



**AUSTRALIAN  
VOICE PARTY**

# CONSTITUTION

as adopted on 6 May 2018

# PREAMBLE

This Preamble shall be read as being part of the Constitution of the *Australian Voice Party*.

1. Australian Voice bases its organisation on the 1901 Constitution of the Commonwealth of Australia and the central place of the Crown in the Constitution which ensures the rights of the people.
2. Australian Voice believes that Australian society and government should remain Christian in outlook, ethics and ideals.
3. Australian Voice believes that Australia is an independent, sovereign nation accountable to its own people but with an obligation to play a positive and peaceful role in the global environment.
4. Australian Voice believes that no Australian land should be owned or controlled by foreign citizens, corporations or other interests.
5. Australian Voice recognises that Australia's mineral wealth is a finite resource which belongs to the nation and to its people. As such, it needs to be managed for the benefit of all Australians and not exploited by a minority or for the benefit of foreign interests.
6. Australian Voice is committed to seeking honest and accountable government at all levels for the benefit and long-term future of all Australians.
7. Australian Voice believes that people should come first, rather than political Parties or the pecuniary interests of candidates or Members of Parliament.
8. Australian Voice believes in grassroots democracy and in the principles of Citizens' Initiated Referenda. It aims to implement these concepts both within its own organisation and within the broader Australian community.
9. Australian Voice supports candidates who undertake to represent the interests of their respective electorates without fear or favour, subject to their personal consciences on moral or ethical issues, and subject to the published Platform of the Party.
10. Australian Voice believes that all public hospitals, schools, roads, railways, port facilities, airports, electricity generation and distribution networks, gas distribution networks, water conservation projects, and community water supplies belong to the people and should be efficiently managed by entities controlled by and accountable to the people.
11. Australian Voice recognises the family unit as the fundamental building block of our society and is therefore committed to restoring and upholding family values based on our Judeo-Christian heritage.
12. Australian Voice recognises the key role of "Small Business" in both Australian society and in the Australian economy and is committed to supporting and protecting the interests of Small Business within Australia.

## **1 NAME AND FORM**

- 1.1 The name of the Party shall be "Australian Voice Party" – in this Constitution called "the Party", which shall mean the whole organisation and all individual elements or units of the organisation within the Commonwealth of Australia.
- 1.2 The name can be changed only by a "Yes" vote of 75% or more of financial members.
- 1.3 The Party shall, as soon as practicable, be established as an Incorporated Association in Queensland, and the Incorporated Association so established shall be identified as "Australian Voice Party Incorporated".

## **2 FOUNDATION**

- 2.1 The Party is founded upon the principles set forth in the Preamble to this Constitution.

## **3 OBJECTIVES**

- 3.1 To be an independently organised political party formed to secure the election of candidates selected by the Party (and adhering to the Party Platform – that is, the fundamental beliefs and intentions of the Party) to the Commonwealth Parliament, the Commonwealth Senate, the State and Territory Parliaments, and to such Local Authorities as the Party shall from time to time determine.
- 3.2 To establish and maintain in Queensland a separate and autonomous State organisation of the Party based upon localities, electoral boundaries, and regional zones.
- 3.3 To assist in the establishment and maintenance of similarly separate and autonomous divisions of the Party in the other States and Territories within the Commonwealth of Australia, co-ordinated but not controlled by a single national committee representative of the grassroots membership within each State and Territory, as set out in Section 12 herein.
- 3.4 To have the power of the Party at all times vested in its collective membership.
- 3.5 To ensure that the Constitution of Australia remains the basis on which the Nation is governed and administered, and that the spirit of the Constitution has authority and precedence over any legal interpretation designed to circumvent or change the meaning and intent of the Constitution.
- 3.6 To ensure that future generations of Australians retain the rights enshrined in the "Bill of Rights" Great Britain 1689, on which the Law and the Constitution of Australia was built.
- 3.7 To uphold the Crown upon which the very basis of the Constitution of Australia was formed.
- 3.8 To ensure that Parliaments at all levels remain the servants and representatives of the people, and that they carry out "the will of the people" they were elected to represent.
- 3.9 To promote respect for the Australian Flag and the National Anthem, and the pride of Australian citizens in their Nation.
- 3.10 To have installed, at all levels of government in Australia, the principles of Citizen Initiated Referendum and Recall, and to ensure that those principles are maintained and protected.
- 3.11 To formulate from time to time a Platform which embodies the foregoing objectives and to create a climate of opinion favourable to that Platform.
- 3.12 To endeavour to implement all aspects of the Party's Platform.

- 3.13 To allow suitably qualified members of the general public with an interest in the welfare of the Party generally to participate in the Party in such capacity as may be determined from time to time by State Council, and to bring together for fruitful discussion and mutual benefit all individuals and parties and organisations with similar objectives.

