



# Constitution

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## 1 Establishment

- 1.1 The name of the party federally shall be “Australian Federation Party” and will use the abbreviation “Federation Party”.

In each State and Territory, the State or Territory name will be added at the end of the party name i.e. “Australian Federation Party (State or Territory)” and will use the abbreviation/ballot paper name “Federation Party (State or Territory)” when registered with electoral authorities. (also referred to in this constitution as “the party”).

- 1.2 The party is a federation of State or Territory Divisions consisting of a State or Territory Division from at least one State or Territory (hereinafter collectively referred to as “State”) of the Commonwealth of Australia. Initially, the NT division of the party will be known as Australian Country Party or any other name the NT Executive decide. This will be reviewed after the NT 2020 election if necessary.
- 1.3 The members shall be persons who are entitled to vote at federal and state elections who are also deemed by the party to identify with the principles, objectives and platform of the party.

## 2 Purpose & Objectives

- 2.1 To endorse candidates to contest Federal Parliamentary elections and Parliamentary or Local Government elections in the states of Queensland, New South Wales, Victoria, Tasmania, South Australia, Western Australia and the Territories of Australian Capital Territory and the Northern Territory.
- 2.2 To propose, promote and support legislation which will support the following principles:

- a. **Limited Government**

The rightful functions of government are to guarantee individual freedom, property rights, internal order, a strong national defence, and the administration of justice.

The party supports the division of responsibilities between state and federal governments as prescribed in Australia’s constitution as the best means of preventing the concentration of power.

- b. **Personal Responsibility**

Personal responsibility is central to the idea of a free society. We believe that each individual is morally responsible for, and should bear responsibility for their actions.

The party recognises that the most effective form of government is self-government which requires the development in each person of the virtues of prudence, justice, fortitude, temperance, faith, hope, and charity.

c. **Free Enterprise**

The allocation of resources through voluntary agreement between individuals and businesses is the most productive and efficient supplier of human needs and is the economic system most compatible with a free society.

In recognising that successive generations are stewards of great riches, both natural and cultural, material and spiritual, the party acknowledges that market relations alone do not guarantee the common good.

d. **Civil Society**

The values, customs, conventions, and norms of the founding traditions are the foundation for western culture and provide the appropriate framework to inform and guide a free society. Without adherence to these enduring structures and an associated rejection of moral relativism, society induces its decay.

Central to this is recognition of the importance of the natural family as the best possible institution for the nurturing and development of future generations and its role as the foundation of society. Respect for life is pivotal in understanding the promotion of human rights and the recognition by science of the presence of human life.

e. **Further Objectives**

The party may develop and maintain a mission statement and additional purpose and objectives, which are to be posted on its website.

### **3 Interpretation**

- 3.1 The Federal Conference shall have full powers to interpret the Constitution and By-Laws of the Party for the betterment of the party. Between Federal Conferences, the Federal Executive shall have the power to interpret the Constitution and By-Laws of the Party.
- 3.2 Any State Executive may request an interpretation of the Constitution and By-Laws from the Federal Executive. Any decision to interpret or clarify such words shall be by a majority vote of the Federal Executive. Such decisions shall take immediate effect and shall be presented to the next scheduled Federal Conference for ratification or amendment.
- 3.3 Once an interpretation has been ratified or amended by the Federal Conference it may no longer be altered by the Federal Executive. Each such resolution of the Federal Executive and the Federal Conference shall be communicated in writing to each State Secretary.

### **4 Organisation**

- 4.1 **State Divisions:** State Divisions of the Party shall be endorsed by the Federal Executive and be organised on the basis of one per state and consist of an executive described in section 9 of this Constitution.
- 4.2 **Local Branches:** Local Branches of the Party shall organise on a basis of one per State electorate and consist of ten or more members (or fewer, with State Executive approval) who shall elect a Chairperson, Secretary and Assistant Secretary/Treasurer. Local Branches shall be approved by the State Executive and may be required to adhere to internal party policies and requirements. If a State Division has not been endorsed in the relevant state, the Federal Executive may endorse a local branch.
- 4.3 The Local Branch Executive shall liaise with the State Executive and shall carry out the work of the party, as directed. Any reference in the Constitution and By-Laws to a "Local Branch" may be taken to include a deemed Local Branch.
- 4.4 **Deemed Local Branches:** In any state electorate, individual members not yet formally constituted as a Local Branch may be deemed by the State Executive, for purposes of representation at State Conference, to be a Local Branch.
- 4.5 **Regional Committees:** With State Executive approval, several Local Branches shall be entitled to form a Regional Committee to resolve and coordinate activities spanning more than one electorate with equal representation of 2 delegates per Regional Committee. The geographic area of a Regional Committee is to be determined by the State Executive.
- 4.6 **Divisions:** A reference in the Constitution and By-Laws to a "division" of the AFP may include a State Branch, a Local Branch as appropriate.

### **5 Federal Conference**

- 5.1 **Federal Conference:** The governing body of the Party shall be the Federal Conference, meeting at the earliest practicable opportunity in the period between each federal election or as otherwise required by the Federal Executive or requested by a majority of the State Branches.

