those *members* elected in accordance with Clause 4.10 to assist with preselection.

1.2.26 '*Parliamentary Wing*' means those *members* of the *Party* who have been elected to the Northern Territory Legislative Assembly.

1.2.27 '*Party*' means that organisation of *members* of the Country Liberal Party who subscribe to the *Philosophy and Platform* and this Constitution.

1.2.27A ⁶'Party Rules' means any Rules of the Party approved, or amended from time to time, by Central Council in accordance with clause 7.1.2(k).

1.2.28 '*Philosophy and Platform*' means the philosophic foundation on which the *Party* stands, as determined from time to time by *Annual* or *Special Conference*.

1.2.29 '*Policy*' is the means by which the *Philosophy and Platform* is achieved, as determined from time to time by *Central Council*.

1.2.30 '*Preselection observers*' means a panel of *members* monitoring the preselection process in accordance with Clause 11.1.2.

1.2.31 '*Preselection panel*' means a panel of *members* assembled for the purposes of preselecting candidates in accordance with Section 11.

1.2.32 '*President*' means the President of the *Party*.

1.2.33 '*Proxy*' means the authority given by a *Branch* for one *Branch delegate* or *alternate Branch delegate* to act for another.

1.2.34 '*Quorum*' means the minimum number of eligible participants required to be present for a meeting to be valid. The number may be expressed as a percentage of the total number of participants eligible to attend the meeting and can include *members* participating in the meeting by telephone or other electronic medium.

1.2.35 '*Regional Conference*' is a meeting of *Branch delegates* and others within a region as defined by *Central Council*, convened and conducted in accordance with Section 6 of this Constitution.

1.2.36 '*Register of members*' means the list of *members* maintained by the *Territory Director*, including the details listed in Section 2.1.1.

1.2.37 '*Special Conference*' is a meeting of *Annual Conference delegates* convened and conducted in accordance with Section 5 of this Constitution.

1.2.38 '*Territory Director*' means the Chief Executive Officer of the Secretariat, managing the correspondence and administration of the *Party*.

⁶ Additional clause 1.2.27A AC2023/08

1.2.39 '*Trustee*' means a *member* elected to this position in accordance with Clause 4.10(e) to discharge the duties outlined in Clauses 1.5.1(n) and 8.3.3.

1.2.38 '*Women's Committee*' means the leadership group of *Country Liberal Women* elected by *Branches* in accordance with Clause 3.2.17.

1.2.40 '*Young Country Liberals*' means the self-managed Youth section of the Party as described in Section 9 of the Constitution.⁷

1.2.41 '*YCL Member*' means a *Member* eligible and choosing to participate in the activities of the *Young Country Liberals* in accordance with Clause 9.1.1.⁸

1.3 LEGAL BASIS OF THE PARTY

1.3.1 The Country Liberal Party is a not for profit, unincorporated association of members who subscribe to the *Party's Philosophy and Platform* and binds every *member*, to the same extent as if every *member* had signed and sealed this Constitution and agreed to be bound by it.

1.3.2 The Laws of the Northern Territory of Australia and the Commonwealth of Australia shall govern the *Party*.

1.4 OBJECTIVES OF THE PARTY

1.4.1 The objectives of the *Party* shall be to:

- a) foster membership, establish *Branches* of the *Party* in the *Northern Territory* and to co-ordinate *Branch* activities;
- b) work towards the election of *members* of the *Party* to Government;
- c) satisfy, through political action, the interests and needs of all the people of the *Northern Territory*;
- d) develop and practice *policies* which will lead to the economic, social and political development of the *Northern Territory*;
- e) support and promote the *Philosophy and Platform* and *policies* of the *Party*;
- f) work toward the achievement of Statehood in the Northern Territory; and
- g) work co-operatively with The Nationals and the Liberal Party of Australia.

1.5 POWERS OF THE PARTY

1.5.1 Under and by virtue of the Constitution the *Party* shall have the power to:

- a) establish a *Branch* of the *Party* in any place in the *Northern Territory*;
- b) provide, maintain and manage and carry on headquarters, clubs, social centres and places of meeting or recreation or instruction within the *Northern Territory* as may be required and to furnish, equip and provide supplies to them;
- c) purchase, take on lease or in exchange, hire or otherwise acquire any real and personal estate which may be deemed necessary or convenient for any of the purposes of the *Party*;
- d) construct, maintain, and alter any houses, buildings or works necessary or convenient for the purpose of the *Party*;

⁷ Definition amended SC2022/Deferred Motion 5

⁸ New definition added SC2022/Deferred Motion 5

- e) take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the *Party* in the shape of donations, annual subscriptions or otherwise;
- f) invest any moneys of the *Party* not immediately required for any of its objects, in such a manner as may from time to time be determined;
- g) enter into any arrangement for amalgamation, joint working or co-operation with any *Party*, association, society, or body of persons whether incorporated or not, carrying on work or having objects similar to the works and objects of the *Party* and to assist and support by pecuniary contributions or otherwise the operations of any such *Party*, association, society or body, and to take over upon any terms all or any of the property, undertakings and liabilities of any such *Party*, association, society or body;
- h) produce, publish and distribute gratuitously or otherwise such books, newspapers, pamphlets, periodicals and other literature as may seem calculated to promote the objects of the *Party*;
- i) receive and accept donations, subscriptions and endowments of money or of any form or property;
- j) borrow money with or without security for the purpose of carrying out and exercising any of the objects or powers of the *Party*;
- k) improve, manage, develop, sell, exchange, lease, mortgage or otherwise deal with or turn to account (but subject to any such consent or approval as may by Law be required) all or any of the property of the *Party*;
- l) engage and dismiss all paid officers and servants of the *Party* and fix their remuneration and terms of employment;
- m) grant and pay such pensions, salaries, gratuities or other sums, in recognition of service, to any person as may from time to time be approved by the *Management Committee*;
- n) appoint a *Trustee* or *Trustees*, personal or corporate, to receive and hold any property on behalf of the *Party* and to allow any such property to remain outstanding in such *Trustee* or *Trustees*;
- o) do all such acts and things as are or may be incidental or conducive to the attainment or furtherance of any of the objects or the exercise of any of the powers of the *Party*;
- p) empower any two (2) of the following namely the *President*, two Vice Presidents, Treasurer, or delegated staff to operate in accordance with the Law all aspects of the *Party's* financial requirements; and
- q) empower *Management Committee* to negotiate Terms and Conditions and to employ a *Territory Director* and in the absence of the *Territory Director* to appoint a person to act in that position.

1.5.2 The *Party* is formed to carry out the objects above mentioned and not for the purposes of trading or securing pecuniary profit to the *members* from transactions thereof.

1.5.3. The income and property of the *Party* no matter how derived shall be applied solely towards the promotion of the objects of the *Party* as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of profit to the *members* of the *Party*, provided always that nothing therein contained shall prevent the payment in good faith of remuneration whether by way of salary or honoraria or otherwise in return for any service actually rendered to or on behalf of the *Party*, to any officers or servants of the *Party* or to any *member* thereof or other person.

1.6 PARTY AFFILIATION

1.6.1 Such kindred organisations and/or parties as *Annual Conference* or *Special Conference* shall determine, may be admitted to or removed from affiliation or association with the *Party*.

1.6.2 *Central Council* shall have power to co-operate as it considers in the best interests of the *Party*, with kindred organisations or with any Federal or State Parliamentary Party provided that *Central Council* and all other Councils and Committees of the *Party* shall at all times and under all circumstances preserve the entity and independence of the *Party*. At no time shall the *Party* be merged into or become a part of any other Party or organisation, unless such merger or integration is approved by an amendment pursuant to clause 1.8.1 of the Constitution.

1.7 ORGANISATION OF PARTY

1.7.1 The *Party* organizational structure shall comprise:

- a) *Annual Conference*;
- b) *Special* and *Regional Conferences*;
- c) *Central Council*;
- d) *Management Committee* and other Standing Committees as established by this Constitution;
- e) Other committees as required from time to time; and
- f) *Branches*.

1.8 ALTERATION AND INTERPRETATION OF CONSTITUTION

1.8.1. No alteration or amendment of the Constitution shall be made except in the following manner:

- a) A proposal for an amendment of alteration must be given in writing signed by the mover and a seconder, and must be in the hands of the *Territory Director* or other delegated person at least forty two (42) days before the date of *Annual Conference* or before the date of notification of a *Special Conference*. The *Territory Director* shall give *notice* of the proposals to *Branches* in accordance with Clause 4.2 or 5.3 as appropriate.
- b) Alteration or amendment to the Constitution may only be made at an *Annual Conference* or at a *Special Conference* called for that purpose or by a plebiscite of all financial *members* of the *Party*.
- c) The proposed alteration or amendment shall be deemed to be carried only when two thirds or more of those entitled to vote are in favour of the motion provided that in the case of a plebiscite the alteration or amendment shall be carried if two thirds or more of the votes cast are in favour of the motion. Voting by plebiscite shall be by a method determined by *Central Council*.
- d) A plebiscite may be called upon the written request of sixty (60)% of the *members* or may be called by *Central Council*.
- e) Voting at all meetings shall be by a show of hands, except where a division is called, a ballot shall be taken and the Chairperson shall announce the result of the ballot. Unless requested to do so, the Chairperson need not announce the figures for, and against, in the ballot.
- f) *Conference delegates* may exercise *proxies* and the Chairperson shall have a deliberative vote only.

- g) No amendment to the Constitution shall be moved at or considered by *Annual Conference* or *Special Conference* unless *Central Council*, by a majority of at least two thirds of the *Central Councillors* present at a meeting shall decide that the proposed amendment or amendments shall be presented to *Annual Conference* or *Special Conference* for consideration.

1.8.2 Where the Constitution requires any action a number of days before a meeting or event (for example, submissions to a meeting or conference) and that date falls on a weekend or public holiday the Constitution shall be satisfied by the action being taken by the close of business on the first working day after the weekend or public holiday.

1.8.3. The *Management Committee* shall be the authority for the interpretation of the Constitution, and any guidelines and regulations made thereunder. A decision of the *Management Committee* upon any question of interpretation or upon any matters affecting the *Party* not provided for by the Constitution or any guidelines and regulations thereunder shall be submitted to the next *Annual Conference* for ratification, and up to that date any decisions so taken shall be valid whether or not *Annual Conference* ratifies the decision.

