

# CONSTITUTION OF THE LIBERAL PARTY OF AUSTRALIA NEW SOUTH WALES DIVISION

| 25 May 2024 |



# **CONSTITUTION OF THE LIBERAL PARTY OF AUSTRALIA**

## **NEW SOUTH WALES DIVISION**

As adopted by State Council on 22 July 2000

As amended by State Council on 21 July 2001, 8 December 2001, 23 June 2002, 18 October 2003, 11 December 2004, 8 April 2006, 21 October 2006, 2 August 2008, 12 September 2009, 10 October 2015, 5 March 2016, 10 February 2018, 7 September 2019, 9 November 2019, 6 August 2022 and 25 May 2024.

The table of contents and index were inserted for convenience only. They are not part of this Constitution and are not to be used in its interpretation or construction.

---

**TABLE OF CONTENTS**

1.	<b>INTRODUCTION</b>	<b>4</b>
2.	<b>BECOMING A MEMBER OF THE DIVISION</b>	<b>8</b>
3.	<b>MEMBERS' RIGHTS AND OBLIGATIONS</b>	<b>23</b>
4.	<b>REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS</b>	<b>45</b>
5.	<b>NOTICE</b>	<b>53</b>
6.	<b>FORMING A NEW BRANCH</b>	<b>53</b>
7.	<b>BRANCHES</b>	<b>62</b>
8.	<b>LOCAL GOVERNMENT, FEDERAL AND STATE ELECTORATE CONFERENCES</b>	<b>74</b>
9.	<b>STATE COUNCIL</b>	<b>82</b>
10.	<b>THE STATE PLATFORM AND POLICY</b>	<b>91</b>
11.	<b>STATE CONVENTION</b>	<b>97</b>
12.	<b>CAMPAIGN ASSEMBLY</b>	<b>99</b>
13.	<b>STATE EXECUTIVE</b>	<b>101</b>
14.	<b>STANDING COMMITTEES OF STATE EXECUTIVE</b>	<b>107</b>
15.	<b>YOUNG LIBERAL MOVEMENT</b>	<b>114</b>
16.	<b>WOMEN'S COUNCIL</b>	<b>126</b>
17.	<b>DISPUTES PANEL</b>	<b>133</b>
18.	<b>PARLIAMENTARY PARTIES</b>	<b>143</b>
19.	<b>STAFF OF THE DIVISION</b>	<b>144</b>
20.	<b>MERGING, SUSPENDING AND DISSOLVING BRANCHES AND CONFERENCES</b>	<b>145</b>
21.	<b>SELECTION AND ENDORSEMENT OF LIBERAL CANDIDATES GENERALLY</b>	<b>149</b>
22.	<b>SELECTION OF LIBERAL CANDIDATES FOR THE LEGISLATIVE ASSEMBLY AND THE HOUSE OF REPRESENTATIVES</b>	<b>166</b>
23.	<b>REMOVED</b>	<b>168</b>
24.	<b>SELECTION OF LIBERAL CANDIDATES FOR THE NEW SOUTH WALES LEGISLATIVE COUNCIL</b>	<b>169</b>
25.	<b>SELECTION OF LIBERAL CANDIDATES FOR THE SENATE</b>	<b>171</b>
26.	<b>SELECTION OF LIBERAL CANDIDATES FOR OFFICE IN LOCAL GOVERNMENT</b>	<b>172</b>
27.	<b>FINANCIAL AFFAIRS</b>	<b>176</b>