#### **4 POWERS**

- 4.1 To establish Branches and other units of the Party at any place within Queensland as well as in the other States and Territories of the Commonwealth of Australia.
- 4.2 To seek, by personal or written appeal, by advertisement, in public meeting, or by any expedient and lawful means, funds for the use of the Party.
- 4.3 To receive and accept donations, grants, subscriptions and endowments in any form, whether monetary or real assets, except that none may be accepted if subject to any condition relative to the exercise of power or decision by any member of the Party holding public office.
- 4.4 To produce and distribute gratuitously or otherwise, books, pamphlets, newspapers or any other literature as may seem calculated to promote the objectives of the Party, and to accept advertising towards meeting the costs of same.
- 4.5 To take and implement any actions or measures as may be lawful in the Commonwealth of Australia, including those applicable to real property, and instruments of exchange, towards furtherance of the Party's objectives and the Party's good interests.
- 4.6 To provide, maintain, and manage headquarters or regional offices and organise places of meeting within Queensland, as well as the other States and Territories of the Commonwealth of Australia as may be required from time to time, and to furnish, equip and provide supplies therefor.
- 4.7 When deemed necessary or convenient for any of the purposes of the Party, and subject to any such consent or approval as may by law be required, to purchase, sell, exchange, lease, take on lease, mortgage, improve, manage, develop, hire or otherwise acquire, deal with or turn to account all or any part of the property of the Party.
- 4.8 To invest any monies of the Party not immediately required for any of its objectives in such manner as may from time to time be determined.
- 4.9 To affiliate or amalgamate with one or more Parties, Bodies, or Incorporated Associations having objectives altogether or largely similar to those of the Party.
- 4.10 To come to agreement with persons or corporations towards beneficial public relations, fund raising, or the attracting of memberships – in an honorary capacity, or for reward by way of fee or commission.
- 4.11 To engage and dismiss employees and agents of the Party and to fix their remuneration and terms of employment and to grant and pay pensions, salaries, gratuities or other payments to any person in recognition of services rendered to the Party.
- 4.12 To make donations for patriotic, charitable or community purposes.
- 4.13 To do all such other acts and things as are or may be incidental or conducive to the attainment or furtherance of any of the objectives of the Party or the exercise of any of the powers as set out in this Constitution or otherwise for furthering the interests of the Party.

## **5 ORGANISATIONAL STRUCTURE**

- 5.1 A chart demonstrating the organisational structure is included in the Appendix. The operational units of the Party shall be the following:
- 5.1.1 Branches
  - 5.1.2 Zone Councils
  - 5.1.3 State Councils, which shall operate and control the respective State Secretariat
  - 5.1.4 State Conferences
  - 5.1.5 National Direction Committee
- 5.2 Constructive and cordial communications between members, between members and various units of the Party, and between various units of the Party and others, shall be encouraged at all times.
- 5.3 Members shall be encouraged to seek resolution of internal problems and disputes through the Party structure set forth in this Constitution and to restrict negative comments to within Party channels.

## **6 MEMBERSHIP**

- 6.1 Standard Membership in the Party shall be open to any Australian Citizen or person eligible under the Australian Constitution over the age of eighteen who is not a member of any other political Party other than one affiliated with the Party under the provisions of this Constitution, nor of any organisation whose objectives conflict with those of the Party, and who is a resident in the Commonwealth of Australia and agrees to support the Party's Objectives, Platform and Policies, and to observe the provisions of this Constitution.
- 6.2 Any member who subsequently becomes a member of any other political Party except those affiliated with the Party under the provisions of this Constitution or of any organisation whose objectives conflict with those of the Party shall, upon becoming such a member, immediately cease to be a member of this Party and whilst being such a member shall not be eligible to become a member of the Party.
- 6.3 Any member of the Party who nominates as a candidate in any election against a candidate selected by the Party, without the written and unanimous permission of State Council, shall cease to be a member of the Party upon submission of his or her nomination papers.
- 6.4 State Council shall determine the various categories of membership and the fees and entitlements for each such category, as well as the method or form of application to be used, from time to time.
- 6.5 Membership fees shall be payable at such time and in such manner as State Council shall from time to time determine.
- 6.6 An applicant for membership does not automatically become a member upon receipt by the Party of the prescribed form and fee, but becomes a member of the Party seven (7) days after the State Membership Officer (refer Section 7 herein) has advised that membership has been granted.
- 6.7 As soon as practicable, all existing and new members shall be allocated to a local Branch based upon State electoral boundaries.
- 6.8 State Council, acting in the best interests of the Party, shall have the right to reject any application for membership received without obligation to disclose its reasons.

- 6.9 The honorary title of "Foundation Member" shall be bestowed upon any member who subscribes \$1000 or more to the Party in lieu of, or in addition to, the standard annual membership fee within the first twelve months following the adoption of this Constitution. Foundation Members shall have the same voting rights as any other member and shall be subject to the same renewal procedures as other members of the Party.
- 6.10 The number of Standard Memberships shall be unlimited, however the number of Foundation Memberships shall be limited by the preceding Clause.
- 6.11 Any member may resign from the Party by giving a written notice of resignation to the State Membership Officer (refer Section 7 herein). Such resignation shall take effect on the day and at the time the notice is received by the State Membership Officer, or, if a later day or time is stated in the notice, at such later time or day.
- 6.12 A person is prohibited from continuing as a member of the Party, if the person is convicted of a disqualifying electoral offence.
- 6.13 A person's membership may lapse if his or her membership fee is in arrears by more than ninety (90) days.

## **7 REGISTER OF MEMBERS**

- 7.1 State Council shall nominate one of its members, a Party volunteer or an employee of the Party to be the State Membership Officer whose responsibility shall be to maintain a Membership Register containing the name, address, Branch to which each member is attached, and any other particulars State Council may from time to time require, of all members of the Party within the State.
- 7.2 The Register shall also separately include details of past members, including deaths, resignations, terminations and reinstatements.
- 7.3 A current listing of each Branch's membership shall be prepared by the State Membership Officer and posted to the respective Branch Secretaries during the first two weeks of each April.

## **8 BRANCHES**

- 8.1 Branches comprising not less than six members of the Party who reside within the geographic area of the Branch may be established at any place within the State with the approval of State Council.
- 8.2 Branches shall advance the interests of the Party in every way possible, consistent with the Preamble of this Constitution and with the Objectives of the Party as set out in this Constitution.
- 8.3 Branches shall meet no less than every three months and Minutes of each meeting shall be forwarded to the Secretary of State Council within 14 days.
- 8.4 Branches shall hold an Annual General Meeting in May each year for the purpose of election of Office Bearers.
- 8.5 The Office Bearers of a Branch shall consist of a Chairman, a Secretary, and a Treasurer/Membership Officer (or, alternatively, a Chairman, a Vice-Chairman and a Secretary/Treasurer/Membership Officer), and such further Committee Members as the Branch may from time to time determine.