- 5.2 Representation at Federal Conference: Unless otherwise decided by the Federal Executive in any future by-laws, is each State Division of the party shall be represented at Federal Conference by delegates of the State Division in proportion to its financial membership, as follows:
- a. 100 financial members or under – 4 delegates;
  - b. 101 to 300 financial members – 5 delegates;
  - c. 301 to 900 financial members – 6 delegates,
  - d. and 1 for each trebling of the number of financial members thereafter, or part thereof;  
and
  - e. each Federal / State Secretary, or a proxy from the respective Executives, and the Party leader and deputy leader in each House of the Federal Parliament shall be ex officio delegates.
- 5.3 Procedures at Federal Conference are applicable to State Conferences.
- 5.4 If the Federal Secretary is also a State Secretary, then he or she shall be entitled to cast only one vote on any item of business.

## **6 Special General Meeting**

- 6.1 The Federal Executive may call a Special General Meeting (SGM) or fifty (50) Members, may request a special general meeting) for the purposes as determined by the Federal/State Executive or as set out in the requisition. Only the business for which the meeting was called may be addressed by the meeting agenda.
- 6.2 The Federal Secretary must convene a Special General Meeting within forty-five (45) days of the date of the decision of the Federal Executive to convene a special general meeting or within forty-five (45) days of the date of receipt of the requisition from fifty (50) Members.
- 6.3 The Federal/State Secretary must give Members at least twenty-one (21) days' notice of the meeting, the date which must be within (45) days of the date of the decision of the Federal Executive to convene a special general meeting.

## **7 Federal Executive**

- 7.1 Federal Executive: The Federal Executive shall be the ruling authority to administer the Party between Federal Conferences in accordance with the decisions of Federal Conference.
- 7.2 The Federal Executive shall implement Federal Party policy in accordance with the decisions of Federal Conference.
- 7.3 A Federal Executive may implement bylaws and procedures not covered in the constitution for the management of the party
- 7.4 The Federal Executive shall meet annually, or at other agreed intervals, and shall comprise the members as per clause 7.5; and the Party Leader and Deputy Leader of each house of the Federal Parliament.
- 7.5 Election of Federal Executive: The Federal Executive will be made up of the State/Territory Chairpersons (or State/Territory Coordinators where there is no Chairperson) of each State and Territory on an ex officio basis, or a nominee on their behalf, made by the respective State or Territory Executive.

There will be one additional member of the Federal Executive, who is to be nominated by the ex officio members of the Federal Executive and voted in by unanimous vote only. This additional member ensures an odd number of members on the Federal Executive. State and Territory Executives will not be required to undertake this requirement as they elect their executives.

Office Bearer roles as outlined in 7.6 or in any future by-laws, relating to 7.6, will be voted on by the Federal Executive. It is expected that roles will be voted on, based on the suitability of Executive Members and their capability, skills and experience.

This clause is subject to future by-laws that may add to or reorganise the Federal Executive makeup, without changing the fair and equitable representation of all States and Territories and that the office bearer positions on the executive are voted in by the ex officio members of the Federal Executive, based on capability, skills and experience.

- 7.6 Federal Executive Officers: Office-bearer roles, to be elected by the Federal Executive, shall be as follows:
- a. Chairperson;
  - b. Vice-Chairperson;
  - c. Secretary;
  - d. Assistant Secretary;
  - e. Treasurer and;
  - f. Four General Members

This clause is subject to future by-laws, that may add or amend roles or reorganise the Federal Executive, without changing the fair and equitable representation of all States and Territories.

- 7.7 Meetings of any Executive may be held by telephone, internet link technology or such other means that provides direct and clear inter-personal communication.
- 7.8 Resolutions of any Executive are passed by a simple majority vote, the method of voting and the issues for resolution are to be determined by the Chairperson
- 7.9 Motions may be dealt with via email if in the opinion of the Chair or Secretary the business to be addressed requires a decision that needs to be made before a formal meeting of the executive can be convened
- 7.10 Officials: The Federal / State Executive at the respective level may appoint as salaried officials, and fix their conditions of employment, any officer, or other member, to perform the work of the Party, as directed.

## **8 State Conference**

- 8.1 State Conference: The State Conference shall be the governing body of the Party within each State. It shall meet annually, or as otherwise required by the State Executive. If at any time only one state division is in existence, the Federal Executive and Federal Conference will be the governing body until such time an additional division is formed.
- 8.2 Representation at State Conference: Each Local Branch shall be entitled to have 2 delegates at the State Conference. This can be amended in future by-laws by the Federal Executive.
- 8.3 State Conference Procedure: The procedure of the State Conference shall be determined by the State Executive. Matters that may be included in the procedure include, upon delegates being credentialed, shall be, without debate, to appoint a Minutes Secretary and, as required, a Returning Officer and assistant(s) and committees of three to determine on the procedures for the election of State Executive officers, the hearing of appeals against suspension of membership or affiliation, the resolution of disputes, the times of sitting, the business agenda and the standing orders for debate.