1.9 INDEMNITY

1.9.1. The *Trustees*, officers of all Standing Committees and other officers for the time being of the *Party* acting in relation to any of the affairs of the *Party* and every one of them, and every one of their heirs, executors and administrators are indemnified and secured harmless out of the funds and the profits of the *Party* from and against all actions, costs, charges, losses, damages and expenses, which they or any of them, their/or their heirs, executors and administrators shall or may incur or sustain by or by reason of any act done, concurred in, or omitted in or about the execution of their duty or supposed duty in their respective offices, except such (if any) as they shall incur and sustain by or through their own wilful neglect or default respectively, and none of them shall be answerable for the acts or defaults of the other or others of them, or for joining in the receipts for the sake of conformity, or for any bankers or other persons with whom any moneys or effects belonging to the *Party* shall or may be lodged or deposited for safe custody or for the insufficiency or deficiency of any security upon which any moneys of or belonging to the *Party* shall be placed out or invested, or for any other loss, misfortune or damage which may happen in the execution of their respective offices or trusts or in relation thereto except that the same shall happen by or through their own wilful neglect or default respectively.

1.10 WINDING UP OF PARTY

1.10.1 If upon the winding up or dissolution of the *Party* there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed amongst the *members* of the *Party* but shall be given or transferred to some company association society or other body having objects similar or in part similar to the objects of the *Party* and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the *Party* under or by virtue of the Constitution such company association society or other body to be determined by *Central Council* at or before the time of dissolution and in default thereof by such Judge of the Supreme Court as may have or acquire jurisdiction in the matter.

SECTION 2 - MEMBERSHIP OF PARTY

2.1 REGISTER OF MEMBERS, CENTRAL REGISTER

2.1.1 The *Territory Director* shall maintain a *register of members* of the *Party*. The *register of members* shall record in respect to each *member*, their:

- a) full name;
- b) residential and, if different, postal addresses;
- c) e-mail address;
- d) telephone contact details;
- e) date of acceptance as a *member*;
- f) *Branch* affiliation, where applicable, including details of any transfers between *Branches*;
- g) record of their acceptance or otherwise that *notice* may be transmitted to them by electronic means; and
- h) the electorate in which they are entitled to vote.

2.1.2. The *Territory Director* shall, within the *register of members* maintain a *central register of members* who for reasons as approved by *Management Committee* are unable to participate in the activities of a *Branch*.

2.1.3. *Members* whose names have been included on the *central register* as *members* of the *Party* shall have the right to attend and participate in *Annual, Special or Regional Conferences* and at *Central Council* meetings as *members* of the *Party* but may not vote at any such meetings unless otherwise entitled.

2.2 ELIGIBILITY

2.2.1 Residents of the *Northern Territory* who subscribe to the *Philosophy and Platform* and Constitution of the *Party* shall be eligible for membership. Residents shall include a person who has previously been a resident of the *Northern Territory* and who was a *member* of the *Party* during that residency.

2.2.2. No member of any other political party within the Northern Territory shall be eligible to become or remain a *member*. A *member* may be a member of a political party outside the *Northern Territory* provided that party is affiliated or associated with this *Party*.

2.3 APPLICATION FOR MEMBERSHIP

2.3.1. All applications for membership of the *Party* shall be made on the form prescribed by *Central Council* titled "Application for Membership" and be submitted with the appropriate membership fee for approval by:

- a) a *Branch* of the *Party*; or
- b) *Central Council*.

2.3.2 An application for *Party* membership affiliated with a *Branch* shall only be considered by the *Branch executive committee* provided that the Application for Membership form has been completed in the prescribed manner and the membership fee has been paid. The *Branch executive committee* shall provisionally accept or reject the application subject to ratification at the next General Meeting of the *Branch*. Membership is effective from the date of acceptance of the application by the *Branch*.

2.3.3 Following acceptance of the application by the *Branch*, the *Branch* shall forward the new *member's* application form to the *Territory Director* for inclusion of the *member's* details in the *register of members*.

2.3.4 *Branches* shall include in a report to *Central Council* the names of new *members* joining since the previous *Central Council*. An application for membership of the *Party* previously approved by a *Branch* may be rejected by *Central Council*. If rejected by *Central Council*, the membership fee paid shall be returned to the applicant.

2.3.5 An application for membership of the *Party* by a person unable to participate in the normal activities of a *Branch* shall be considered by *Central Council*. The Application for Membership form, including details of the reasons for the applicant's inability to participate in any *Branch*, must have been completed in the prescribed manner and the membership fee paid. Lodgement of the application shall be with the *Territory Director*. The *Territory Director* shall refer the application to the *Management Committee* for consideration of the reasons. The *Management Committee* shall provisionally accept or reject the application subject to ratification at the next *Central Council*. Membership is effective from the date of acceptance of the application by *Central Council*.

2.3.6 An application for membership of the *Party* for inclusion on the *central register*, provisionally approved by *Management Committee* may be rejected by *Central Council*. If rejected by *Central Council*, the membership fee paid shall be returned to the applicant.

2.4 MEMBERSHIP FEES

2.4.1 A schedule of membership fees shall be determined by *Central Council*.

2.4.2

The membership fee shall become due and payable on the first day of July in each year. Any person becoming a member after the first day of July shall in the first year be charged, if joining in the first quarter, 100%; the second quarter, 75%; the third quarter, 50%; and the fourth quarter, 25% of the annual membership fee.⁹

2.4.3 The payment by any *member* of a sum set by *Central Council* from time to time as *Life Membership*, which shall not be redeemable, shall entitle the *member* to privileges of membership for the life of the *member*, unless the *member* is suspended or expelled in accordance with Section 2.8.

2.4.4. A *member* whose membership fee has not been received by the *Party* within sixty (60) days of the due date for payment ceases to be a *member* and must re-apply for membership.

2.4.5 No *member* whose fee is in arrears shall be allowed to retain office, vote, take part in discussions at *Branch* meetings or exercise the privileges of the membership of the *Party*. Privileges include being an office bearer of the *Party*, representation at *Annual, Special or Regional Conferences* and at *Central Council*.

2.4.6. All membership fees shall be payable to the *Party*. Such percentage of the fees as is decided from time to time by *Central Council* shall be paid to each *member's Branch*. *Central Council*, may, at the request of a *Branch* authorise the *Branch* to conduct a membership drive for a period not exceeding six (6) months on the basis that the *Branch* shall be paid the first year's

⁹ Basis of charging membership reverted SC2022/Deferred Motion 2

membership fees, provided that the new *members* have not been financial *members* in the previous five years.

2.4.7 *Central Council* may from time to time determine that there be different classes of membership that *Members* can purchase.

2.4.8 All *Members* shall be treated individually and equally under the *Constitution* irrespective of the class of membership purchased.¹⁰

2.5 AFFILIATION AND TRANSFER OF MEMBERSHIP

2.5.1 Any *member* may transfer affiliation from one *Branch* to another. All affiliation transfers between *Branches* shall be recorded on the form titled 'Application for Transfer of Membership' which, after endorsement by the releasing *Branch*, shall be submitted to the *Territory Director* by the receiving *Branch*.

2.5.2 Any *member* may transfer from the *central register* to be affiliated with any *Branch*. All such transfers shall be recorded on the form titled 'Application for Transfer of Membership' which shall be submitted to the *Territory Director* by the receiving *Branch*.

2.5.3 Any *member* may, upon acceptance by the *Management Committee* of their reason for no longer being able to participate in the activities of a *Branch*, transfer to the *central register*. All such transfers shall be recorded on the form titled 'Application for Transfer of Membership' which, after endorsement by the releasing *Branch*, shall be submitted to the *Territory Director* by the *Management Committee*.

2.5.4 No *member* shall be affiliated with more than one *Branch*.

2.6 HONORARY LIFE MEMBERSHIP

2.6.1 *Honorary Life Membership* may be conferred on a *member* for the purpose of acknowledging outstanding service to the *Party*.

2.6.2 To be eligible for *Honorary Life Membership*, a *member* must have a minimum of seven (7) years membership, be of good character, and have rendered service of a high order to the *Party*.

2.6.3 *Honorary Life Members* may only be appointed by *Annual Conference* on the recommendation of *Central Council*.

2.6.4 *Branches* may submit the names of *members* proposed for *Honorary Life Membership* to *Central Council*.

2.6.5 An *Honorary Life Member*:

- a) shall not be required to contribute an annual membership subscription;
- b) may resign by notifying the *President* in writing;
- c) will forfeit such membership if they become a member of another political party not affiliated with this *Party*;
- d) shall have full membership rights, including voting and eligibility for any office, within the *Party*;

¹⁰ New clause added, AC 2013/01

- e) when acting in their capacity as an *Honorary Life Member* at *Annual Conference*, *Honorary Life Members* shall not be entitled to give their *proxy* to any other *member*.

2.6.6 An appropriate certificate or medallion shall be presented to each *Honorary Life Member*.

2.6.7 An *Honorary Life Member* may be suspended or expelled in accordance with Section 2.8.

2.7 PARTY AWARDS

2.7.1 For the purpose of acknowledging service to the *Party*, certain *Party Awards* may be conferred. The nomenclature and conditions of *Party Awards* shall be determined by *Central Council*

2.8 SUSPENSION OR EXPULSION OF MEMBERS

2.8.1 Grounds and Procedures:

- a) Any *member* may be expelled, or suspended for up to 12 months, on the grounds that such person has:
 - (i) been found guilty of disloyalty to the *Party*, the Constitution or the *Philosophy and Platform* of the *Party*;
 - (ii) been found guilty of conduct gravely detrimental to the best interests of the *Party*;
 - (iii) included materially false or misleading information in his or her membership application form or failed to disclose a matter that would have rendered him or her ineligible to apply for *Party* membership; or
 - (iv) included materially false or misleading information in his or her application for preselection or failed to disclose a matter that would reasonably be considered to have rendered him or her unsuitable for preselection.
- b) The *Member's Branch* or the *Management Committee* may submit a motion to *Central Council* charging that the *member* has:
 - (i) been guilty of disloyalty to the *Party*, this Constitution or the *Philosophy and Platform* of the *Party*;
 - (ii) been guilty of conduct gravely detrimental to the best interests of the *Party*;
 - (iii) included materially false or misleading information in his or her membership application form or failed to disclose a matter that would have rendered him or her ineligible to apply for *Party* membership; or
 - (iv) included materially false or misleading information in his or her application for preselection or failed to disclose a matter that would reasonably be considered to have rendered him or her unsuitable for preselection.
- c) When *Management Committee* submits a motion to *Central Council* as aforesaid it may, by resolution carried by a two-thirds majority of the members of *Management Committee* present and voting suspend that *member* until the next meeting of *Central Council*.
- d) No motion under Subclause (b) above shall be determined by *Central Council* unless at least thirty (30) days *notice* has been given to the *member* against whom such motion has been laid.
- e) Before any vote on a proposed resolution under Subclause (b) or (c) above is taken the *member* shall have the right to be heard. Otherwise, the procedures to be followed shall be determined by *Central Council*.
- f) Motions under Subclause (b) above shall be determined by a secret ballot and shall not be carried unless by a two-thirds majority of the *Central Councillors* present and voting thereon.