---

28.	<b>MACHINERY PROVISIONS</b>	<b>179</b>
29.	<b>REGULATIONS</b>	<b>183</b>
30.	<b>TRANSITIONAL PROVISIONS</b>	<b>184</b>
	<b>Appendix A: OBJECTIVES OF THE DIVISION</b>	<b>187</b>
	<b>Appendix B: REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS</b>	<b>189</b>
	<b>Appendix C: REQUIREMENTS RELATING TO NOTICE</b>	<b>217</b>
	<b>Appendix D: PROVISIONS RELATING TO OFFICE-BEARERS</b>	<b>220</b>
	<b>Appendix E: PROCEDURAL FAIRNESS</b>	<b>234</b>
	<b>Appendix F: SELECTION COMMITTEE RULES AND PROCEDURES</b>	<b>235</b>
1.	<b>REGULATIONS: STANDING ORDERS FOR STATE COUNCIL, YOUNG LIBERAL COUNCIL, WOMEN'S COUNCIL, LIBERAL LOCAL GOVERNMENT ASSEMBLY AND CONFERENCES</b>	<b>238</b>
2.	<b>REGULATIONS: CONDUCT OF ELECTIONS</b>	<b>249</b>
3.	<b>REGULATIONS: CONDUCT OF SELECTIONS</b>	<b>264</b>
4.	<b>REGULATIONS: ACCESS TO MEDIA</b>	<b>279</b>

## 1. INTRODUCTION

### 1.1 THE NEW SOUTH WALES DIVISION

- 1.1.1 What is this Document** This is the Constitution of the New South Wales Division of The Liberal Party of Australia.
- 1.1.2 Name** The name of the Division is “The Liberal Party of Australia, New South Wales Division”.
- 1.1.3 Objectives of the Division** The objectives of the Division are as contained from time to time in the Federal Constitution of the Liberal Party of Australia. They are in **Appendix A** and are deemed to be amended from time to time to reflect amendments to the Federal Constitution.

### 1.2 DEFINITIONS

- 1.2.1 Defined Terms** In this Constitution and, unless the contrary intention appears, in any Regulations:
- (1) **“AGM”** means Biennial General Meeting;
  - (2) **“Ballot”** means the recording of a vote by an eligible Member at an election or selection committee, either by writing on a piece of paper or making a choice using an electronic voting system or platform provided by the Returning Officer;
  - (3) **“Branch”** means an Ordinary Branch, a Special Branch, a Women’s Branch, a Young Liberal Branch, a Policy Branch or a Professional Branch.;
  - (4) **“Body of the Division”** means any Branch, Conference, Council, Committee or other body formed under this Constitution but does not include the State Parliamentary Party, the Campaign Assembly or the Disputes Panel;
  - (5) **“Country Electorate”** means a State electorate or a Federal electorate that is designated a Country Electorate by State Executive;
  - (6) **“Dispute”** means a dispute referred to in **clause 17.6.1**;
  - (7) **“Disputes Panel”** means the Disputes Panel formed under **clause 17.1**;
  - (8) **“Division”** means The Liberal Party of Australia, New South Wales Division;

- (9) **"FEC"** means Federal Electorate Conference;
- (10) **"Financial Year"** means the period of 12 months ending on 30 June;
- (11) **"General Member"** means a member of the Division who is not a Branch Member, and includes a General Young Liberal Member;
- (12) **"House of Representatives"** has the same meaning as in the *Commonwealth of Australia Constitution Act 1900*.
- (13) **"Legislative Assembly"** has the same meaning as in the *Constitution Act 1902* (NSW).
- (14) **"LGC"** means Local Government Conference;
- (15) **"Local Branch"** means an Ordinary Branch, a Special Branch, a Women's Branch or a Young Liberal Branch;
- (16) **"Local Branch Member"** means a Member who is a member of a Local Branch;
- (17) **"Local Branch Membership Rights"** means the rights of Local Branch Members referred to in **clause 3.2.2**;
- (18) **"Member"** means a person who is a member of the Division;
- (19) **"Membership Year"** means the period of 12 months ending on 30 June;
- (20) **"Metropolitan Electorate"** means a State electorate or a Federal electorate that is designated a Metropolitan Electorate by State Executive;
- (21) **"Motion"**, with respect to a Body of the Division, means a motion carried by a simple majority of members of the Body, not necessarily at a meeting of the Body, or a special majority of those members as specified in this Constitution. If there is a meeting, a majority is to be determined by reference to the members of the Body present and voting at the meeting;
- (22) **"Movement"** means the Young Liberal Movement of Australia (New South Wales Division) formed under **clause 15.1.1**;
- (23) **"Open Branch"** means any Branch of the Division that elects to become an 'Open Branch' in accordance with clause 2.4.13;