## 9 State Executive

- 9.1 State Executive: The State Executive shall be the ruling authority of the State Branch between each State Conference, shall meet every third month, or at other agreed intervals and shall comprise the officers elected by an annual State Conference.
- 9.2 State Executive Officers: Office-bearers to be elected to the State Executive shall be as per the Federal Executive.
- 9.3 Election of State Executive and Delegates to Federal Conference: Nominations, in an approved form, for election as a State Executive officer or Federal Conference delegate shall be lodged with the Returning Officer (or if no such officer has been appointed, the Federal Secretary), by nominees, before the notified close of nominations at an annual State Conference. Any vote required shall be conducted by secret ballot and the members shall be informed of the closing time thereof. The applicable method of voting shall be that the nominee with the majority of votes is elected.
- 9.4 Newly elected office-bearers and delegates may be installed at a convenient time before the close of Conference and shall sit for a term, expiring at the first State Conference held after any state election in the relevant state.
- 9.5 Duties of the State Office bearers will be defined in procedures or By Laws developed by the Executive.
- 9.6 A member of a State Executive may resign by notice in writing to the Secretary and that resignation will take effect on receipt by the Secretary.
- 9.7 An Executive may appoint a party member to the executive to fill any vacancy that may arise. Any member appointed to an Executive by filling a vacancy holds office for the balance of the term of the office vacated.
- 9.8 State Executive Sub-Committees: After an annual State Conference, the State Executive, as needed, shall appoint sub-committees to assist in conducting;
- 9.9 State Branch business pertaining to –
  - a. Publicity and public relations;
  - b. Recruitment and training of members;
  - c. Fundraising and election organisation;
  - d. Other undertakings and projects; and
  - e. in making reports and recommendations to the State Executive.

## **10 Management and Decisions**

- 10.1 The management and control of the Party, at any level of the organisation, and the development of policy shall ultimately be in the hands of the members.
- 10.2 The Federal / State Conference shall be the policy-making body at the respective Federal / State level and the policy platform shall be decided, in conformity with the Constitution and By-Laws, by a democratic vote.
- 10.3 Unless otherwise determined, the responsibility for conducting the ordinary business of the Party is delegated to the Secretary at both Federal and State levels, who are to conduct that business in accordance with the directions of the Federal and State Executives and report to each meeting of the Federal and State Executives on the matters which have occurred between meetings. The ordinary business of the Party includes the day-to-day administration of the Party and the conduct of its correspondence.
- 10.4 In accordance with the Constitution and By-Laws, the members of the Party, voting at the respective Federal / State Conference, shall be the final arbiters in all matters for decision within the party.

## **11 Public Comment**

- 11.1 Unless unavailable or agreed otherwise by the Federal and State Executives, the respective Federal / State Chairpersons of the Party shall be the sole officer to make public comment on behalf of the Federal / State organisation. The Federal / State Chairperson may delegate responsibility for making public comment to other members of the Party.
- 11.2 Party endorsed candidates and officers authorised by Local Branches to represent their own domains may propagate the principles, policies and officially stated views of the Party. No member may comment publicly on another member, or on matters of organisation, election strategy or the voting ticket order of preference, except as the respective Federal / State Executive may decide.

## **12 Forming a Branch**

- 12.1 With State Executive approval, any member of the party may convene a meeting to form a Local Branch which shall be constituted where the members present adopt a motion to the effect, "That this meeting supports the principles, objectives and platform of the Party and agrees to establish the . . . . . Branch under the Constitution and By-Laws". Nominations shall be then sought, and an election conducted for the office-bearers of the Local Branch formed. New Branches must be accepted in writing by the relevant executive and run according to the by-laws and procedures developed by that executive.

## **13 Membership**

- 13.1 Except as the Federal Executive permits, a member of another political party must serve one year after formal resignation from that party before making any application to join the Party. Applications to join the Party may only be effected through a Federal/State Secretary, in a form approved by the Federal Secretary.
- 13.2 The Federal/State Executive may accept, reject or reconsider any application and, where it reconsiders, its decision shall be final and conclusive. Automatic acceptance may be put in place as part of any free membership drive.
- 13.3 Except as the Federal/State Executives may otherwise decide, office-bearers and party delegates and the members of selection committees for Party candidates for public office shall first have served one year as Party members.
- 13.4 Except as the Constitution and By-Laws may otherwise permit, office-bearers and party delegates and the members of selection committees for Party candidates shall have paid any annual membership fee and any arrears where due.

## **14 Delegates**

- 14.1 Unless the State Executive indicates otherwise local Branches shall nominate up to 2 delegates to attend the State Conference as voting delegates and State Executive meetings.
- 14.2 Delegates to an annual State Conference may further nominate for election as State Executive officers or as Federal Conference delegates.