- g) Upon *Central Council* passing a motion under Subclause (b) above that the *Member* engaged in any conduct or act described in Subclauses (a)(i) to (iv) then *Central Council* shall determine by motion, which shall be voted upon by secret ballot and carried by two-thirds majority of *Central Councillors* present and voting, what shall be the appropriate penalty by way of expulsion or suspension for up to 12 months.
- h) A period of suspension may be terminated by resolution of *Central Council* by secret ballot carried by a two-thirds majority of *Central Councillors* present and voting.
- i)¹¹ *Central Council* may, at its absolute discretion, direct the refund of all or any part of fees paid by any such person to the person it considers entitled to receive such refund.
- j) If any conduct or act described in Subclauses (a)(i) to (iv) occurs within the 40-day period before a general election or by-election, the Management Committee may, by resolution carried by a two-thirds majority of the members of the Management Committee present and voting, expel the *member* provided that the *member* shall be entitled to appeal his or her expulsion at the first *Central Council* after that general election or by-election which may confirm, vary or quash the expulsion.
- k) If a *member* who is expelled under Subclause (k) above appeals the expulsion:
 - (i) the notice of appeal shall be in writing and delivered to the *Territory Director* within 7 days of the expulsion;
 - (ii) the appeal shall be by way of re-hearing and shall be final;
 - (iii) before any vote is taken by *Central Council* the former *member* appealing shall have the right to be heard; and
 - (iv) voting on any resolution or determination in relation to an appeal shall, except for procedural motions, be by secret ballot, and shall not be carried unless by a two-thirds majority of the *Central Councillors* present and voting thereon.
- l) When *Central Council* takes any steps pursuant to this Clause it shall inform the next *Annual Conference* accordingly.

2.8.2 A *member* shall automatically be disqualified from renewing his or her membership during a period of suspension.

2.8.3 Where the Constitution requires membership for a continuous or minimum period such period shall not commence until after the expiration of any period of suspension.

2.8.4 Any *member* who nominates through another Party or as an independent for any election for any Electorate or the Senate where the *Party* has an endorsed Candidate shall automatically be expelled from membership from the date the *member* lodges the nomination with the Returning Officer. There shall be no appeal from such expulsion.

2.8.5 No person who has been expelled from membership of the *Party* shall be re-admitted unless *Central Council* so determines by a two-thirds majority of *Central Councillors* present and voting by secret ballot.

2.8.6 Before the determination of an application under Clause 2.8.5 the *Management Committee* shall make such investigations as it deems appropriate and in the event that the person was expelled for nominating against an endorsed Candidate shall consult with the *Branch* having responsibility for the electorate in which such person stood as a candidate and shall report the findings of such investigations and consultation to *Central Council*.

¹¹ Previously unused 'i' inserted, subsequent clauses redesignated, SC2022/Motion 3

SECTION 3 - BRANCHES

3.1 OBJECTS AND OBLIGATIONS OF BRANCHES

3.1.1 Each *Branch* shall concern itself with:

- a) The advancement of the interests of the *Party* consistent with the *Philosophy and Platform*, objectives and *policies* of the *Party*; and
- b) The progress of the electorates which are the responsibility of that *Branch*.

3.1.2. The proceedings of the *Branch* shall be recorded in the form of minutes and shall be confirmed at the following meeting and shall be signed by the Chairperson of that meeting. Copies of all confirmed *Branch* meeting minutes are to be sent to the *Territory Director*.

3.1.3. *Branches* shall forward to the *Territory Director* or other delegated person resolutions and matters for the consideration of *Central Council* or *Annual* or *Special Conference* not later than forty two (42) days prior to the date of *Central Council* or *Annual* or *Special Conference*. *Central Council* may at its discretion allow a shorter period of notice.

3.1.4 No *Branch* shall enter into legal proceedings on its own account without the consent of *Central Council*.

3.1.5¹² For each electorate responsibility a *Branch* must make a payment as determined by *Central Council* at *Annual Conference* with the full amount due by June 30 of the financial year in which the determination is made unless special dispensation is granted by the *Management Committee*.

3.2 BRANCH ANNUAL GENERAL MEETINGS

3.2.1 The annual general meeting shall be held between the ¹³ 15th day of October and 30th day of November each year. The Secretary of the *Branch* shall provide not less than fourteen (14) days *notice* of the meeting to each *member* affiliated with the *Branch*.

3.2.2 Where there are exceptional circumstances and an annual general meeting of a *Branch* cannot be held in accordance with Section 3.2.1, then the *Branch* may apply to *Central Council* seeking some other later date that is as close as practicable to those outlined in Section 3.2.1.

3.2.3 A *quorum* at an annual general meeting shall be not less than ten (10) members affiliated with the *Branch*, or twenty (20) %¹⁴ of the membership affiliated with the *Branch*, whichever is the greater.

3.2.4 A *member* affiliated with the *Branch* who;

- a) has attended not less than twenty-five (25) percent of Branch meetings held in the preceding twelve (12) months, or
- b) is a *member* affiliated with the *Branch* for less than twelve (12) months and has attended not less than fifty (50) percent of *Branch* meetings since affiliation,

¹² New Clause SC2022 Deferred Motion

¹³ Amendment to date AC2023/02

¹⁴ Percentage reduced from 30%, AC2013/09

may appoint in writing, as his or her proxy, any *member* affiliated with that *Branch* at an Annual General Meeting. No *member* may hold more than two (2) proxies ¹⁵

3.2.5 The *branch* Chairperson, or in his or her absence, one of the Deputy Chairpersons, shall preside at an annual general meeting. In the absence of these officers, a temporary Chairperson shall be elected.

3.2.6. Business at each annual general meeting shall include:

- a) Endorsement of minutes of last annual general meeting;
- b) Reports by Chairperson, Secretary and Treasurer;
- c) Acceptance of Branch Financial Statement and *Auditor's* Report;
- d) Election of the *Branch executive committee*, being the office bearers set out in 3.2.8;
- e) Election of *Branch delegate(s)* to *Central Council* in accordance with clause 3.2.11 and 3.2.12;
- f) Election of *Branch delegates* to *Annual Conference* in accordance with clause 3.2.13;
- g) Election of *alternate Branch delegates* in accordance with clause 3.2.14 to 3.2.17;
- h) ¹⁶Election of *Women's Committee* members in accordance with 3.2.18;
- i) Appointment of *Auditor*;
- j) Approval of *Branch* rules; and
- k) Any other business which may lawfully be raised.

3.2.7 Voting for election of the positions listed in Clause 3.2.6 shall be by:

- a) a secret ballot of *members* attending that meeting;
- b) if only two (2) candidates nominate, voting is to be first past the post; and
- c) if more than two (2) candidates nominate, voting is to be by full preferential system.¹⁷

3.2.8 The *Branch executive committee* shall consist of:

- a) a Chairperson;
- b) two Deputy Chairpersons;
- c) a Secretary/Treasurer OR a Secretary and a Treasurer; and
- d) other executive members (the number to be determined at the annual general meeting).

3.2.9 In the event of a casual vacancy in any elected *Branch* position, the *Branch* shall elect a replacement at a *Branch* meeting.

3.2.10 Persons elected to *Branch executive committee* positions can be removed from office by resolution carried by a two-thirds majority of a *Branch* meeting, provided the notice for that meeting:

- a) Is given strictly in accordance with the requirements of Clause 3.3.3,
- b) contains notice of the motion/s that a particular *Branch executive committee* position or positions be declared vacant, and

¹⁵ Eligibility to appoint proxy amended, AC2021/06

¹⁶ Deleted previous subclause h), SC2022/Deferred Motion 5

¹⁷ Determination of voting method (previously '...as determined by that meeting'), AC2013/05

- c) contains notice that if the motion/s is/are carried by the required majority, an immediate election will be held to fill the vacated position/s.¹⁸

3.2.11 In addition to the Branch Chairperson who is ex officio a *Central Councillor*, a *Branch*, provided it is not a *newly constituted Branch* (for which see (e) below) shall elect *Branch delegates* to *Central Council* as follows:

- a) One *Branch delegate*; and
- b) If the *Branch* chairperson declines the position of *Central Councillor*, a *Branch delegate* to replace the chairperson; and
- c) When a *Branch* has responsibility for more than one electorate, two additional *Branch delegates* for each additional electorate; and
- d) When a *Branch* has at least ten (10) affiliated *members* who are aged under thirty (30) years as at the 30th of June in any year, that *Branch* shall, at its next annual general meeting, elect an additional *Branch delegate*, such *Branch delegate* to be aged under thirty (30) years as at the 30th June in the year of that *Branch delegate's* election.
- e) *Newly constituted Branches* are not entitled to elect additional *Branch delegates* as provided for in subclauses (a), (c) and (d) of this clause.

3.2.12 *Branches* shall not be entitled to additional *Branch delegates* when *Branch delegates* are elected by *Annual Conference* as office bearers of the *Party*.

3.2.13 A *Branch* shall elect *Branch delegates* to *Annual Conference* as follows:

- a) Two (2) *Branch delegates* provided that the *Branch* is not a *newly constituted Branch* (for which see (c) below), and has met at least twice in the twelve (12) calendar months preceding the day on which *Annual Conference* commences and one of such meetings has been duly constituted as an annual general meeting.
- b) When the number of *members* affiliated with a *Branch*, other than a *newly constituted Branch* (for which see (c) below) exceeds forty (40) *members*, one (1) additional *Branch delegate*.
- c) *Newly constituted Branches* are not entitled to elect additional *Branch delegates* to *Annual Conference*.

3.2.14 When a *Branch delegate* is not able to attend *Central Council* or an *Annual, Special or Regional Conference*, the *Branch* may elect another affiliated *member* as an *alternate Branch delegate* to replace an absent *Branch delegate*.

3.2.15 An *alternate Branch delegate* elected to replace a *Branch delegate* elected under clause 3.2.11(d) must be aged under thirty (30) years as at the 30th June in the year of that *alternate Branch delegate's* election.

3.2.16 A *Branch* may elect any number of *alternate Branch delegates*

3.2.17 A *Branch* shall nominate any *alternate Branch delegates* for a particular meeting or conference on the form and in the manner prescribed.

3.2.18¹⁹ A *Branch* having affiliated women *members* may elect one member of the *Women's Committee*. A *Branch* may choose not to elect a *Women's Committee* member.

¹⁸ New clause 3.2.10 providing for removal of Branch Committee members, renumbering of subsequent clauses, AC2013/02

3.3 BRANCH MEETINGS

3.3.1 *Branch* meetings shall be held as and when determined by the *Branch*.