- 8.6 On completion of the Inaugural and each subsequent Annual General Meeting, a Branch Directory Record in the form required from time to time by State Council shall be completed by the incoming Office Bearers and submitted with the Minutes as detailed in Clause 8.3.
- 8.7 A quorum for an Inaugural Meeting of a Branch shall be no less than six financial members, for an Ordinary General Meeting it shall be either five members or ten percent of the Branch membership, whichever is the greater, and for an Annual General Meeting it shall be either six members or ten percent of the Branch membership, whichever is the greater.
- 8.8 The Committee of a Branch may in circumstances of urgency by resolution exercise any of the powers of a Branch between meetings of a Branch where it is not convenient to convene a meeting thereof, provided that any action taken by the Committee shall be submitted for ratification to the next meeting of the Branch.
- 8.9 Branches shall also elect delegates at their Annual General Meeting to represent them on their respective Zone Council and shall advise the said Council of their nominees in writing to the Chairman or Secretary of the Council prior to the commencement of the Council's next meeting. Delegates shall be elected on the basis of two delegates elected from each Branch with 100 members or less, with one extra delegate being allowed for each additional 100 members or part thereof (but only provided the part exceeds 15 members), subject that no one Branch shall have more than five delegates.
- 8.10 Subject to Clause 21.4 hereinafter, Zone Council delegates shall continue to represent their Branches until the succeeding Annual General Meeting of the Branch.
- 8.11 Where an elected delegate to Zone Council is unable to attend the next meeting of that Council, the Branch (or at short notice, its executive committee) may at its discretion elect an alternate delegate to replace that member provided written notice is given to the Chairman or Secretary of the Council prior to the commencement of the meeting in question.
- 8.12 Branches shall also elect delegates to State Conference as and when required from time to time on the basis of two delegates elected from each Branch with 100 members or less, with one extra delegate being allowed for each additional 100 members or part thereof (but only provided the part exceeds 15 members), subject that no one Branch shall have more than five delegates.
- 8.13 Where an elected delegate to State Conference is, through unforeseen circumstances, unable to attend, the Branch (or at short notice, its executive committee) shall be entitled to nominate a replacement delegate who shall present written confirmation of that fact to the President or Secretary of State Council prior to commencement of the said Conference.
- 8.14 Branches may call Special General Meetings when required. All Special General Meetings shall be notified fourteen days in advance (except in a situation of urgency) and an Agenda forwarded at least seven days in advance of the meeting date.
- 8.15 Unless otherwise directed from time to time by the National Steering Committee or by State Council, Branch funds shall be deposited into a Bank, Building Society or Credit Union account to be opened for that purpose and which may be utilised only by resolution of a meeting of the Branch. All Branch accounts shall be operated upon by any two of the Chairman, Vice-Chairman, Secretary, or Treasurer/Membership Officer, or another committee member expressly elected by the Branch to fulfil that role. Incoming monies shall be banked within five banking days and written receipts shall be given. Treasurers shall maintain acceptable Books of Accounts in a form which can be audited if required.
- 8.16 The Treasurer/Membership Officer shall keep an accurate record of members of the Branch. Upon receipt of the membership listing in April each year from State Council (refer Clause

7.3), a comparison shall be made to verify the accuracy of both the Branch record and the State Council listing and appropriate action taken prior to the Branch's Annual General Meeting to amend or rectify any errors noted.

- 8.17 Branches may appoint sub-committees and such other delegates as may be needed from time to time.
- 8.18 Any *Australian Voice* Parliamentarian who represents a State or Federal seat within (or partly within) the territory of a Branch may attend and speak at all meetings of that Branch, but shall have no voting rights at such meetings unless he or she is personally attached to that Branch as a Party member.
- 8.19 No Branch shall enter into legal proceedings on its own account without the consent of State Council.
- 8.20 Any member may transfer from one Branch to another Branch provided that such member applies to the Secretary of State Council in the form prescribed by State Council from time to time. In the event that such transfer involves a change of electorate, either State or Federal, the said member shall forfeit the right to vote at any subsequent preselection in either the existing seat or the proposed seat for a period of one calendar year from the date of signing the required transfer request. State Council shall have the power to deal with any appeals relating to transfers in any manner it deems appropriate.
- 8.21 At the sole discretion of State Council, a Branch may be dissolved if its membership falls below six members or less than three Office Bearers can be found to serve. Remaining members may then seek to transfer to another Branch.
- 8.22 Upon dissolution of any Branch, all books, documents, monies, funds, securities and other property belonging to it shall be handed over to State Council forthwith. In the event of the Branch being reformed within twelve months, the books and monies shall be returned to the Branch without delay.

## **9 ZONE COUNCILS**

- 9.1 Zone Councils based on Federal electoral boundaries shall be formed and maintained wherever possible within the State and shall include the areas covered by one or more Federal Electorates at the discretion of State Council, subject that no Zone Council shall be formed in an area with less than three active Branches.
- 9.2 Zone Councils do not exercise authority over Branches but act as a forum for discussion within each Zone and the agency whereby Branches can direct all matters or resolutions relating to the Party's Policies or Platform or regarding alterations to this Constitution, or, indeed, any other matters of concern to members, to State Council or, if need be, back to other Branches within the Zone.
- 9.3 Zone Councils may originate motions to be submitted to the next meeting of State Council or for delegates to take back as recommendations to Branches within the Zone.
- 9.4 Resolutions of a Zone Council meeting are not binding on any other unit of the Party but shall be recognised as recommendations from the Zone for further consideration elsewhere.
- 9.5 Where local members wish to stand a candidate in a Federal House of Representatives election, Zone Councils are authorised to conduct preselections for candidates as detailed further under Section 15 of this Constitution.
- 9.6 Zone Councils shall meet no less than quarterly and shall consist of two delegates elected