- 
- (24) **"Ordinary Branch"** means a Branch of the Division other than a Special Branch, a Young Liberal Branch, a Policy Branch, or Professional Branch;
- (25) **"Organisation"** means the Liberal Party of Australia and all of its divisions;
- (26) **"Policy Branch"** means a Policy Branch formed under **clause 6.4.1**;
- (27) **"Principal Place of Residence"** means a person's place of living set out on the electoral roll for New South Wales maintained under the *Commonwealth Electoral Act 1918 (Cth)* and references to residency are to be similarly construed;
- (28) **"Professional Branch"** means a Professional Branch formed under **clause 6.4.1**;
- (29) **"Proscribed Organisation"** means:
- (a) another political party registered under the Commonwealth Electoral Act 1918 (Cth) or under the Electoral Act 2017 (NSW) (***Proscribed Organisation First Limb***); or
  - (b) any political activist group, including third party campaigners registered under the *Electoral Act 2017* or political campaigners registered under the *Commonwealth Electoral Act 1918*, with interests and policies contrary to or in conflict with the objectives, interests and policies of the Division or the Liberal Party of Australia, as may be prescribed by the State Director in his or her sole discretion from time to time and published on the Divisions web site (***Proscribed Organisation Second Limb***).
- (30) **"Province"** means a province created under **clause 24.1.1**;
- (31) **"Regulations"** means regulations made by State Council under this Constitution;
- (32) **"Regional Electorate"** means a State electorate or a Federal electorate that is designated a Regional Electorate by State Executive;
- (33) **"SEC"** means State Electorate Conference;
- (34) **"Selection Committee"** means a selection committee formed under **clause 22.1.1, 24.2.1, 24.3.1 or 25.1.1**;

- (35) **"Special Branch"** means a Branch formed as a Special Branch as being based upon community, cultural, occupational or other interests, but which in this constitution is treated as if it were a Local Branch rather than a Policy Branch or a Professional Branch;
- (36) **"State Executive"** means the State Executive of the Division formed under **clause 13.1.1**;
- (37) **"Standing Orders"** means the standing orders in the Regulations;
- (38) **"Sub-Branch"** means an Ordinary Branch or a Young Liberal Branch:
  - (a) which has between five and nine Branch Members; and
  - (b)
    - is allocated both to a Country Electorate which is a Federal electorate and to a Country Electorate which is a State electorate;
- (39) **"Unwinnable Position"** means a position on the Liberal ticket for election to the office of the Senate, Legislative Council or Local Government determined by State Executive to be unwinnable under clause 21.1.2(5);
- (40) **"Winnable Position"** means a position on the Liberal ticket for election to the office of the Senate, Legislative Council or Local Government determined by State Executive to be winnable under clause 21.1.2(5);
- (41) **"Women's Branch"** means an Ordinary Branch that is designated a Women's Branch by State Executive;
- (42) **"Young Liberal"** means a Member who is a member of a Young Liberal Branch; and
- (43) **"Young Liberal Branch"** means a Branch of the Division that is designated a Young Liberal Branch by State Executive.



## 2. BECOMING A MEMBER OF THE DIVISION

### 2.1 WHO MAY JOIN THE DIVISION

#### 2.1.1 Who May Join the Division

Subject to the other provisions of this Constitution, a person who meets the requirements set out in the table below may apply to join the Division in the relevant membership category.

	A	B	C
	MEMBERSHIP CATEGORY	SUBCATEGORY	REQUIREMENTS THAT APPLICANTS MUST SATISFY TO BE ABLE TO APPLY FOR MEMBERSHIP IN THE RELEVANT CATEGORY
1	Local Branch Member		Enrolled to vote in State or Federal elections in New South Wales.
2		Member in an Ordinary Branch or a Young Liberal Branch within a State electorate that is immediately adjacent to the Australian Capital Territory	Either enrolled to vote in State or Federal elections in New South Wales or enrolled to vote in Federal elections in the Australian Capital Territory.
3		Junior Member	Has attained the age of 16 years but has not attained the age of 18 years and resides in New South Wales.
4		Special Member	Has attained the age of 18 years, resides in New South Wales and is not enrolled to vote in State or Federal elections in New South Wales.
5		Young Liberal	Either:  (1) has attained the age of 16 years but has not attained and will not attain the age of 19 years in the current Membership Year and resides in New South Wales; or  (2) is enrolled to vote in State or Federal elections in New South Wales and has not attained and will not attain the age of 31 years in the current Membership Year.
7			Has attained the age of 18 years and resides in New South Wales.