3.3.2 A special meeting of a *Branch* shall be called within fourteen (14) days of a request in writing by any five (5) *members* affiliated with the *Branch* to the Chairperson or Secretary or in their absence to another *Branch executive committee* member. In the absence of these office bearers, the request should be made to the *President*.

3.3.3 Not less than fourteen (14) days *notice* of any meeting shall be given to all *members* affiliated with the *Branch*.

3.3.4 A *quorum* at a *Branch* meeting shall be not less than five (5) affiliated *members* or fifteen (15)% of the affiliated members of the *Branch*, whichever is the greater.

3.3.5 A *member* affiliated with the *Branch* may appoint in writing, as his or her *proxy* any other *member* affiliated with that *Branch* to vote at any *Branch* meeting. No *member* may hold more than two (2) *proxies*.

3.3.6 The Chairperson or, in his or her absence, one of the Deputy Chairpersons, shall preside at a *Branch* meeting. In the absence of these officers, a temporary Chairperson shall be elected.

3.3.7 The *President* or a Vice-President, delegated by the *President*, shall be, ex-officio, a member of all *Branches* during the time when he or she attends any such *Branch*.

3.4 BRANCH EXECUTIVE COMMITTEE MEETINGS

3.4.1 *Branch executive committee* meetings shall be held as and when determined by the committee. The *Branch* secretary shall give at least seven (7) days *notice* of a *Branch executive committee* meeting.

3.4.2 A *quorum* at a *Branch executive committee* meeting shall be a majority of its members.

3.4.3 The *Branch* Chairperson, or in his or her absence, one of the Deputy Chairpersons, shall preside at a *Branch executive committee* meeting. In the absence of these officers, a temporary Chairperson shall be elected.

3.4.4 *Proxies* shall not be used at *Branch executive committee* meetings.

3.4.5 Any action taken by the *Branch executive committee* shall be first approved by resolution and duly confirmed at the next meeting of the *Branch*.

3.5 BRANCH FUNDS

3.5.1 The accounts of each *Branch* shall be kept separately.²⁰

3.5.2. All Branch accounts will be reported by Electronic Bank Feed to the Party's single party in-house accounting system.²¹

¹⁹ Deleted previous Clause 3.2.28 (reference to Youth Committee) SC2022/Deferred Motion 5, subsequent clause renumbered.

²⁰ Amended clause AC2023/07

²¹ Amended clause AC2023/07

3.5.3 *Branch* funds shall be banked and may be operated upon only by the resolution of the *Branch executive committee*. All *Branch* accounts shall be operated upon by the *Branch* Treasurer and any one of:

- a) The Chairperson;
- b) The Deputy Chairpersons; or
- c) The Secretary.

3.5.4 The use of dual signature "on-line banking" is the preferred method of operating Branch Accounts.²²

3.5.5 Branch Treasurers must issue appropriate receipts for income and invoices for payments made and provide any such documents to the Secretariat and or Treasurer of the Party as instructed by the Secretariat and or Treasurer of the Party from time to time.²³

3.6 FORMATION OF NEW BRANCHES

3.6.1 *Branches* of not less than ten (10) *members* seeking responsibility for one or more identified electorates may be established after acceptance by *Central Council* of a recommendation by the appropriate nominating body that the *Branch* be formed. The appropriate nominating body is:

- a) the *Branch executive committee* of an existing *Branch* already responsible for the electorate or electorates for which responsibility is sought;
- b) *Management Committee*, where no existing *Branch* covers the electorate or electorates being sought; or
- c) A joint recommendation from multiple nominating bodies is required when responsibility is being sought for multiple electorates not already the responsibility of a single body.

3.6.2 Persons seeking to form a *Branch* of the *Party* shall provide the following for the nominating body:

- a) A petition, requesting nomination to *Central Council* for approval of the formation of the *Branch*, clearly identifying the electorate or electorates for which responsibility will be sought, together with the names and signatures of at least ten (10) persons supporting the nomination, who are either already *members* of the *Party* or who have completed application forms for membership of the *Party*;
- b) Evidence that as a minimum the persons so named have held a previously advertised public meeting indicating their intention to form a *Branch* of the *Party*;
- c) Minutes of a meeting held specifically for the purpose of proposing the formation of a *Branch* of the *Party* within that electorate, at which an interim committee consisting of a Chairperson, Secretary, Treasurer and at least two (2) additional members were elected;
- d) The establishment of a *Branch* must receive the approval of *Central Council* and such approval if granted must be submitted to the next *Annual Conference* for ratification.

3.6.3 The *newly constituted Branch* exists from when approval is given by *Central Council* to the recommendation from the nominating body that the *Branch* be formed.

²² New clause 3.5.4 AC2023/07

²³ New clause 3.5.5 AC2023/07

3.6.4 Upon ratification by *Annual Conference* of the approval by *Central Council*, the *Branch* ceases to be a *newly constituted Branch*.

3.6.5 The Chairperson of the interim committee of the *newly constituted Branch* shall be, ex officio, a *Central Councillor* from the first *Central Council* following approval by *Central Council* to form the *Branch*.

3.6.6 Additional *Branch delegates* to *Central Council*, and *Annual Conference* shall be elected as set out in subsection 3.2 at the first *Branch* annual general meeting occurring after ratification by *Annual Conference* of the formation of the *Branch*.

3.6.7 Electorate responsibility shall not pass with either approval by *Central Council* or ratification by *Annual Conference* of the formation of the *Branch*, but shall be subject to a separate decision by *Central Council* at any time of its choosing.

3.6.8 A *newly constituted Branch* shall undertake the normal activities and obligations of a *Branch* as set out in Section 3.1.

3.7²⁴ WINDING UP OF A BRANCH

3.7.1 Upon the termination of any *Branch*, all books, documents, money, funds, securities and other property belonging to it shall be handed over to *Central Council* forthwith. In the event of the *Branch* being reformed, the foregoing shall, if practicable, be returned to the *Branch* without delay.

3.8²⁵ TRANSFER OF ELECTORATE RESPONSIBILITY

3.8.1 A *Branch* may submit a resolution to transfer its responsibility for an electorate to another *Branch*, for the consideration of *Central Council*.

3.8.2 *Central Council* may decide the resolution in any manner it deems fit, including to transfer responsibility for the Electorate to another *Branch*, subject to that *Branch* nominating to accept the transfer.

²⁴ Redundant Section relating to YCL Branched removed, subsequent clause renumbered, SC2022/Deferred Motion 3

²⁵ New clauses 3.8, 3.8.1 and 3.8.2 AC2023/04

SECTION 4 – ANNUAL CONFERENCE

4.1 ²⁶*Annual Conference* shall be held each year between the 1st day of September and 14th October, and shall coincide with a meeting of *Central Council* at a place and time to be determined by *Central Council*. Where an exigency exists and it is not practical for *Annual Conference* to be held within the prescribed time, *Central Council* shall set a time and date for *Annual Conference* to be held.

4.2 The *Territory Director* shall issue *notice of Annual Conference* at least thirty (30) days before the date fixed for that conference. The *notice* shall be issued to all *Branches* and include an agenda and details of all motions submitted for consideration by the conference.

4.3 A *quorum* for *Annual Conference* shall be two thirds of the number of *Conference delegates* eligible under clauses 4.4.(a) and (c).

4.4 *Conference delegates* entitled to participate in and vote at *Annual Conference* shall be as follows:

- a) *Central Councillors*;
- b) *Honorary Life Members*; and
- c) *Branch delegates* elected at a *Branch* annual general meeting in accordance with Clause 3.2.13.

4.5 Any *member* may attend *Annual Conference*, but only *Conference delegates* as listed in Clause 4.4 may vote.

4.6 Where a *Branch* is not able to be fully represented at *Annual Conference* the attending *Branch delegates* may hold and exercise *proxies* for absent *Branch delegates* provided that:

- a) Such *proxies* were authorised in writing by the *Branch* empowered to appoint the *Branch delegates*;
- b) No *Branch delegate* may hold more than two (2) *proxies*;
- c) *Proxies* shall be submitted on the form and in the manner prescribed; and
- d) *Proxies* can only be held by *members* affiliated with the *Branch* authorising the *proxy*.

4.7 The absence of representation from a *Branch* shall not invalidate the proceedings of *Annual Conference*.

4.8 The *President*, or in his or her absence, one of the Vice Presidents, shall preside at *Annual Conference*.

4.9 *Annual Conference* may determine:

- a) Alterations or amendments to the Constitution,
- b) The general *Philosophy and Platform* of the *Party* and details thereof.
- c) Such business as *Central Council* or the *Management Committee* may submit,
- d) Business and resolutions from *Branches* as may be submitted to the *Territory Director* or other delegated person at least forty two (42) days prior to the date fixed by *Central Council* for *Annual Conference*, and

²⁶ Amendment to date range AC2023/01

e) Such other business as the conference may decide.

4.10 *Conference delegates* shall elect for the ensuing twelve (12) months the following *Party* office bearers, who shall remain *Central Councillors* while holding office irrespective of subsequent *Branch* elections:

- a) A *President* of the *Party*;
- b) Two (2) Vice Presidents;
- c) A General Secretary;²⁷
- d) A Treasurer;
- e) A Deputy Treasurer;
- f) Three (3) *Trustees*, and
- g) Three (3) Special *Central Councillors*.

4.11 Voting for positions listed in clause 4.10 shall be by exhaustive preferential ballot.

4.12 In addition to the *Party* office bearers elected under Clause 4.10, *Annual Conference* will elect²⁸ not more than twenty (20) *members* with not less than 5 years of continuous membership²⁹ as *panel advisors* to assist any *preselection panel* in accordance with Clause 11.1.1 and as required by *Management Committee*. Members of *Management Committee* shall not be eligible for election as *panel advisors*.³⁰ Voting for *panel advisors* shall be as determined by *Annual Conference*.

4.13 In the event of a casual vacancy in the office of *President*, *Central Council* shall elect one of the Vice Presidents to fill the position until the next following *Annual Conference*. In the event of a casual vacancy in any of the other offices elected by *Annual Conference*, that vacancy shall be filled by election at *Central Council*.

4.14 A statement of receipts and expenditure, a balance sheet of the *Party* and an *Auditor's* Statement shall be prepared and presented to *Annual Conference* each year.

4.15 *Annual Conference* shall appoint an *Auditor* annually.

²⁷ Insertion of General Secretary at (c), subsequent positions redesignated (d) to (g) AC2017/02

²⁸ Changed from 'may elect' to compel election of Panel Advisors, AC2017/04

²⁹ Changed from 'experienced members', AC2013/01

³⁰ Prohibition of Management Committee members being panel advisors, AC2013/01

SECTION 5 – SPECIAL CONFERENCES

5.1 A *Special Conference* of delegates shall be called upon the written request to the *Territory Director* of not less than sixty (60) % of *Branches*, or may be called by *Central Council*. The written request from *Branches*, or the motion passed by *Central Council* requiring the convening of a *Special Conference*, shall detail the matter or matters to be determined by the *Special Conference*.