- from each Branch with 100 members or less within the Zone, with one extra delegate being allowed for each additional 100 members or part thereof (but only provided the part exceeds 15 members), subject that no one Branch shall have more than five delegates.
- 9.7 Zone Councils shall hold an Annual General Meeting in June each year for the purpose of electing an executive consisting of a Chairman and a Secretary, as well as four delegates to State Council, and two delegates to State Conference.
- 9.8 The delegates elected to State Council may, but need not, include the Chairman and/or the Secretary, at the meeting's discretion.
- 9.9 Any *Australian Voice* Parliamentarian who represents a State or Federal seat within (or partly within) the territory of a Zone Council may attend and speak at all meetings of the said Zone Council, but shall have no voting rights at such meetings unless elected under Clauses 8.9 and 9.6 herein.
- 9.10 All financial members within the Zone shall be entitled to attend Zone Council meetings provided they present their Membership Card (or equivalent) and driver's licence (or similar independent identification) to the Chairman or Secretary prior to the commencement of the meeting, but shall not be entitled to vote unless separately elected as a delegate under Clauses 8.9 and 9.6 herein.
- 9.11 A quorum for a Zone Council meeting shall be a majority of its member delegates.
- 9.12 Minutes of all Zone Council meetings shall be sent within 14 days to the Secretary of State Council and to the respective Secretaries of the Branches represented by the Zone Council.
- 9.13 Where an elected delegate to State Council is unable to attend the next meeting of that Council, the Zone Council may at its discretion elect an alternate delegate to replace that member provided written notice is given to the President or Secretary of State Council prior to the commencement of the meeting in question.
- 9.14 Notwithstanding Clause 9.6, a majority of Branches within the Zone can, by writing, require the Secretary of the Zone Council to convene a Special Meeting of the Council within twenty-one days for dealing with any business considered to be too urgent to leave until the next Ordinary Meeting of the Council. All Special Meetings shall, wherever possible, be notified fourteen days in advance and an Agenda forwarded at least seven days in advance of the meeting date.
- 9.15 If the number of active Branches within a Zone falls below three, State Council in consultation with the remaining Branches, shall determine whether the Zone Council should continue or should be disbanded, or alternatively, be merged with a neighbouring Zone Council.

## **10 STATE COUNCIL**

- 10.1 State Council shall meet no less than twice a year and shall consist of four delegates elected from each of the Zone Councils within the State, subject that no State Council shall be formed until there are at least five active Zone Councils operating within the State.
- 10.2 State Council shall hold its Annual General Meeting in July each year and elect the following Office Bearers who shall constitute the Committee of State Council:
- 10.2.1 President
  - 10.2.2 Vice-President
  - 10.2.3 Secretary
  - 10.2.4 Treasurer

- 10.2.5 Media Officer
- 10.2.6 Such other Committee Members as it may determine from time to time, including to chair sub-committees or to attend to special projects as decided by State Council.
- 10.3 For all intents and purposes the President of State Council shall be seen as the State President of the Party and shall be empowered to act as Spokesperson for the Party with respect to all Party business or policies.
- 10.4 *Australian Voice Party* Parliamentarians who represent State or Federal seats within the State may attend and speak at all meetings of State Council, but shall have no voting rights at such meetings unless elected under Clauses 9.7 and 10.1 herein.
- 10.5 Members of the National Direction Committee (as described in Section 12 of this Constitution) shall be entitled to attend State Council meetings in any State, but (excepting, of course, within their own State) may speak only at the President's invitation and shall have no voting rights.
- 10.6 All other financial Party members within the State shall be entitled to attend State Council meetings, but may speak at the President's invitation only and have no voting rights.
- 10.7 Notwithstanding preceding Clauses, State Council shall have the right to exclude any or all non-voting members from any part of a meeting which has been set out on the published Agenda as "Special Business in Confidence" to allow discussion or resolution of matters of a confidential or sensitive nature.
- 10.8 State Council shall give no less than twenty-one days notice of meetings to all Branches and Zone Councils within the State so that any urgent matters requiring consideration by State Council can be presented for inclusion on the Agenda for such meeting.
- 10.9 A quorum for State Council shall be a majority of its member delegates.
- 10.10 The Committee of State Council may in circumstances of urgency by resolution exercise any of the powers of the Council between meetings of the Council where it is not convenient to convene a meeting thereof, provided that any action taken by the Committee shall be submitted for ratification to the next meeting of the Council.
- 10.11 State Council shall also elect two delegates to serve on the National Direction Committee for the ensuing twelve months or for such other lesser time that State Council may determine.
- 10.12 State Council shall forward a copy of the Minutes of each State Council meeting to the National Direction Committee within seven days.
- 10.13 State Council shall not be bound by advice or recommendations received from the National Direction Committee but all matters raised by the Committee shall be discussed by the next State Council meeting and, if appropriate, motions submitted to the next State Conference for discussion and resolution, or such other action taken as may be deemed desirable or appropriate to State Council.
- 10.14 Subsequent to the preceding Clause, all written communications from Branches and Zone Councils to the National Direction Committee shall be addressed through State Council, with a copy being sent directly to the National Direction Committee if desired.
- 10.15 State Council shall have control of all Branches within the State and shall be responsible for the day to day running of a nonpartisan State Secretariat, supervised by the Secretary of State Council and consisting of the State Membership Officer as provided in Section 7 of this Constitution and such other Officers or employees of the party as State Council shall from time to time require for the efficient administration of the Party.