## **15 Candidates and Elections**

- 15.1 As early as practicable, before any federal, state or local council election, the State Executive may seek nominations from intending Party candidates in such elections.
- 15.2 The Federal Executive shall establish the rules and any by-laws for nominating candidates and for conducting any selection ballot required, and shall have sole power to grant, withhold or withdraw Party endorsement. For Federal Elections, Candidates will be chosen by the State Executive and referred to the Federal Executive for endorsement.
- 15.3 The Federal / State Executive shall have sole power to determine the order of preferences for any Party how-to-vote recommendation and the format of any how-to-vote ticket to be used in the respective Federal / State elections. The Executive may delegate any of these duties to an individual or committee appointed for that purpose.
- 15.4 Selection of candidates is on an “approval in principle” basis and not be confirmed until nominated by a Registered officer or Deputy Registered Officer recognised by a state or federal electoral authority.
- 15.5 Candidates may be required by a State or Federal Secretary to enter into a candidate’s agreement which is binding on all parties.

## 16 Finance

- 16.1 Membership Fees: An annual membership fee (or fees for particular member types) shall be set, varied or waived by the Federal Executive through a membership fee by-law. The Federal Executive may determine when and how fees are to be paid.
- 16.2 Funds: All funds received by the Party on behalf of a Division or Branch of Division shall be deposited in a central account in the name of a recipient State Division, with a financial institution approved by the Federal Executive.
- 16.3 Branches may open a bank account with the written approval of the Federal Executive or Treasurer and such an account must conform to any bylaws or procedures developed by the Federal Executive.
- 16.4 The funds shall be withdrawn by cheque, online or order signed by two or more persons authorised by the State Executive.
- 16.5 The Federal Executive may require funds to be provided by each State Branch for the conduct of the Federal Secretariat. These shall be known as Federal Secretariat Fees.
- 16.6 Federal Executive and "expense accounts" shall be approved and operated as for the central accounts of State Branches.
- 16.7 Levies: As required, for election campaigns and other purposes, the State Executive may uniformly levy a percentage of all funds collectable for the party by each Local Branch.
- 16.8 Federal Conference Fees: Entitlement to participate in any Federal Conference or Federal Executive meeting shall be subject to the payment, by each State Branch, of amounts set as Federal Conference Fees for delegates eligible to attend. The Federal Executive shall set or adjust the level of such fees and shall give notice to each State Branch of any amounts due.
- 16.9 Audit: In accordance with a relevant approved standard, the Federal / State Executive shall submit an annual financial report and / or balance sheet to the respective Federal / State Conference. Within three months from the close of the financial year, State Branch divisions and sub-committees shall submit a finance and / or membership report to the State Executive, as required.

## 17 Duties of Members

- 17.1 The Federal / State Chairperson shall preside at the respective Federal / State Conference and Federal / State Executive meetings and be relieved by the First and Second Vice-Chairperson or immediate Past Chairperson, in that order.
- 17.2 Where none of these is available, the Conference or meeting shall elect a Chairperson pro term.
- 17.3 The Chairperson shall be responsible for the maintenance of order, the proper conduct of business and observance of the Constitution and By-Laws.
- 17.4 As far as applicable, meetings at other levels of the Party organisation shall conform to this rule.
- 17.5 The Federal / State Secretary and/or Treasurer shall:
- a. keep accurate account of all receipts and expenditure;
  - b. prepare an annual financial report and balance sheet for the respective Federal / State Conference and Federal / State Executive,
  - c. maintain the record of Conference resolutions and Executive business;
  - d. remain current with general administration, correspondence and the notification of any party Conferences or meetings to those eligible to attend.
- 17.6 The Secretary of any Local Branch shall have comparable duties and may be directed by the State Executive in the conduct thereof.
- 17.7 The Assistant Secretary and Treasurer at any level of the party organisation shall assist the Secretary.
- 17.8 The Secretary / Assistant Secretary / Treasurer shall bank all monies collected, issue receipts/membership tickets where required and return all financial records to the State Executive, as required.
- 17.9 Ordinary members of the Party, according to their individual circumstances, may be asked to donate to election appeals, distribute election material and assist with the organisation of workers at polling booths.
- 17.10 At any meeting of a Local Branch, members shall be encouraged to (a) report on issues of social or political concern, (b) identify the Party principles relevant to the issues, (c) instigate action on the issues and / or propose organisational or policy motions for the agenda at any subsequent State Conference.

## **18 Arrangements for Conference**

- 18.1 The respective Federal / State Executive shall set a date for any Federal / State Conference required to be held. As near as practicable to four months before Conference, the Federal / State Executive shall notify the respective divisions of the Federal / State organisation and request that any motions for inclusion on the official agenda be submitted within two months, or such other period as to allow reasonable time for the compiling of composite motions that may be required for effective and expeditious proceedings.
- 18.2 The respective Federal / State Executive shall settle the official agenda and arrange for its printing and distribution to the relevant divisions of the Federal / State organisation as near as practicable to one month before the date of any Conference. Members not served by an operational division or a State Branch, but otherwise eligible to attend a State Conference, shall be entitled, upon request, to receive a copy of the agenda.
- 18.3 If the quorum of a State or Federal Conference is one hundred persons or more, then the delegates are the only persons entitled to vote on any matter unless required by a notice of motion (given with or without notice). If the quorum is less than one hundred persons, then those entitled to vote are the individual members (delegates may vote as individual members).
- 18.4 The respective Federal / State Executive shall anticipate need, at Conference, for the appointment of committees to determine on matters pertaining to the credentials of delegates, the conduct of elections, appeals and disputes, the times of sitting, the order of business and the standing orders for debate.