5.2 The *Management Committee* shall, within fourteen (14) days of the *Territory Director* advising receipt of a written request from *Branches*, or the passing of the motion by *Central Council*, determine the date for a *Special Conference*.

5.3 The *Territory Director* shall issue *notice* of a *Special Conference* at least thirty (30) days before the date fixed for that conference. The *notice* shall be issued to all *Branches* and include an agenda and details of the matter or matters to be determined by the *Special Conference*.

5.4 *Conference delegates* entitled to participate in and vote at any *Special Conference* shall be follows:

- a) *Central Councillors*;
- b) *Honorary Life Members*; and
- c) *Branch delegates* elected at a *Branch* annual general meeting in accordance with Clause 3.2.13.

5.5 Any *member* may attend a *Special Conference*, but only *Conference delegates* may vote.

5.6 A *quorum* for a *Special Conference* shall be two thirds of the number of *Conference delegates* provided for in clauses 5.4 (a) and (c).

5.7 Where a *Branch* is not able to be fully represented at a *Special Conference* the attending *Conference delegates* may hold and exercise *proxies* for absent *Conference delegates* under the same conditions that apply to *Annual Conference* as set out at Clause 4.6.

5.8 The absence of representation from a *Branch* shall not invalidate the proceedings of a *Special Conference*.

5.9 The *President*, or in his or her absence, one of the Vice Presidents, shall preside at *Special Conference*.

5.10. A *Special Conference* may determine:

- a) Alterations or amendments to the Constitution,
- b) The general *Philosophy and Platform* of the *Party* and details thereof,
- c) Such business as *Annual Conference*, *Central Council* or the *Management Committee* may submit,
- d) Business and resolutions from *Branches* as may be submitted to the *Territory Director* or other delegated person at least forty two (42) days prior to the date fixed by *Central Council* for *Annual Conference*, and
- e) Such other business as the conference may decide.

SECTION 6 – REGIONAL CONFERENCES

6.1 *Central Council* may convene *Regional Conferences* of the *Party* at such times and places as it considers desirable. Before calling such *Regional Conference*, *Central Council* shall determine the extent of the geographic area to which it shall relate, the *Branches* that may attend, and the matters to be discussed. At least forty two (42) days *notice* of a *Regional Conference* shall be given. The *notice* shall include the proposed business of the *Regional Conference*.

6.2 *Conference delegates* entitled to participate in and vote at any *Regional Conference* shall include:

- a) The *Central Councillors* of the attending *Branches*; and
- b) Such other *Central Councillors* as determined by *Central Council*

6.3 A *quorum* for a *Regional Conference* shall be a majority of the *Conference delegates* provided for in Clause 6.2.

6.4 Any *member* may attend a *Regional Conference*, but only *Conference delegates* as provided for in Clause 6.2 may vote.

6.5 Where a *Branch* is not able to be fully represented at a *Regional Conference* the attending *Branch delegates* may hold and exercise *proxies* for absent *Branch delegates* under the same conditions that apply to *Annual Conference* as set out at Clause 4.6.

6.6 The absence of representation from a *Branch* shall not invalidate the proceedings of a *Regional Conference*.

6.7 *Central Council* shall appoint the Chairperson of a *Regional Conference*.

6.8 A *Regional Conference* may deal with matters affecting that region and *policies* as they apply to that region. Resolutions from the *Regional Conference* shall be submitted to *Central Council*.

6.9 Expenses for the conduct of *Regional Conferences* shall be the responsibility of the respective *Branches* located within the region.

SECTION 7 – CENTRAL COUNCIL

7.1 OBJECTS, POWERS AND OBLIGATIONS OF CENTRAL COUNCIL

7.1.1 *Central Council* shall, in all matters, subject to specific directions herein contained and to decisions of *Annual* and/or *Special Conferences*, exercise full control over the affairs of the *Party* and subject as aforesaid, its decisions on all matters shall be final and binding on all persons and sections of the *Party* concerned.

7.1.2 *Central Council* shall:

- a) appoint, on the recommendation of the *Management Committee*, such officers as considered necessary for the conduct of the affairs of the *Party*;
- b) direct and supervise organisational and public relations work;
- c) have charge of all matters whatsoever relating to Federal and Territory elections and referenda;
- d) control and supervise collection and disbursement of funds subject to the Constitution;
- e) decide all questions affecting the welfare of the *Party*;
- f) have power to co-operate as it considers in the best interests of the *Party*, subject to Section 1.6;
- g) exercise full control, in all matters relating to the *Party* as a whole, over all *Branches*, committees and *members* of the *Party*;
- h) have power to decide all matters not expressly vested in *Branches*; and
- i) hear and determine disputes not resolved at *Branch* level.
- j) have power in relation to the management and responsibility for Electorates including but not limited to transferring to or from *Branches* the management and responsibility for Electorates.³¹
- k) approval of Rules, or the amendment of any Rules, relating to the responsibility and expectation of Members, including in relation to Member confidentiality of Party functions and business relating to and of and incidental to members funds, the register of members, Party funds and fund raising and of and incidental to pre-selections.³²

7.1.3 *Central Council* may delegate any matter to a committee and make an interim appointment until the date of the next annual election to any vacancy arising on any committee elected by it.

7.1.4 *Central Council* may from time to time determine Standing Orders and Rules of Debate.

7.1.5 The proceedings of *Central Council* shall be recorded in the form of minutes and shall be considered at the following meeting and, when agreed, shall be signed by the Chairperson of that meeting.

7.2 MEMBERSHIP OF CENTRAL COUNCIL

7.2.1. Members of Central Council (*Central Councillors*) shall include:

- a) The office bearers elected by *Annual Conference* in accordance with Clause 4.10;
- b) The immediate past *President*, until the next following *Annual Conference* after the conference at which the replacement *President* was elected;
- c) *Federal Members*, subject to a maximum number which may be set by *Annual Conference*;

³¹ New clause 7.2.1(j) AC2023/05

³² New clause 7.2.1(k) AC2023/08

- d) The *Leader* and *Deputy Leader*,
- e) The Chairperson of each *Branch*, or their replacement elected under the provisions of subclause 3.2.9;
- f) *Branch delegates* elected at a *Branch* annual general meeting in accordance with Section 3.2.11; and
- g) The President of the Young Country Liberals, elected in accordance with Section 9³³, and
- h) The *Country Liberal Women's Convenor* elected in accordance with Section 10.

7.2.2 When a *Branch delegate* is not able to attend *Central Council*, the *Branch* may nominate an *alternate Branch delegate* to replace an absent *Branch delegate* provided that:

- a) *Alternate Branch delegates* must be *members* of the *Branch* authorising the replacement *Branch delegate*;
- b) Nominations of *alternate Branch delegates* shall be submitted on the form and in the manner prescribed; and
- c) When a person who is elected as a *Branch delegate* to *Central Council* pursuant to subclause 3.2.11 is unable to attend *Central Council*, an *alternate Branch delegate* may only be elected from similarly qualified persons.

7.2.3 Any *Central Councillor* who is absent without leave from three (3) consecutive meetings shall be liable to have his or her position vacated by resolution of *Central Council*. Any such vacancy shall be filled as required thereafter by *Central Council*. Any decision of *Central Council* in such matters shall be final and binding and not subject to appeal.

7.2.4 *Central Council* may co-opt *members* from outside *Central Council* to assist it in the affairs and representation of *Central Council*, provided that no more than thirty (30) per cent of any *Central Council* shall be co-opted members. No co-opted member who is not otherwise entitled shall have any voting rights as a member of *Central Council*.

7.3 MEETINGS OF CENTRAL COUNCIL

7.3.1 *Central Council* shall meet at such date, time and place as decided by the *President*, or in his or her absence, by a Vice-President.

7.3.2 *Central Council* shall meet at least three times in each calendar year. One meeting shall be held in the South and one in the North of the Northern Territory.

7.3.3 One *Central Council* meeting shall be held in conjunction with each *Annual Conference*.

7.3.4 A meeting of *Central Council* shall be called within twenty one (21) days of a request in writing by sixty (60) per cent of *Central Councillors* to the *Territory Director*.

7.3.5 Other than in response to the requirement for an urgent meeting of *Central Council* called in accordance with Clause 7.3.4, the *Territory Director* shall give at least thirty (30) days *notice* of a *Central Council* meeting to *Central Councillors*. The *notice* shall include an agenda and details of all motions submitted for consideration by *Central Council*.

7.3.6 A *quorum* for *Central Council* shall be a majority of *Central Councillors* as provided for in Clause 7.2.1.

³³ Re-inclusion of YCL head, AC2021/04

7.3.7 Where a *Branch* is not able to be fully represented at a *Central Council* the attending *Branch delegates* may hold and exercise *proxies* for absent *Branch delegates* provided that:

- a) Such *proxies* are authorised in writing before the meeting by the *Branch* that elected the absent *Central Councillors*;
- b) No *Branch delegate* may hold more than two (2) *proxies*;
- c) *Proxies* shall be submitted on the form and in the manner prescribed;
- d) *Proxies* can only be held by *members* of the *Branch* authorising the *proxy*;

When a *Central Councillor*, elected pursuant to subclause 3.2.11 is unable to attend *Central Council*, a *proxy* can only be held by a similarly qualified person.

7.3.8 The *President*, or in his or her absence, one of the Vice-Presidents, shall preside at meetings of *Central Council*.

7.3.9 At the meeting of *Central Council* held in conjunction with *Annual Conference*, *Central Council* shall, by exhaustive preferential ballot, elect four (4) *Central Councillors* to be members of the *Management Committee* as provided in Section 8.2.4.(f). The *Central Councillors* so elected shall only remain members of the *Management Committee* while they remain *Central Councillors*. Membership of the *Management Committee* ceases immediately upon ceasing to be a *Central Councillor*, with the casual vacancy being filled by election at the next following *Central Council*.³⁴

³⁴ Clarifies appointment terms for 'four from the floor', AC2013/01

SECTION 8 – COMMITTEES OF CENTRAL COUNCIL

8.1 COMMITTEES GENERALLY

8.1.1 *Central Council* (or *Annual* or *Special Conferences*) may each year appoint such Standing or Special Purpose Committees as they deem fit and such Committees shall carry out the duties imposed upon them from time to time by the Constitution, *Annual* or *Special Conferences* or *Central Council*.