- 10.16 State Council shall consider all matters or resolutions relating to alterations of this Constitution or to the Party's Policies or Platform and shall supervise the conduct of State Conferences and matters related to the Queensland and Australian Electoral Commissions, and shall exercise control over all such other matters as State Council may from time to time determine.
- 10.17 State Council shall ensure the Party when Incorporated as an Association shall have a common seal. The common seal shall be kept securely by the Committee of State Council and shall be used only under the authority of the Committee of State Council. Each instrument to which the seal is attached must be signed by a member of the Committee of State Council and countersigned by the Secretary of State Council or by another member of the Committee of State Council or by someone expressly appointed by State Council for that purpose.
- 10.18 State Council funds shall be deposited into one or more Bank, Building Society or Credit Union accounts as may be considered necessary from time to time. Such account or accounts shall be operated upon by any two of the President, Vice-President, Secretary, or Treasurer. Incoming monies are to be banked within five banking days and written receipts are to be given. State Council shall maintain, or cause to be maintained, acceptable Books of Accounts in a form which can be audited including a statement of income and expenditure, of assets and liabilities, and of all charges and securities affecting the property of the Incorporated Association, and shall maintain all books, documents, instruments of title and securities, and such other records required for the proper administration of the Party or to maintain the Incorporated Association as provided in Clause 1.3 herein. Such financial statements shall be presented after audit to members at the next State Conference.
- 10.19 State Council shall maintain a Register of Branches compiled from Branch Directory Records sent in by Branch Secretaries (refer Clause 8.6) which shall include the respective dates when each Branch was established and the postal and email addresses of the current executive, and such other details as from time to time are deemed necessary for internal management purposes or to comply with the respective Electoral Acts. Details shall also be kept of all closed or defunct Branches.
- 10.20 Branch Directory Records shall also include a statement from each incoming Office Bearer detailing any bankruptcies or convictions for criminal activities, and whether there are any charges or law suits pending against the respective Office Bearer. Office Bearers shall also declare their membership in any other organizations of a political nature and what positions if any they hold in such organisations.
- 10.21 State Council shall reimburse to each Branch, no less often than quarterly, a proportion of all membership fees (whether for new memberships or for renewals), such proportion being that determined from time to time by State Council.
- 10.22 State Council may delegate powers as may be expedient for furthering the purposes of State Council.
- 10.23 Suggestions from Party members, Branches, Zone Councils or from online "Policy Voices" for amendments to the Party's Policies, Platform, Constitution or organisational structure shall be the subject of motions submitted to State Council for inclusion on the Agenda of the next State Conference for further discussion and resolution.
- 10.24 Notwithstanding Clause 10.1, a simple majority of members of State Council (or "State Councillors") can require the Secretary of State Council to convene a Special General Meeting of State Council within thirty days for dealing with any business considered to be too urgent to leave until the next Ordinary Meeting of the Council. All Special Meetings shall be

notified fourteen days in advance (except in a situation of urgency) and an Agenda forwarded at least seven days in advance of the meeting date.

## **11 STATE CONFERENCES**

- 11.1 State Council shall convene no less than one State conference each year in such place or places as the Council may determine having given due regard to the convenience of the grassroots membership of the Party.
- 11.2 State Conferences shall consist of all members of State Council plus two elected delegates from each Branch with 100 members or less, with one extra delegate being allowed for each additional 100 members or part thereof (but only provided the part exceeds 15 members), subject that no one Branch shall have more than five delegates, plus two elected delegates from each Zone Council operating within the State, plus all Parliamentary Members domiciled in the State representing the Party in either the State or Federal Parliaments or in the Federal Senate.
- 11.3 The President of State Council, or in his or her absence, the Vice-President, shall preside over the proceedings of State Conference.
- 11.4 Resolutions carried by State Conference shall be binding on all Party Units within the State.
- 11.5 A summary of all resolutions carried by State Conference shall be forwarded within fourteen days to the National Direction Committee, to each Branch within the State and to each Parliamentary Member representing the Party within the State.
- 11.6 Notwithstanding Clause 11.1, a majority of Branches within the State can require the Secretary of State Council to convene a Special State Conference within sixty days for dealing with any business considered to be too urgent to leave until the next Ordinary State Conference. All Special State Conferences shall be notified twenty-eight days in advance (except in a situation of urgency) and an Agenda forwarded at least twenty-one days in advance of the meeting date.

## **12 NATIONAL DIRECTION COMMITTEE**

- 12.1 Where the Party is affiliated with similarly-constituted *Australian Voice* structures in other States or Territories within the Commonwealth of Australia, a National Direction Committee shall be established comprising two delegates elected from each State Council and one delegate from each Territory Council.
- 12.2 Further to the members referred to in the preceding Clause, and subject to there being no less than three other such affiliated *Australian Voice* structures, up to five other Party members can by a majority vote of the above elected members be co-opted to serve on the National Direction Committee during the term of that Committee in such roles as the Committee shall from time to time determine.
- 12.3 The National Direction Committee shall meet no less than every second month.
- 12.4 The National Direction Committee shall provide advice and expertise to State Councils but shall in no way have control over State Councils.
- 12.5 The National Direction Committee shall be responsible for co-ordinating discussion between the State Councils on matters that clearly are a Federal responsibility as those responsibilities are detailed and limited in Paragraph 51 of the Australian Constitution.
- 12.6 A quorum for National Direction Committee meetings shall be three Committee members

where there are no co-opted members or ten Committee members otherwise.

- 12.7 Minutes of all meetings of the National Direction Committee shall be forwarded within seven days to the Secretary of each State and Territory Council.
- 12.8 Notwithstanding Clause 12.3, a majority of State or Territory Councils can require the Secretary of the National Direction Committee to convene a Special Meeting of the Committee within fourteen days for dealing with any business considered to be too urgent to leave until the next Ordinary Meeting of the Committee. All Special Meetings shall be notified ten days in advance (except in a situation of urgency) and an Agenda forwarded at least seven days in advance of the meeting date.