## **19 Attendance at Conference and Meetings**

- 19.1 The credentials of all delegates who shall attend a Federal Conference shall be submitted by each State Secretary to the Federal Secretary at least two months before the Conference, or by a later time fairly permitted by the Federal Executive.
- 19.2 The credentials of delegates entitled to attend a State Conference shall be submitted by the Secretary of each Local Branch, Support Group or Affiliated Organisation to the State Secretary at least two months before Conference, or by a later time fairly permitted by the State Executive. Members not served by an operative division of a State Branch, but otherwise eligible to attend, shall give corresponding notice of attendance.
- 19.3 All persons attending a Party Conference or meeting shall be members, or visitors vouched for by members or approved by the Conference or meeting.
- 19.4 Where a member's credentials are in dispute, the member shall stand aside until the matter is otherwise resolved by the Conference or meeting. A Conference or meeting may cause to be removed any visitor for any reason.

## **20 Quorum**

- 20.1 A Federal / State Conference or Special General Meeting of the Party shall be constituted with a quorum of not less than twenty-five members entered on the attendance roll and shall not otherwise proceed.
- 20.2 Meetings of the Federal / State Executive, of any Local Branch or of any Party sub-committee shall be comprised of a quorum of not less than one half of the number of office-bearers at the respective level.
- 20.3 If a quorum is not present thirty minutes after the scheduled commencement time of a Federal / State Conference, Special General Meeting or other formal meeting, the meeting shall be deferred to a date and time to be determined by the Chairperson, not more than 3 months after the originally scheduled date. Those present at the deferred meeting shall constitute a quorum. Notice for deferred meetings will be as for the original meeting.

## **21 Agenda at Conference and Meetings**

- 21.1 The business of Federal / State Conferences, Federal / State Executive meetings and meetings at other levels of the Party organisation shall be confined to matters required to be dealt with under the Constitution and By-Laws, with urgent motion taking precedence in the order of business and to motions given on notice or entered on the official agenda.
- 21.2 No new business shall be considered unless leave is granted or, where leave is not granted, upon a three quarters majority of eligible members voting to suspend so much of the standing orders as may prevent such business being considered.
- 21.3 A motion contrary to the Constitution and By-Laws or to a decision of a prior Conference or meeting of the Party shall not be entertained at a later Conference or meeting at that level, or at a subsidiary level of the party. This shall not preclude consideration of a proposal to rescind a decision at the same level or to urge reconsideration or review of a matter decided by a Conference or meeting at a higher level.
- 21.4 A question resolved at any session of a Federal / State Conference or other meeting of the Party shall not be reconsidered at the same Conference or meeting except with leave of the Conference or meeting or, if leave is not granted, upon a three quarters majority voting to suspend so much of the standing orders as may prevent the question being reconsidered.

## **22 Decisions at Conference and Meetings**

- 22.1 Except as the Constitution and By-Laws otherwise provide, any decision, ruling, consent, resolution, determination, agreement, approval or the like, of a Conference or meeting, shall be by vote of a majority, which shall comprise not less than one-half of the members present and entitled to vote, rounded up to the next full integer.
- 22.2 A majority of the State Branches represented at any Federal Conference of the Party may veto the adoption of any decision not supported by a three quarters majority of the delegates present and entitled to vote, where immediate objection is raised.

- 22.3 At any Conference or meeting, a question involving an interpretation of the Constitution and By-Laws, policy platform or official directives to members in accordance with the principles of the Party shall be decided first on a ruling by the Chairperson.
- 22.4 The member first to dissent, or one other, may speak in opposition, and the former Chairperson shall have a right of reply. If the ruling fails to be upheld, a motion asserting the alternative interpretation shall then be decided, without further debate, by resolution of a three-fourths majority of the members present, failing which, the original ruling shall stand.
- 22.5 At any Conference or meeting of the Party, any protocol or procedure, whether or not in accordance with the standing orders, shall be permitted, where leave of the Conference or meeting is granted. Leave shall be granted by approval of the majority of delegates present.

## **23 Notice of Motion**

- 23.1 At a Federal / State Conference, Federal / State Executive meeting or any other meeting of the Party, notice of motion shall first have been required for otherwise new business to be considered, unless the matter is urgent. Where given, such notice shall have been in writing, handed to the Secretary or agenda committee, or minuted, and announced by the Chairperson or Chairperson on a prior day of Conference or at a respective preceding meeting.

## **24 Executive Recommendation**

- 24.1 A recommendation contained in a report from the Federal / State Executive and put as a motion for resolution at a respective Federal / State Conference shall be supported, without amendment, or rejected. All members or delegates of the respective Federal / State Executive who voted on the recommendation, at the prior Executive meeting, shall support the recommendation at Conference.