8.1.2 Unless otherwise provided in the Constitution:

- a) Such committees shall report back to the body that appointed them except where the appointing body has decided that the report be made elsewhere,
- b) Committee members shall be drawn from *Central Councillors*,
- c) The Chairperson of any such Standing Committee shall be a *Central Councillor* appointed by the body appointing the Committee.
- d) The Chairperson of a Special Purpose Committee shall be elected by that Committee,
- e) A *quorum* at the meeting of any such Committee shall be a majority of its members,
- f) Members may be co-opted to such Committees subject to clause 8.1.5. of this Constitution,
- g) The *President* or a Vice-President, delegated by the *President*, shall be, *ex-officio*, a member of all committees during the time when he or she attends any such committee.

8.1.3 Any casual vacancy in any Committee appointed by *Central Council* or *Annual* or *Special Conference* shall be filled by resolution of the majority of *Central Councillors*.

8.1.4 Any member of a Standing or Special Purpose Committee who is absent without leave from three (3) consecutive meetings shall be liable to have his or her position vacated by resolution of the body concerned. Any such vacancy shall be filled as required thereafter by *Central Council*. Any decision of *Central Council* in such matters shall be final and binding and not subject to appeal.

8.1.5. Any Committee formed under the Constitution may co-opt members outside that Committee to assist it in the affairs and representation of such Committee. No more than thirty (30) per cent of any Committee shall be co-opted members. No co-opted member who is not otherwise entitled shall have any voting rights as a member of any Committee.

8.2 MANAGEMENT COMMITTEE

8.2.1 The *Management Committee* shall be maintained as a Standing Committee of *Central Council*.

8.2.2 The *Management Committee* shall, subject to this Constitution, exercise the powers of *Central Council* and shall have power to manage all the affairs of the *Party*. It shall not have power to alter the Constitution or the *Philosophy and Platform* and *policy* of the *Party*. In particular it may:

- a) summon special meetings of *Central Council* when deemed necessary;
- b) appoint a Committee consisting of the *President* and six members of *Central Council* as an Appeals Committee to hear and determine appeals other than appeals in relation to preselection, as herein provided;
- c) appoint a Committee consisting of the *President* and six members of *Central Council*, provided none are deemed unqualified under the terms of Clause 11.1.1.(o), as an Appeals

Committee to hear and determine appeals in relation to preselection. Should the President be deemed unqualified under the terms of Clause 11.1.1.(o), the *Management Committee* shall appoint a qualified Vice President to the Committee. Other than the *President*, or qualified Vice President if the *President* is unqualified, no member of the *Management Committee* shall be eligible to be appointed to the Appeal Committee; and³⁵

- d) undertake, or form sub-committees to undertake the work of preparing and updating proposed amendments to the Constitution, *Philosophy and Platform* and *policies* of the *Party* for presentation to *Central Council* and, if required, to *Annual* or *Special Conference*.

8.2.3 When, as it deems necessary, *Management Committee* exercises the powers vested in *Central Council*, all such actions shall be submitted to the next meeting of *Central Council* for ratification and up to that date any action so taken shall be valid whether or not *Central Council* ratifies the actions.

8.2.4 The *Management Committee* of the *Party* shall consist of:

- a) the *President*;
- b) two Vice-Presidents;
- c) the General Secretary³⁶
- d) the Treasurer;
- e) the Deputy Treasurer;
- f) four (4) *Central Councillors*, elected by *Central Council* in accordance with Clause 7.3.9;
- g) the Leader and Deputy Leader
- h) those *Federal Members* who are *Central Councillors*;
- i) the *Country Liberal Women's Convenor*;
- j) the President of the Young Country Liberals, elected in accordance with Section 9³⁷; and
- k) the *Territory Director* as an ex-officio nonvoting member.

8.2.5 *Management Committee* shall meet at least four (4) times a year.

8.2.6 The *President*, or in his or her absence, one of the Vice-Presidents, shall preside at meetings of the *Management Committee*.

8.2.7 *Proxies* shall not be used at *Management Committee* meetings.

8.2.8 All matters or decisions of the Finance Committee shall be submitted to the next meeting of the *Management Committee* for review and to the next meeting of *Central Council* for ratification.³⁸

8.3 FINANCE COMMITTEE

8.3.1 The *Finance Committee* shall be maintained as a Standing Committee of *Central Council*.

8.3.2 The *Finance Committee* shall undertake and direct the raising of funds and attend to the financial business of the *Party*.

³⁵ Separates appeals in relation to preselection from general appeals, AC2013/01

³⁶ Inclusion of General Secretary AC2021/04

³⁷ Duplication of YCL representation deleted AC2021/04

³⁸ New clause AC2023/06

8.3.3 The property and assets of the *Party* shall be vested in the *Trustees* on behalf of the *Party* and the *Trustees* shall at all times deal with the same in accordance with the directions or resolutions of the *Finance Committee* or failing a direction or resolution of the *Finance Committee* then in accordance with the direction or resolution of *Central Council* or the *Management Committee*.

8.3.4 The *Finance Committee* shall consist of:

- a) the *President* and Vice Presidents;
- b) the Treasurer;
- c) the Deputy Treasurer
- d) the *Trustees*; and
- e) the *Territory Director*, as an ex-officio member with no voting rights.

8.3.5 The *Finance Committee* shall meet at least four (4) times a year.

8.3.6 The *President*, or in his or her absence, one of the Vice-Presidents, shall preside at meetings of the *Finance Committee*.

8.3.7 *Proxies* shall not be used at *Finance Committee* meetings.

SECTION 9 – YOUNG COUNTRY LIBERALS³⁹

9.1 OBJECTS AND OBLIGATIONS OF YOUNG COUNTRY LIBERALS

9.1.1 Any *Member* aged under thirty (30) years of age at the 30th of June shall for the ensuing 12 months be eligible and may choose to be a *YCL Member*.⁴⁰

9.1.2 The *Young Country Liberals* shall concern itself with:
a) The advancement of the interests of the Party consistent with the Philosophy and Party Platform, Objectives and Policies of the Party; and
b) The advancement of youth within the Party and in the Northern Territory

9.1.3 The proceedings of the *Young Country Liberals* Executive and YCL Committees shall be recorded in the form of minutes and shall be confirmed at the following meeting and shall be signed by the presiding officer of that meeting. Copies of all confirmed meeting minutes are to be sent to the *Territory Director*.

9.1.4 The *Young Country Liberals* shall submit motions to *Central Council* or *Annual- or Special Conference* in a manner and timeframe consistent with the obligations of party branches as set out in 3.1.3

9.1.5 The *Young Country Liberals* shall not enter into legal proceedings on its own account without the consent of *Central Council*.

9.2 YOUNG COUNTRY LIBERALS ANNUAL CONVENTION

9.2.1 The *Young County Liberals* Annual Convention shall be held prior to or in conjunction with *Annual Conference*.

9.2.2 Where there are exceptional circumstances and an Annual Convention cannot be held in accordance with Section 9.2.1, then the *Young Country Liberals* may apply to *Central Council* seeking some other later date that is as close as practicable to those outlined in Section 9.2.1.

9.2.3 The Secretary of the *Young Country Liberals* shall provide not less than forty-two (42) days' notice of the meeting to each *YCL Member*.

9.2.4 A quorum at an Annual Convention shall be not less than fifteen (15) *YCL Members*, or twenty (20) percent of youth membership, whichever is the greater.

9.2.5 A *YCL Member* may appoint in writing, as his or her proxy any other *YCL Member* to vote at an Annual Convention. No youth member may hold more than two (2) proxies. Notice of proxies shall be submitted in writing not later than fourteen (14) days before Annual Convention to the Secretary.

9.2.6 The *Young Country Liberals* President, or in his or her absence, one of the Vice Presidents, shall preside at a Convention. In the absence of these officers, a temporary Chairperson shall be elected.

9.2.7 Business at each Annual Convention shall include, but not be limited to:

³⁹ Section 9 'Reserved' AC3013/08 when providing for 'Youth Branches' then new section 9 inserted SC2014/01.

⁴⁰ Amended SC2022, Deferred Motion 5, Part 4

- a) Endorsement of minutes of the immediate prior Annual Convention and Special Convention if applicable;
- b) Reports by President, Vice President North, Vice President South, Secretary and Treasurer;
- c) Acceptance of *Young Country Liberals* Financial Statement and Auditor's Report;
- d) Election of the *Young Country Liberals* executive committee, being the office bearers set out in 9.2.8;
- e) Appointment of Auditor;
- f) Appointment of *Young Country Liberals* Patron; and
- g) Any other business which may lawfully be raised.

9.2.8 Voting for election of the positions on the *Young Country Liberals* Executive as set out in 9.4.1 shall be by:

- a) A secret ballot of *YCL Members* (including proxies) attending that meeting;
- b) if only two (2) candidates nominate, voting is to be first past the post; and
- c) if more than two (2) candidates nominate, voting is to be by exhaustive preferential ballot.⁴¹

9.3 YOUNG COUNTRY LIBERALS SPECIAL CONVENTION

9.3.1 A *Young Country Liberals* Special Convention may be called for any purpose, including the removal of ⁴² an elected member of the *Young Country Liberals* Executive Committee

9.3.2 To call a Special Convention, a petition signed by sixty-six (66) percent of *YCL Members* shall be presented to the *Young Country Liberals* Executive Committee

9.3.3 Special Conventions shall be carried out in strict accordance to section 9.2.3, 9.2.4, 9.2.5 and 9.2.6.

9.3.4 Business of Special Convention shall be the business outlined in the petition only.

9.3.5⁴³ Persons elected to the *Young Country Liberals* executive committee positions can be removed from office by resolution carried by a two-thirds majority of a Special Convention, provided the notice for that meeting:

- a) Is given strictly in accordance with the requirements of Clause 9.2.3 and 9.3.2
- b) contains notice of the motion/s that a particular executive committee position or positions be declared vacant, and
- c) contains notice that if the motion/s is/are carried by the required majority, an immediate election will be held to fill the vacated position/s.

9.4 YOUNG COUNTRY LIBERALS EXECUTIVE COMMITTEE

9.4.1 The *Young Country Liberals* Executive Committee shall consist of:

- a) A President
- b) A Vice President North;
- c) A Vice President South;

⁴¹ Amended from 'exhausted' SC2022/Deferred Motion 5 Part 5

⁴² Possible purposes of Special Convention broadened SC2022/Deferred Motion 5 Part 6

⁴³ New Clause 9.3.5, SC2022/Deferred Motion 5 Part 6

- d) A Secretary;
- e) A Treasurer;
- f) Two youth members from Convention; and
- g) The Immediate Past President (non-voting member)

9.4.2 The term of an executive will coincide with that of the incoming Management committee at the *Annual Conference* in conjunction with, or immediately following *Young Country Liberals* Convention.

9.4.3⁴⁴ In the event of a casual vacancy in any elected position, a Special Convention for the purpose of filling the vacancy shall be called.