### **13 CONDUCT OF MEETINGS**

- 13.1 Meetings are to be conducted in observance of recognised methods and rules such as are set out in publications such as "*Roberts Rules of Order*" and "*Guide for Meetings and Organisations, Volume 2: Meetings*" by N.E.Renton.
- 13.2 Attendance by telephone, internet communication or video conference call shall be treated as if attendance were in person.
- 13.3 The proceedings of all meetings shall be recorded in a Minute Book to be kept by the Secretary for that purpose and the Minutes, including the Minutes of Annual General Meetings or Special Meetings, shall be confirmed at the following meeting of the Branch or Council or Committee and signed by the Chairman of the meeting, and shall be available for inspection during normal hours of business by any financial member of the said Branch, Council or Committee.
- 13.4 The respective Notice of Meeting should be given as detailed within the appropriate section of this Constitution and an Agenda circulated at least seven days before the intended date of meeting for all Special Meetings unless otherwise provided in this Constitution.
- 13.5 All motions should be presented to the Chairman in writing.
- 13.6 If the intended Chairman, or the Vice-Chairman, is not in attendance after fifteen minutes of the advised time of commencement, the meeting shall elect a Chairman from amongst those present.
- 13.7 The Chairman shall announce at commencement of the meeting any time limit for speakers to observe. Those unreasonably extending the allowed time shall be instructed to bring their remarks to a conclusion.
- 13.8 Should the Chairman rise to his or her feet, all others speaking are to desist and resume their seats.
- 13.9 Unless otherwise provided in this Constitution, voting shall be by show of hands or by secret ballot in a specific manner if so resolved by the meeting.
- 13.10 Notwithstanding Clause 13.9, voting for election of Office Bearers shall always be by secret ballot. In a case where only one nomination is received, that nominee is not automatically elected but must be subject to a "Yes" or "No" vote. If a "No" vote is received fresh nominations shall be called.
- 13.11 At meetings other than Ordinary Branch meetings, those attending should carry their Membership Card (or equivalent) and, where applicable, a letter of Appointment as Delegate signed by the Chairman and Secretary of their respective Branch or Zone Council or by the President and Secretary of their State Council, and shall register before admission and

receive a Voting Card if entitled to vote.

- 13.12 Postal or electronic voting as provided by this Constitution shall be along the principles set forth in *"Guide for Meetings and Organisations, Volume 2: Meetings"* by N.E.Renton.
- 13.13 In no circumstances shall provision be made for proxy voting.
- 13.14 A Chairman shall not ordinarily be entitled to vote, but may exercise a casting vote in the event of any tied vote, except where the motion has relevance to the Chairman's person.
- 13.15 A "No Confidence" motion against a person holding office in the Party shall, if carried, require that person to resign from office.
- 13.16 Fax messages shall be accepted as valid except that if challenged the original must be produced.
- 13.17 Persons who are not financial members of the Party are not eligible to seek or hold positions of any nature in the Party.
- 13.18 If resolutions are passed at a meeting without a quorum they must be ratified at a subsequent meeting at which a quorum is present. In case of urgency, ratification may be achieved by postal or electronic ballot or similar of those entitled to attend and to vote.
- 13.19 Meetings are closed to other than those entitled to attend and to invitees, except when the Meeting is advertised as a Public Meeting. That which is specifically Party business shall not be dealt with at Public Meetings, which discussion should be confined to community affairs and matters of current public concern. All those attending a Public Meeting are entitled to vote.
- 13.20 If disruption is attempted at a Public Meeting the Chairman has these options:
- 13.20.1 Ask the disorderly person/s to leave the meeting.
  - 13.20.2 Have members of the Party escort the offender/s to the door and evict.
  - 13.20.3 Close the meeting.
  - 13.20.4 Announce a recess until the Police can be called and arrive at the meeting place.

#### **14 EXPULSION OF MEMBERS OR OFFICE BEARERS**

- 14.1 Chairmen of Branches or Zone Councils may name a member considered to be acting, or to have acted, in a manner prejudicial to the Party's good interests and seek a motion that the member be suspended. If carried, and if the member is present, that member shall be asked to desist or to retract that which has been found objectionable.
- 14.2 In the case of an acceptable desisting, retraction or apology, a person present may move that the suspension be withdrawn. If carried the suspension shall be at an end.
- 14.3 If the suspension is maintained the offending person shall thereupon leave the meeting. That member shall be advised of suspension by letter within three days, with grounds for the suspension fully stated, together with warning that unless the member's good standing is restored, expulsion from office and possibly also from membership, can be expected.
- 14.4 The suspended person is to be asked in the letter to show cause in writing to the Secretary of the Branch, or Zone Council where applicable, why expulsion should not take place.
- 14.5 If the Branch or Zone Council is not satisfied with the suspended member's case, formal Notice of Expulsion in writing shall be delivered to the member within seven days.
- 14.6 State Council shall be promptly informed in writing of all aspects of the suspension or

expulsion. An expelled member may appeal to the President of State Council to have the expulsion reviewed. The President, assisted by two other members of State Council, shall institute a full enquiry, requiring all allegations made against the member to be presented in writing and signed by those making the allegations, and supported by whatever evidence is available, and shall give a final decision as to whether the expulsion shall be upheld or withdrawn. There can be no appeal against the President's ruling which is to be communicated to the member within seven days.

- 14.7 If it otherwise comes to the attention of State Council that a Party member is behaving in a disorderly manner or is considered to be acting, or to have acted, in a manner prejudicial to the Party's good interests, the President shall have the power to institute a full enquiry and take such action as set out in Clause 14.6.