## **25 Divisions of Party to be Bound**

- 25.1 The Constitution and By-Laws and the standing decisions of any Federal / State Conference of the Party shall be binding on the respective Federal / State organisations, subsidiary divisions and the members thereof.
- 25.2 A subsidiary division of the Party shall not make a decision contradicting a policy resolution, directive or ruling of a higher authority in the party. Such a decision shall breach the Constitution and By-Laws and be invalid.

## **26 Order of Business**

- 26.1 Conferences of the Party shall proceed in accordance with the extended order of business as decided in advance by the Chair.
- 26.2 Provided that the order of business may be abridged or varied in accordance with the standing orders. Meetings of the Federal / State Executive, Local Branches and Support Groups shall adapt the order of business, as required.



## 27 Standing Orders

- 27.1 Conferences and meetings of the Party shall be conducted in accordance with the Constitution and By-Laws and the standing orders.
- 27.2 Conferences and meetings of the Party shall make available, for reference, a copy of the Constitution and By-Laws.
- 27.3 A majority of the delegates or members entitled to vote at a Conference or meeting may abridge, vary or suspend the order of business and the standing orders, pro tem, as far as the Constitution and By-Laws allow.
- 27.4 Any reference in the standing orders to the Chairperson shall be taken also to include the Chairperson.
- 27.5 The Chairperson shall be responsible for the maintenance of order, the proper conduct of business and the observance of the Constitution and By-Laws.
- 27.6 Any member exhibiting unruly or disorderly conduct may be expelled from any meeting by the Chairperson.
- 27.7 The Chairperson may participate in the debate on any question, but shall vacate the Chair for the duration of that debate and the resolution thereof.
- 27.8 The business of a Conference or meeting shall be confined to matters required to be dealt with in accordance with the Constitution and By-Laws.
- 27.9 Matters arising from the formal agenda of any Conference or meeting may be deferred for consideration under general business, as convenient.
- 27.10 An urgency motion may be proposed where leave is granted, or upon one-tenth of delegates or members present standing to indicate support.
- 27.11 A motion for suspension of the standing orders to vary the order of business or to constitute a Conference or meeting as a committee shall contain the time for resumption of the standing orders, and shall be put without debate.
- 27.12 No business at a Conference or meeting shall be introduced by way of personal correspondence but the subject matter of such correspondence may be otherwise admitted as a matter for report.
- 27.13 The allotted time for any report shall be ten minutes, with such extension of time as a presenter of a report may request and the members present approve. An Executive report or a report of any Executive sub-committees may include recommendations for resolution by a Conference or meeting.
- 27.14 No discussion shall be allowed except on a motion duly proposed and seconded. Where no member rises to oppose or amend the motion, the Chairperson shall at once proceed to take the vote.
- 27.15 All substantive motions and amendments to motions shall be in writing and handed to the Secretary or agenda committee before being moved and seconded.

- 27.16 A motion on notice shall lapse at the time scheduled for its consideration where a mover or seconder fail to appear. Any motion shall lapse for the want of a seconder.
- 27.17 Any member proposing a motion or amendment, or otherwise seeking to speak on a matter being considered, shall rise and shall address the Chairperson when duly called. Where two or more members rise at the same time the Chairperson shall call on the member deemed first to rise.
- 27.18 Any question pertaining to the business of a Conference or meeting shall be asked through the Chair.
- 27.19 Any member speaking shall at once be seated if the Chairperson rises to speak or if a point of order is raised, and shall not resume speaking before the Chairperson is again seated or the point of order is decided.
- 27.20 The discussion on a question shall not exceed one hour except upon a motion, put without debate and carried, to the effect that the time allowed be extended by one half hour. On expiry of the hour, or further time, the question shall be then put, as the standing orders provide.
- 27.21 A motion for the adjournment of a Conference or meeting, or of a debate, may be proposed at any time and shall not be discussed or amended, except as to any time of resumption that differs from the ordinary course.
- 27.22 A motion duly proposed and seconded, shall be put without debate. On being carried, the time shall expire for debate on the original question, which shall be then put, as the standing orders provide.
- 27.23 Not more than two members in succession may speak either for or against any motion or amendment. If no member rises on the other side, after any second speaker, for or against, the time for debate shall expire and the motion and any amendment shall be then put, as the standing orders provide.
- 27.24 The seconder of any motion or amendment will be deemed to have spoken for the motion or amendment unless having expressly reserved the right to speak.
- 27.25 All motions proposed shall be (a) of an affirmative character, (b) withdrawn only by leave and debate may be (c) adjourned at intervals until a decision is reached.
- 27.26 A motion may be amended at any time during debate thereon by (a) striking out certain words, (b) adding certain words or (c) striking out certain words and substituting others, without altering the essential intent of the motion.
- 27.27 Any speaker for or against a motion or an amendment shall have five minutes to address the question; but upon a motion being carried to extend the speaker's time, permits the speaker to speak for three minutes more. The mover of an original motion spoken against shall have a right of three minutes for reply.