9.4.4 *Young Country Liberals* Executive Committee meetings shall be held as and when determined by the committee. The *Young Country Liberals* Secretary shall give at least seven (7) days' notice of an executive committee meeting.

9.4.5 A quorum at an Executive Committee meeting shall be a majority of its members.

9.4.6 The *Young Country Liberals* President, or in his or her absence, one of the Vice Presidents, shall preside at an Executive Committee Meeting. In the absence of these officers, a temporary Chairperson shall be elected.

9.4.7 Proxies shall not be used at *Young Country Liberals* Executive Committee Meetings.

9.4.8 Any action taken by the executive shall be ratified by the next *Young Country Liberals* Annual Convention.

9.5 YOUNG COUNTRY LIBERALS FUNDS

9.5.1 The accounts of the *Young Country Liberals* shall be kept separately and submitted to *Central Council* as follows:

- a) an audited financial statement of the year's transactions, as soon as practicable after the 30th June in each year; and
- b) an unaudited half yearly financial statement, as soon as practicable after the 31st December in each year.

9.5.2 *Young Country Liberals* accounts shall be audited by an Auditor, to be appointed annually.

9.5.3 *Young Country Liberals* funds shall be banked and may be operated upon only by the resolution of the Executive Committee. All *Young Country Liberals* accounts shall be operated upon by the Treasurer and any one of:

- a) The President;
- b) The Vice Presidents; or
- c) The Secretary

9.6 YOUNG COUNTRY LIBERALS COMMITTEES

⁴⁴ Redundant Clause relating to removal of office bearers removed (covered by 9.3), SC2022/Deferred Motion 5, Part 7

9.6.1 *Young Country Liberals* Convention may each year appoint such Standing or Special Purpose Committees as they deem fit and such Committees shall carry out the duties imposed upon them from time to time by the Constitution or *Young Country Liberals* Convention.

9.6.2 Unless otherwise provided in the Constitution:

- a) Such committees shall report back to the body that appointed them except where the appointing body has decided that the report be made elsewhere;
- b) Committee members shall be drawn from *YCL Members* in a manner decided by Convention;
- c) The Chairperson of any such Standing Committee shall be appointed by the body appointing the Committee or in a manner decided by Convention;
- d) The Chairperson of a Special Purpose Committee shall be elected by that Committee;
- e) A quorum at the meeting of any such Committee shall be a majority of its members;
- f) Members may be co-opted to such Committees subject to clause 9.6.4 of this Constitution;
- g) The YCL President or a YCL Vice-President, delegated by the YCL President, shall be ex-officio, a member of all Committees during the time when he or she attends any such Committee.

9.6.3 Any casual vacancy in any Committee appointed by Convention shall be filled in a manner decided by Convention.

9.6.4 Any Committee formed under Section 9 of the Constitution may co-opt *YCL Members* outside that Committee to assist it in the affairs and representation of such Committee. No more than thirty (30) percent of any Committee shall be co-opted members. No co-opted member who is not otherwise entitled shall have any voting rights as a member of any Committee.

9.7 YOUNG COUNTRY LIBERALS PATRON

9.7.1 A *Young Country Liberals* Patron shall be appointed at Annual Convention and shall remain Patron until the next Annual Convention.

9.7.2 The *Young Country Liberals* Patron shall concern his/herself with:

- a) The advancement of the interests of the Party consistent with the Philosophy and Platform, Objectives and Policies of the Party; and
- b) The advancement of youth within the Party and in the Northern Territory.

SECTION 10 – COUNTRY LIBERAL WOMEN

10.1 All women *members* of the *Party* shall be entitled to participate in the activities of the *Country Liberal Women*.

10.2 A *Women's Committee*, elected by *Branches* in accordance with Clause 3.2.19 shall manage the activities of the *Country Liberal Women*.

10.3 The annual general meeting of the *Women's Committee* shall be conducted between the 1st and 30th day of November⁴⁵ each year.

⁴⁵ Month of meeting changed AC2021/07

10.4 The *Women's Committee* shall otherwise meet as and when determined by the committee.

10.5 The annual general meeting the *Women's Committee* shall:

- a) elect a member of the committee to be the *Country Liberal Women's Convenor*;
- b) elect such other office bearers as it deems appropriate; and
- c) conduct such other business as it deems appropriate.

10.6⁴⁶ The *Country Liberal Women's Convenor* shall be a *Central Councillor* and a member of the *Management Committee*.

10.7 A casual vacancy in the office of *Country Liberal Women's Convenor* shall be filled by election at the *Women's Committee*.

⁴⁶ Deletion of Clause regarding timing of taking office, SC2022 Motion 2

SECTION 11 – PRESELECTION

11.1 NORTHERN TERRITORY LEGISLATIVE ASSEMBLY CANDIDATES

11.1.1 When candidates are required for a Northern Territory election, such candidates shall be sought and preselected for every electorate in accordance with the following rules:

- a) With a view to affording the widest possible choice of candidates, *Central Council* shall:
 - (i) Call for expressions of interest or nominations by public advertisement;
 - (ii) Invite *Branches* or individuals to submit names; or
 - (iii) Take such other steps as may be desired to bring the name of any possible applicant⁴⁷ before *Branches* and *Central Council*.⁴⁸
- b) Nominations shall be accepted only from persons who are *members* of the *Party*.
- c) An applicant for preselection shall complete and sign the form titled "Application for Pre-Selection - Legislative Assembly" prior to the advertised closing date.
- d) The timing and scheduling of all actions will rest with *Central Council*.
- e) Unless prohibited by law, *Central Council* may decide that there shall be more than one (1) Country Liberal candidate for election in any Territory electorate.
- f) *Central Council* will determine the *Branch* or *Branches* responsible for preselection in each electorate.
- g) The term "Branch" is defined for the purposes of Section 11.1.1. to mean a *Branch*:
 - (i) whose formation in accordance with Section 3.6 was approved by *Central Council* at least twelve months prior to the closing date for applications for preselection; and
 - (ii) having at least ten (10) *members* affiliated with the *Branch* for the preceding twelve (12) months who have attended a minimum of fifty per cent (50%) of *Branch* meetings in the preceding twelve (12) months.
- h) Where a *Branch*, previously assigned electorate responsibility for a particular electorate is unable to satisfy the criteria, *Central Council* will assume responsibility for preselection. *Central Council* may delegate all or part of that responsibility to:
 - (i) Another *Branch* or *Branches* that conform with the eligibility criteria at (g); or
 - (ii) The *Management Committee*.
- i)⁴⁹ All nominations for preselection shall be submitted, with recommendations by the *Branch* or *Branches* concerned, to *Central Council* for endorsement.
- j) When *Central Council* convenes as a *preselection panel* or to consider recommendations for preselection pursuant to clause 11.1.1 no *Central Councillor* shall hold a *proxy* for any other *Central Councillor*.
- k) Where *Central Council* resolves not to endorse a *Branch* recommendation, after consultation with *Branch delegates*, debate will be pursued to conclusion at that *Central Council* meeting addressing which of the following options is to be followed:
 - (i) Recommendation by the preselecting *Branch* or *Branches* of another applicant from those already properly nominated; or
 - (ii) re advertisement by *Central Council*, with *Branch* preselection procedures commencing afresh; or
 - (iii) Direct appointment of any applicant by *Central Council*.

⁴⁷ Terminology amended – 'applicant' prior to preselection, 'Candidate' after, AC2013/01

⁴⁸ Editorial correction – designation of subclauses corrected to restore appropriate cross referencing.

⁴⁹ Previously unused 'i' inserted, subsequent clauses redesignated, SC2022/xx

- (iv) The first opportunity to move the motion giving effect to any of these options will rest with the preselecting Branch with the second option being available once only.
- l) In every electorate all applicants shall be interviewed by the preselection panel.
- m) A preselection panel shall consist of at least ten (10) qualified members identified at a general meeting of the preselecting Branch or Branches, the Branch Secretary or Secretaries having given notice to all qualified members of the meeting⁵⁰. The term “qualified members” means the following:
 - (i) people who have been members affiliated with the preselecting Branch or Branches for more than two years prior to the closing date for applications for preselection; or
 - (ii) people who have been members affiliated with the preselecting Branch or Branches for less than two years, but who have attended at least 50% of the Branch meetings in the twelve months prior to the closing date for applications for preselection; or
 - (iii) People who have been members of the Party for more than two years prior to the closing date for applications for preselection, and who, according to the membership records, have resided for at least twelve months in the electorate for which preselection is being undertaken.

All qualified members shall be entitled to participate in the preselection panel.⁵¹
- n) Any person, being one or more of the following, shall be deemed an unqualified member and shall be excluded from nomination to a preselection panel and shall not be present during any preselection proceedings (unless as the preselection applicant):
 - (i) Any applicant for preselection for any electorate;
 - (ii) Any endorsed candidate for any electorate;
 - (iii) Family members, relatives, or defacto partners of any applicant for preselection, or endorsed candidate;⁵²
 - (iv) Persons employed by any applicant for preselection or endorsed candidate;
 - (v) Parliamentarians (whether Territory or Federal); and
 - (vi) Relatives or persons employed in the offices of parliamentarians (whether Territory or Federal).
- o) When Central Council determines that a Branch or Branches will convene a preselection panel in accordance with clause n) of this section, Management Committee will⁵³ also select three (3) members from the Panel Advisors to be full members of the preselection panel for that electorate.
- p) No member of a preselection panel shall hold a proxy for any other person.
- q) Any *Branch* or *member* may be invited to participate on a *preselection panel* on such terms and conditions as may be set by the preselecting *Branch*, provided any *member* so invited has been a *member* of the *Party* for not less than two (2) years and is not a *member* deemed unqualified under the provisions of Clause 11.1.1.(n).
- r) Where only one application is received for any given electorate, the preselecting *Branch* shall nevertheless require the applicant to appear before a *preselection panel*.
- s) *Panel Advisors* appointed by *Management Committee* for each and any *Branch Preselection Panel* will provide *Management Committee* a report on the processes of the *Preselection Panel*, including inter alia that all such processes were conducted by the

⁵⁰ Change to notice requirement, AC2013/01

⁵¹ Clarification of entitlement to participate, AC2013/01

⁵² Addition of category of excluded persons, AC2013/01

⁵³ Changed from ‘may’ to ‘will’, AC2017/04

Preselection Panel in accordance with the requirements of the *Constitution*, and in accordance with the *Preselection Guidelines* and with best practice in these matters.⁵⁴

11.1.2 *Central Council* (or if specifically delegated, *Management Committee*) may establish a team of *preselection observers* to assist Branches. To be eligible for appointment as a *Preselection Observer*, a person must:

- a) Have been a *member* of the *Party* for at least two (2) years; and
- b) Must not be a person deemed unqualified under Clause 11.1.1.(n).