## **15 SELECTION OF CANDIDATES**

- 15.1 State Council shall, at such time or times as it considers expedient after the holding of a State or Federal Election, invite nominations from persons interested in standing as candidates for the Party at the next Election.
- 15.2 Upon calling for nominations for a State Election, State Council shall convene a Selection Committee of no less than twenty members in each Electorate for which nominations are being sought. Such Selection Committees shall be representative of the respective Branches within each Electorate and shall upon convening for the first time elect a Chairman and a Secretary for the duration of the Committee.
- 15.3 Where there are less than three Branches in a State Electorate, the Selection Committee shall consist of no less than twenty members drawn proportionally from each Branch within the Electorate and elected by secret ballot utilising preferential voting.
- 15.4 Following the calling of nominations for Federal Elections, Zone councils shall constitute the selection Committee for electoral Divisions which fall within their Zone.
- 15.5 Senate candidates shall be directly chosen by State Council convened in its entirety as a Selection Committee for that express purpose.
- 15.6 Nominations shall be sought by inviting Branches and Zone Councils to submit names of possible candidates and also by public advertisement and/or media announcement.
- 15.7 State Council may also invite individuals to submit their names or take such other steps as may be desired to bring the name of any possible candidate before the respective Selection Committee.
- 15.8 Nominations shall only be accepted from financial members of the Party, and in the case of Senate candidates, from persons who have been financial members of the Party for no less than two years continuously prior to nomination.
- 15.9 Those wishing to nominate shall complete the Party's respective Nomination for Pre-selection Form which shall clearly require the nominees' unequivocal support for and consent to willing and diligent pursuit of each of the Objectives of the Party set forth in this Constitution, and have such pledge and nomination witnessed and signed by no less than ten persons on the subject electoral Roll. The form shall be lodged with the Secretary of the respective Selection Committee, together with the nomination fee which is prescribed by State Council from time to time.
- 15.10 One third of the above nomination fees shall be retained by the respective Selection Committee to assist with necessary expenses or with the subsequent campaign, and the

other two-thirds shall be remitted to the Secretary of State Council within seven days following the date determined by State Council for the close of nominations, along with a copy of each nominee's Nomination for Pre-selection Form and any other relevant particulars which may from time to time be requested by State Council.

- 15.11 Each person seeking pre-selection as a candidate shall provide the respective Selection Committee with a full Resumé setting out their personal and employment details (past and present) plus an Introductory Statement indicating how long he or she has been a Party member and his or her reasons for seeking pre-selection and what arrangements have been made or need to be made to ensure her or she can mount an effective campaign, and if elected, can serve properly in that capacity.
- 15.12 Each person seeking pre-selection shall be acquainted with the documents a successful candidate will be required to sign.
- 15.13 Selection Committees shall carefully evaluate each of the nominees, who shall be invited to attend and to address a meeting of the Selection Committee. State Council shall be advised of when and where such meeting will take place and may if desired send a representative as an observer on that occasion.
- 15.14 Selection Committees shall choose a preferred candidate by secret ballot utilising preferential voting and shall advise State Council of their choice as soon as possible thereafter by forwarding the name and credentials of their preferred nominee along with copies of each nominee's Resumé and Introductory Statement as set forth in Clause 15.10 and such other information as State Council may from time to time require.
- 15.15 In the event that only one nomination for pre-selection is received, that nominee shall not automatically be selected but shall be subject to a "Yes" or "No" vote. If a "No" vote is received fresh nominations shall be called, or if the selection Committee so decides, it may instead recommend that no candidate be selected.
- 15.16 State Council shall not overturn the decision of a Selection Committee except in situations where closer scrutiny of all available information reveals that the selected candidate has a criminal record or is in some other serious manner deemed by State Council to be an unsuitable candidate. In such event the Selection Committee is to be recalled and advised accordingly and another candidate selected.
- 15.17 Upon announcement by State Council of each successful nominee as an official Party candidate, the respective Selection Committee shall be deemed to have fulfilled its function and shall be disbanded forthwith.
- 15.18 For the purposes of the respective Electoral Commission, State Council shall determine, prior to calling nominations, whether each candidate may be required to lodge his or her own Nomination Form and be responsible for his or her own reporting and compliance with Electoral Commission procedures.
- 15.19 Branches within Local Authority areas shall be permitted to seek candidates for Local Authority Elections and to conduct selection processes and campaigns at their own discretion, subject to the Objectives set forth herein.

## **16 CAMPAIGN COMMITTEES**

- 16.1 Where a candidate is endorsed to contest a State or Federal Election, the candidate shall establish a local Campaign Committee representative of each of the Branches within his or her Electorate.

- 16.2 Funds remaining from the Selection Committee pursuant to Clause 15.10 shall be transferred to the Campaign Committee at first opportunity.
- 16.3 Each Campaign Committee shall operate its own bank account for the purpose of accepting donations and other monies and to enable payment of campaign expenses.
- 16.4 Each Campaign Committee shall be disbanded as soon as practicable after the election and the respective bank account closed. Any remaining funds shall be returned to the Branches within the electorate in proportion to the respective contribution made by each Branch.

## **17 STATE ELECTORAL COUNCILS**

- 17.1 Where a majority of Branches within a State Electorate so request in writing, State Council may, at its sole discretion, establish a State Electoral Council within that electorate to work towards the election of a Member of Parliament or to support a Member of Parliament who has been elected already.