- 27.28 No member shall propose more than one amendment or speak more than once on the same question, which shall include the motion and all amendments thereto, except (a) in reply, on an original motion, (b) in explanation or correction of matter raised in the debate, (c) on a point of order raised during the debate or (d) on a motion being carried, without debate, that the member be heard.
- 27.29 An amendment to a motion, once proposed and seconded, shall be the business before the Chair, but shall not preclude comment on the original motion.
- 27.30 A motion and an amendment having each been proposed and seconded, no further amendment shall be received until the disposal of one of the former, but any member rising to speak to the question may announce further amendments, which shall be moved and seconded in turn, without comment, after the vote is taken on the preceding amendment.
- 27.31 An amendment, having been carried, shall replace the original motion and may be then further amended until a decision is reached.
- 27.32 No vote may be taken on any question, whether or not the time has expired, or the debate is otherwise terminated, until the mover of the original motion spoken against has had the right of reply.
- 27.33 The Chairperson shall put all questions in a clear and audible voice to the members present by asking those for the question to vote first, and then those against the question, and shall declare which has the majority. Where one-tenth of the members present rise to demand a division the Chairperson shall again take the vote, asking those for the question to pass to the Chairperson's right and those against the question to pass to the Chairperson's left, and the names of all members present, and the direction of their vote, shall be minuted.
- 27.34 No discussion shall be permitted on any question after it has been put to a vote, or during a division, except on a point of order.
- 27.35 Subject to clause [27.36], every member present during a division must vote, or be counted with the side on which seated.
- 27.36 A member shall not vote during a division on any question if not present when the motion was first put.
- 27.37 The Chairperson shall have a deliberative but not a casting vote, and, where a vote is tied, it shall be decided in the negative.

## **28 Consolidation**

- 28.1 After each Federal / State Conference, the respective Federal / State Executive shall incorporate any new policy decisions into the party platform, with such consequential amendments as the decisions and satisfactory drafting require, without altering the tenor or intent of the decisions.

## 29 Disputes

- 29.1 The Federal Executive may deal with and settle, as it thinks fit, any dispute between two or more State Branches, subject to any right of appeal to the Federal Conference.
- 29.2 Subject to any appeal to the State Conference, the State Executive may deal with and settle, as it thinks fit, any dispute involving two or more Local Branches or where within any single division of the State Branch an urgent resolution is required.

## 30 Discipline

- 30.1 Party office-bearers, Federal / State Conference delegates, and members selecting, or being selected as, Party candidates for public office shall pledge to uphold the principles, objectives and policy platform of the party and to abide by its Constitution and By-Laws. They shall be members of no other registered political party and shall give no support to any candidate for public office standing against one endorsed by the Party. All members shall be deemed to have so pledged and to be so bound.
- 30.2 The Executive of any division within a State Branch may decide that an act or conduct of one of its members is contrary to the party interest, and shall advise the member accordingly. Where the act or conduct is repeated, or is likely to be repeated, the Executive of that division shall report the matter to the State Executive and shall promptly inform the member. Subject to the right of appeal, the State Executive shall have power to deal with and settle a matter of discipline as it thinks fit.
- 30.3 A member, group of members or constituted division of the Party deliberately breaching the Constitution and By-Laws or engaging in acts or conduct contrary to the principles, platform and solidarity of the party, at federal or state level, shall incur such reprimand, suspension, expulsion, disaffiliation or dissolution as the respective Federal / State Executive may decide. A member, group or division to be so disciplined shall be promptly informed of the decision, and of any reasons, and shall have a right, within one month therefrom, to lodge with the relevant Executive a written denial, apology or explanation, and a request for reconsideration of the decision. At its first meeting after formally receiving such request the Executive shall reconsider its original decision and shall promptly inform the member, group or division of its later decision, and of any reasons. Upon notice of appeal being lodged within one month therefrom, with that Executive, there shall be a right of appeal to the respective Federal / State Conference next held, whose decision in the matter shall be final and conclusive.
- 30.4 The Federal Executive shall not discipline a division of a State Branch, or member thereof, without the prior agreement of the relevant State Executive, but, in a disputed case, may take steps to intervene in the management of the State Branch, as far as the Constitution and By-Laws provide.
- 30.5 Where a State Branch of the Party, or a constituted division thereof, acts in breach of the Constitution and By-Laws or otherwise against party solidarity or the principles of democracy, justice and fairness, the Federal Executive, where requested in accordance with the Constitution and By-Laws, shall convene a State Conference, chaired by the Federal Chairperson, to resolve an issue of confidence in the State Executive.