11.1.3 No more than three (3) *preselection observers* shall be assigned to any *preselection panel*.

11.1.4 When assigned, *preselection observers* shall attend and observe throughout, but shall not participate or vote in the preselection proceedings.

11.1.5 *Preselection observers* shall submit a report on the conduct of the preselection to the *Territory Director* before *Central Council* meets to consider the recommendations of the *preselection panel*.

11.1.6 Where, by reason of a sudden dissolution of Parliament, or any other exigency, it is not practicable for a *preselection panel* to meet, *Management Committee* may in its absolute discretion after consultation with the *Branch* concerned, choose and endorse a candidate. For the purposes of this clause, the *Management Committee* shall not include persons disqualified under Clause 11.1.1.(n), but may invite participation by *Branch* Chairpersons not disqualified under Clause 11.1.1.(n).⁵⁵

11.1.7 Voting for preselection shall be by:

- a) a secret ballot of voting preselection panel members, with no proxies allowed,
- b) if only two applicants nominate, voting is to be first past the post, and
- c) if more than two applicants nominate, voting is to be by exhaustive ballot.⁵⁶

11.1.8 Preselection processes, other than voting⁵⁷, both within the *Branches* and at relevant meetings of *Central Council*, will be in accordance with guidelines set down by *Central Council* from time to time. Such guidelines will be published and available to all parties concerned with preselection.

11.1.9 Any applicant may file a "Notice of Appeal" against the conduct of any preselection proceedings on the grounds of unfair treatment or grave irregularity. Such appeals shall be managed as follows:

- a) The Notice of Appeal shall be submitted on the form titled "Notice of Appeal";
- b) The Notice of Appeal shall be filed with the *Territory Director* within forty eight (48) hours of the endorsement of a candidate by *Central Council*;

⁵⁴ New Clause (t) requiring report from Panel Advisors, AC2017/04

⁵⁵ Clarification of excluded persons, AC2013/01

⁵⁶ New clause 11.1.7 to determine voting method AC2020/01.

⁵⁷ Additional phrase suggested to give effect to AC2020/01.

- c) Within three (3) days of the filing of the Notice of Appeal the aggrieved applicant (appellant) shall lodge a written statement with the *Territory Director*, particularising the grounds of appeal;
- d) The statement shall be accompanied by a fee of one hundred dollars (\$100.00);
- e) Upon receipt of the written statement, the *Territory Director* shall immediately advise the *President*, and the *President* shall without delay convene the *Management Committee* to appoint an Appeals Committee in accordance with clause 8.2.2(c) of this Constitution;
- f) The Appeals Committee will, with regard to natural justice, consider and resolve the appeal within ten (10) working days of receipt of the statement referred to in clause 11.1.9.(c);
- g) The Appeals Committee may:
 - (i) Confirm the validity of the conduct and outcome of the preselection process; or
 - (ii) Refer the matter back to the preselecting body concerned to re conduct the preselection in such manner as the Appeals Committee may decide provided that should a *Branch preselection panel* or *Central Council* not be able to meet before the nomination day, *Management Committee*, after consultation with the Appeals Committee shall select the candidate. For the purposes of this clause, the *Management Committee* shall not include Members of Parliament, but may invite participation by *Branch Chairpersons*.
- h) Notice of the decision of the Appeals Committee shall be forwarded by receipted means to the appellant on the first business day after the matter has been determined.
- i) ⁵⁸The appellant shall have no further right of appeal in relation to a preselection made under Clause 11.1.9 (g)(ii).
- j) The decision of the Appeals Committee shall be final and binding.

11.2 SENATE AND HOUSE OF REPRESENTATIVES CANDIDATES

11.2.1 When candidates are required for a Senate or House of Representatives election, such candidates shall be sought and preselected in accordance with the following rules:

- a) Nominations or expressions of interest shall be called for by *Central Council* by public advertisement for any one or more electorates as determined by *Central Council*.
- b) An applicant⁵⁹ for selection shall complete and sign the form titled "Application for Pre-Selection - Senate/House of Representatives" prior to the closing date for preselection.
- c) The selection shall be made by *Central Council*.
- d) Voting for preselection shall be by:⁶⁰
 - (i) a secret ballot of voting preselection panel members, with no proxies allowed,
 - (ii) if only two applicants nominate, voting is to be first past the post, and
 - (iii) if more than two applicants nominate, voting is to be by exhaustive ballot."
- e) Preselection processes, other than voting⁶¹, at the relevant meetings of *Central Council* will be in accordance with the guidelines set down by *Central Council* from time to time. Such guidelines will be published and available to all parties concerned with preselection.
- f) All applicants for preselection shall be *members* of the *Party*.

⁵⁸ Previously unused 'i)' inserted, subsequent clauses redesignated, SC2022/Motion 3

⁵⁹ Changed from 'candidate', AC2013/01

⁶⁰ Existing d) replaced with new clause to give effect to AC2020/01

⁶¹ Addition to e) to give effect to AC2020/01

11.2.2 Any person being one or more of the following shall be deemed an unqualified member, shall be excluded from the preselection process and shall not be present during preselection proceedings (unless as the preselection applicant):

- a) any applicant for preselection for any electorate;
- b) any endorsed candidate for any electorate;
- c) family members, relatives, or defacto partners of any applicant for preselection or endorsed candidate;⁶²
- d) persons employed by any applicant for preselection or endorsed candidate;
- e) parliamentarians (whether Territory or Federal); and
- f) Relatives or persons employed in the offices of parliamentarians (whether Territory or Federal).

⁶² Extension of excluded persons, AC2013/01

STANDING ORDERS AND RULES OF DEBATE

DEFINITION

“Members” referred to in these Standing Orders means those members of or delegates to Central Council and Annual Conference who are entitled to vote at meetings of Central Council or Annual Conference.

ORDER OF BUSINESS

1. Debate shall proceed by way of membership speaking for or against motions put one at a time to the Chairman of the meeting.
2. Subject to any direction from the Chairman the agenda as accepted by the meeting at its commencement shall be proceeded with in the order in which it is set.

SPEAKING GENERALLY

3. Each member shall have the right to speak:
 - a) Once on any motion before the chair; and
 - b) Once on any amendment.
4. Any member desiring to speak shall signify his or her desire to do so in such manner as determined by the Chairman. He or she will announce his or her name and capacity in which he or she attends the meeting and address the Chairman respectfully.
5. Whenever the Chairman raises his/her hand during the debate the member then speaking shall cease to do so.
6. No member shall use offensive or unbecoming words.
7. No speaker shall digress from the subject under discussion and imputations of improper motives and all personal reflections on members shall be deemed disorderly.
8. No member shall interrupt another while speaking except on a point of order.
9. A member who formally seconds a motion or amendment without making a speech may speak in support at a subsequent stage of debate.
10. A member who has moved a substantive motion shall be allowed 3 minutes to introduce the motion and at the conclusion of the discussion, even though his or her original motion has been amended, a further 2 minutes for reply to wind up debate. There shall be no right of reply attached to the moving of an amendment.
11. Each other speaker to a motion may speak for 3 minutes.

NOTICES OF MOTION

12. The right to move a motion of which notice has been given shall in the first instance be that of the Party body which submitted. If no representative of the Party body is present when the motion is called, the Chairman may at his or her discretion either permit some other member present to move it or defer discussion of the motion until all other business has been dealt with.
13. Upon a substantive motion being called, the Chairman may ask the meeting whether there is any opposition to it. If there is none, the motion may at the discretion of the Chairman be put without debate. If there is opposition, the mover shall exercise his or her right of speech, a speaker against the motion will be called, thereupon the seconder of the motion will be called, or if the mover declines, some other speaker in favour of the motion will be called and the debate will proceed until:
 - a) There is no speaker wishing to speak in favour of the motion, or against it when such a speaker is called for in order of debate;
 - b) Debate on the question has proceeded for 20 minutes;

- c) It is resolved that the question be put; or
 - d) It is resolved that the debate be adjourned.
14. An amendment may be put on an original motion. The Chairman shall put the amendment to the meeting first and; if carried, it shall be declared to embody the decision of the meeting, superseding the motion. When the amendment has been decided, a further amendment may be moved, which if carried, shall in turn, supersede the motion as amended.
 15. The Chairman shall refuse to accept any amendment which is a direct negative or which does not preserve the substance of the original motion.
 16. The mover of any motion other than a procedural motion or a motion appearing in the agenda as adopted by the meeting and of any amendment shall provide a copy of the same in writing to the Chairman prior to rising to speak to the same.
 17. A member may move that the debate of a motion be adjourned. If the question is resolved in the negative the mover shall not be allowed to speak again in the question under debate. If the motion is resolved in the affirmative, the debate shall cease and resume at the time specified in the motion and the mover shall have the right of resuming the debate. No member shall move the adjournment after speaking on the motion.
 18. At any time during the debate, any member who has not spoken to the motion or any amendment thereto moved may, without notice, move that the question be put, and such motion, being duly seconded, shall be put without debate. If the motion that the question be put is carried in relation to a substantive motion the mover of the original motion, if he has not already spoken to the amendment, may speak to the amendment and the amendment shall then be put without debate, and if it is lost the debate shall proceed.
 19. The meeting may, by resolution, grant an extension of time to any speaker, or for the discussion of any, motion or amendment.
 20. Upon a member raising a point of order, the member then speaking shall sit down until it has been decided. The member rising to order shall state concisely the point of order and the Chairman shall give a ruling. The Chairman may requested any person present to make submission on the point of order prior to giving a ruling.
 21. It shall be competent for any member to move a motion of dissent from the Chairman's ruling. The mover of the motion of dissent shall have 3 minutes to state the point. The Chairman shall have 3 minutes to reply and the question will be put forthwith.

DETERMINATION OF MOTION

22. The Chairman may at his or her discretion declare a motion carried or lost. Should the Chairman's declaration be disputed by more than 10 of the members present, or should the Chairman so require, a count of votes for and against the motion shall be taken provided that a request by such members shall be made immediately after the Chairman shall have made the declaration.
23. In the event of a count of votes being required in accordance with Standing Order 22, the Chairman may appoint 2 or more tellers to count the votes for and against the motion then before the chair and report the result to the Chairman. Should 50% of the members then in attendance request a ballot, a secret ballot shall be taken. The Chairman may appoint 2 or more tellers to count the ballot papers and report the result.

MATTERS NOT COVERED BY STANDING ORDER

24. The Chairman shall determine all matters not covered by these Standing Orders. The Chairman's determination shall be final. The Chairman may use Parliamentary Standing orders and practice as a guide.

SUSPENSION OF STANDING ORDERS

25. A member may at any time move that these Standing orders or any of them be suspended. The member proposing any such motion shall have a 3 minutes to state the reasons why such a motion should be considered, whereupon the motion of suspension shall be put forthwith.