## **18 PARTY ESTABLISHMENT PHASE**

- 18.1 A National Steering Committee, comprising those members serving on the former National Council immediately prior to the adoption of this Constitution, shall be formed at the outset and shall exercise all the powers of a State Council and of the National Direction Committee until the inaugural meeting of the National Direction Committee as described in Section 12 of this Constitution has been held.
- 18.2 The executive of such Committee shall consist of the President, the Vice-President, and the National Secretary/Treasurer of the former National Council.
- 18.3 Should a vacancy occur within the National Steering Committee, the remaining members of the Committee may choose to leave the position vacant or by unanimous agreement choose to fill that vacancy through the selection and appointment of another financial member of the Party.
- 18.4 Notwithstanding the provisions of Sections 1 and 24 respectively herein, the National Steering Committee shall also have the power, by resolution of not less than 75% of its members, to change the name of the Party or to dissolve the Party, on such terms as it determines.
- 18.5 The National Steering Committee shall decide the membership fees until otherwise determined by respective State Councils in accordance with Section 6 of this Constitution.
- 18.6 Branches, Zone Councils and State Councils shall be formed as soon as possible after the adoption of this Constitution as provided in Sections 9 and 10 herein, subject that a State Council shall not be formed until at least five Zone Councils have been established and are operating successfully within that State, and subject that no Zone or State Councils shall be formed until the collective membership in the respective State or Territory has reached 500.
- 18.7 During the Establishment Phase all membership fees shall be payable to the National Steering Committee.
- 18.8 Upon establishment of the National Direction Committee as described in Section 12 herein, individual State Councils shall take over responsibility for collecting membership fees and for supporting their respective members. Members from States and Territories without operational State Councils shall be administered by the Queensland State Council until such time as a State or Territory Council can be established in their respective area.

**19 REAL ESTATE AND CONTRACTUAL OBLIGATIONS**

- 19.1 Any matters involving real estate, borrowings, leaseings, or commitment of the Party to contractual obligation can be authorised only by State Council, which may execute documents or give specific Power of Attorney to another Party Officer to act for State Council in a particular matter. No blanket Power of Attorney may be given to any person. State Council shall arrange for the safekeeping of essential documents.

**20 FINANCIAL YEAR AND AUDITS**

- 20.1 The financial year for all units of the Party shall end on the 30<sup>th</sup> March each year.
- 20.2 Accounts for State Council shall be audited annually in accordance with Clause 10.18 herein.
- 20.3 At the sole discretion of State Council, Branches and Campaign Committees may also be required to have their accounts audited from time to time.

**21 MEMBERS INITIATED REFERENDUM, VETO AND RECALL**

- 21.1 Members of any Party unit may initiate an internal Party referendum on any issue that they feel is not being handled or enacted as they believe the Party should wish, and which cannot be dealt with satisfactorily elsewhere under this Constitution.
- 21.2 Such members must, by petition of at least 33% of those entitled to vote within that particular unit of the Party, request that the matter be the subject of further debate and a final vote whereby the will of the whole unit can be clarified and decided.
- 21.3 Such a referendum may be applied as a mechanism to veto any action currently under way or being considered by any unit of the Party.
- 21.4 Further, members of a Party unit who are of the opinion that an elected person within their unit is not acting in accordance with what is deemed to be the correct or acceptable manner, or who appears to be incompetent, may, by a petition of 33% of those entitled to vote, call a referendum, which if successful, will cause that position to be declared vacant and a fresh election held.
- 21.5 Where a referendum is requested of all Party members within the State, State Council may require those requesting the referendum to put up the funds to cover the cost of a postal or electronic ballot of all members. This shall be reimbursed to the respective members should the said referendum be successful.
- 21.6 A simple majority (that is, 50% + 1 vote) of those entitled to vote shall carry the referendum.
- 21.7 Should the referendum fail, no further reference to this or a similar subject may be initiated within two years.

**22 DEVELOPMENT OF POLICIES**

- 22.1 All financial members of the Party shall be encouraged to contribute towards the development of sensible and electorally presentable policies on a wide range of issues.
- 22.2 Branches shall be encouraged to put forward ideas and suggestions as resolutions for further consideration by their respective Zone and State Council.
- 22.3 Except as is otherwise provided in this Constitution, nothing shall become part of the Policies and Platform of the Party except it has been presented to and approved by no less than a

three-quarters majority of those eligible to vote at a State Conference of the Party.

## **23 ALTERATIONS TO CONSTITUTION**

- 23.1 This Constitution is adopted on the basis that it will be reviewed by the National Steering Committee (or a sub-committee thereof) on or before 1 February 2014 and, if deemed necessary, amended at that time to give better effect to the achievement of the Objectives and Powers set out in this Constitution.
- 23.2 With the exception of any amendment or amendments which may result from the review provided in the preceding Clause, no amendments to this Constitution shall be considered within twelve months of the adoption of this Constitution.
- 23.3 Thereafter, members of the Party recommending changes to this Constitution shall have the matter debated at Branch level, within Zone Council, and finally at State Council, which, by a resolution proposed and carried, shall present a recommendation to the next State Conference.
- 23.4 Notwithstanding the previous Clause, Branches can propose an alteration or amendment to this Constitution directly to the next State Conference by presenting the proposal in writing to the Secretary of State Council not less than twenty-eight days prior to the Conference.
- 23.5 The proposed alteration or amendment shall be carried by State Conference only when and if the votes recorded in favour of it total three-quarters or more of the votes cast on that question.
- 23.6 Following any such alteration or amendment to this Constitution, the Secretary of State Council shall within fourteen days prepare a copy of such alteration or amendment for distribution to each Branch and shall ensure all statutory obligations are met with respect to advising such alteration or amendment to relevant authorities.

## **24 DISSOLUTION OF THE PARTY**

- 24.1 Subject to the lawful requirements of the Electoral Commission of Queensland and/or the Australian Electoral Commission, should support for the Party fall to such an extent that the Party becomes or is likely to become, in the view of no less than three-quarters of its remaining membership, no longer viable, the Party shall, within three months, be dissolved.

## **25 DISPOSAL OF SURPLUS ASSETS**

- 25.1 If the Party is to be wound up and there remains, after satisfaction of all debts and liabilities, any property or asset of monetary value, the same shall not be paid to or distributed amongst members. The assets, after being in Trust for twelve months ("cooling off" period) shall be transferred or given to some other institution having objectives similar to the objectives of the Party, and which, also, prohibits distribution of property or assets amongst their members.
- 25.2 The preferred institution shall be determined by members of the Party on the occasion when the Party resolves to dissolve.