- 30.6 Where a State Branch of the Party, or a constituted division thereof, acts in breach of the Constitution and By-Laws or otherwise against party solidarity or the principles of democracy, justice and fairness, the Federal Executive, requested by a majority of State Branches, may suspend the State Branch and thereupon order its expulsion from the Federation, subject to an appeal to a Federal Conference called as soon as practicable within twelve months from the date of due notice of appeal being lodged with the Federal Executive. Delegates from the suspended State Branch shall have the right to vote at the Conference but upon any decision upholding the expulsion shall immediately withdraw. The former State Branch shall thereupon forfeit all rights to use the records, funds, assets and name of the Party and a new State Branch may be established in its place.
- 30.7 Where a Local Branch acts in breach of the Constitution and By-Laws or otherwise against party solidarity or the principles of democracy, justice and fairness, the State Executive shall have power to suspend the division and to implement dissolution or disaffiliation, subject to appeal to a State Conference called as soon as practicable within twelve months of due notice of appeal being lodged with the State Executive. Delegates from the suspended division shall retain their right to vote at the Conference, but upon a decision upholding the dissolution or disaffiliation shall immediately withdraw. Upon its dissolution or disaffiliation, the former division shall forfeit all rights to use the records, funds, assets and name of the Party and a new Local Branch may be established in place of one dissolved.
- 30.8 Any member, group of members or constituted division of the Party disciplined by the Federal / State Executive shall have a right to appeal to the respective Federal / State Conference, on notice of appeal being lodged with the respective Federal / State Executive within one month following the notification of the decision to be appealed against. An appeals committee of the Conference may consider only succinct written submissions on the issue in question and shall make its recommendation on the matter, by way of motion to the Conference. The decision of the Conference shall be final and conclusive.

## **31 Members Suspended or Expelled**

- 31.1 A member or group of members suspended or expelled (except as a constituted division of the Party) shall forfeit the right to attend any Conference or meeting of the party whilst the suspension or expulsion is in place. Where due notice of appeal has been lodged, the suspended or expelled member or members shall have the right, at a Conference hearing the appeal, to present a succinct written submission to an appeals committee and to be represented by other members present, in oral argument or debate, as far as the standing orders provide.

## **32 Members of Parliament**

- 32.1 The Federal / State Executive shall not instruct Party Members of Parliament but may draw their attention to the policy of the party and any act or conduct of a Member which it considers to be in breach thereof.
- 32.2 Members of Parliament shall not be bound by any decision of a Federal / State Conference inconsistent with the policy platform of the party at the time of the previous election.

- 32.3 Where a dispute arises between the Federal / State parliamentary party and the respective Federal / State Conference, a joint Conference, consisting of an equal number of members from either side in the dispute and chaired by the respective Federal / State Chairperson, shall decide the matter in question. The Chairperson in any such case shall have a casting vote only.
- 32.4 The Federal and State Executives may impose levies of up to 5% of their respective Member of Parliament's gross salary, excluding allowances, to assist with the funding of the party.

### **33 Privilege**

- 33.1 The holder of any office or position of trust, at any level in the Party organisation, shall keep confidential any knowledge gained through holding such office or position of trust and shall make no disclosure about the party organisation, its deliberations or its members without proper authority.

### **34 Trustees**

- 34.1 Until otherwise determined, in accordance with the Constitution and By-Laws, the State Executive officers shall be the trustees of any records, funds and assets of a State Division of the Party.
- 34.2 The Federal Executive officers, as trustees, shall administer the records, funds and assets of any State Division of the party in temporary recess.
- 34.3 Where a State Division ceases to exist and reconstitution of the Division is not practicable, the Federal Executive officers, as trustees, may distribute the records, funds and assets to the Federal Secretariat, in furtherance of the principles and objectives of the party.
- 34.4 Where a single remaining State Division of the Party ceases to exist and its reconstitution is not practicable, the former State Executive officers of that Branch shall continue as trustees until having disposed of all the records, funds and assets of the party to the Federal Secretariat, in such manner as would be in furtherance of the principles and objectives the party has upheld.

### **35 Alteration of Constitution**

- 35.1 Before coming into effect, an amendment to the Constitution of the Party shall first be adopted by a Federal Conference or Special General Meeting where a majority of State Divisions have supported the amendment or Federal Executive may implement bylaws and procedures not covered in the constitution as required for the management of the party.
- 35.2 By-Laws specific to any State Division and not contrary to the Constitution may be added, deleted or altered by that State Division, by submission to the Federal Secretariat for inclusion with other By-Laws and shall apply to the State Division in question. Notwithstanding, where a State Division By-Laws is inconsistent with a relevant protocol or procedure adopted by the Federal organisation, the latter shall prevail.

- 35.3 A proposal to amend the Constitution shall be disallowed where the proposal is contradictory to any fundamental principle or objective of the Party, whether or not expressly stated in the Constitution.
- 35.4 The Federal Executive may transpose and re-number the clauses or sub-clauses of the Constitution, and may delete or insert explanative headings, and may delete or insert interpretive footnotes or references.

## **36 Savings**

- 36.1 In the event that only one constituted State Division of the AFP exists, and until the reconstitution of one or more State Division, the State Conference of that remaining State Branch shall, by majority vote, be competent to adopt an amendment to the Constitution and By-Laws of the Party.
- 36.2 In the event that only one constituted State Division of the Party exists, and until the reconstitution of one or more State Divisions, the structure of the State Executive, decisions of the State Conference and State Executive of that remaining State Branch shall have respective standing as the structure of the Federal Executive, Federal Conference and Federal Executive decisions, to the extent of their relevance to the federal context.
- 36.3 The Constitution and By-Laws of the Party shall be administered according to the letter, as far as it goes and, where the letter fails, according to its spirit.