	General Member	General Young Liberal Member	<p>Either:</p> <p>(1) has attained the age of 16 years but has not attained and will not attain the age of 19 years in the current Membership Year and resides in New South Wales; or</p> <p>(2) is enrolled to vote in State or Federal elections in New South Wales and has not attained and will not attain the age of 31 years in the current Membership Year.</p>
--	----------------	------------------------------	--

## 2.2 PEOPLE WHO CANNOT JOIN THE DIVISION

### 2.2.1 Members of Proscribed Organisations

- (1) A person who is:
  - (a) a member of a Proscribed Organisation First Limb; or
  - (b) an active participant in the activities of a Proscribed Organisation Second Limb;

cannot join the Division and any purported acceptance of a Membership application from such a person is of no effect.
- (2) A person who has been:
  - (a) a member of a Proscribed Organisation First Limb; or
  - (b) an active participant in the activities of a Proscribed Organisation Second Limb

within the last two years may not join the Division and any purported acceptance of a Membership application from such a person is of no effect.
- (3) State Executive may by a motion of 66% of those present and voting waive the prohibition in **subclause 2.2.1(2)** and may instead accept the person as a Member.
- (4) The State Director will, in his or her sole discretion, determine what acts may or may not constitute “active” participation in the activities of a Proscribed Organisation Second Limb for the purpose of

**subclauses 2.2.1(1) or 2.2.1(2)** and will publish that determination on the Division's website.

## 2.2.2 People Who Have Opposed Liberal Endorsed Candidates

A person who was not a candidate endorsed by the Organisation or did not have the prior written permission of State Executive to do the acts set out below and who meets the requirements set out in the table below cannot join the Division within the periods specified in the table below except by motion passed by State Executive ratified by State Council and any purported acceptance of a membership application from such a person is of no effect

	A	B	C
	CATEGORY OF PERSON	CONDUCT	PERIOD DURING WHICH A PERSON CANNOT JOIN THE DIVISION
1	Member of the Division at the time of the conduct	Nominated for election to office in a State or Federal election for which there was a candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations.	10 years from the date on which the person's membership ceased under <b>clause 3.11.3</b>
2		Nominated for election to office in other elections for which there was a candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations.	3 years from the date on which the person's membership ceased under <b>clause 3.11.3</b>
3		Publicly announced or caused or permitted to be announced the person's proposed nomination as a candidate for any office in any election for which there was a candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations.	3 years from the date on which the person's membership ceased under <b>clause 3.11.3</b>
4	Not a Member at the time of the conduct or no longer a Member but had been a Member	Nominated for office in a State or Federal election for which there was a candidate for that office endorsed by the Organisation or for which State	10 years from nominating for office

	within three years of the conduct and whose membership ended by resignation	Executive resolved to call for nominations.	
5		Nominated for office in other elections for which there was a candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations.	3 years from nominating for office
6		Publicly announced or caused or permitted to be announced the person's proposed nomination as a candidate for any office in any election for which there was candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations.	3 years from nominating for office

**2.2.3 People who have actively assisted those who have opposed Liberal Endorsed Candidates.**

A person who:

- (1) actively assisted a candidate for any office in any election for which there was a candidate for that office endorsed by the Organisation or for which State Executive resolved to call for nominations for endorsement by the Organisation for election to that office; or
- (2) actively assisted a candidate who claimed to be an endorsed candidate of the Organisation for any election, and
- (3) and who was actively assisting a candidate not endorsed by the Organisation or a candidate who did not have the prior written permission of State Executive to do the things referred to under **clauses 2.2.2(1) or 2.2.2(2)**, cannot join the Division within five years after the date of the election except with the consent in writing of State Executive ratified by motion of State Council, and any purported acceptance of a membership application from such a person is of no effect.

**2.3 GENERAL PROVISIONS WITH RESPECT TO APPLICATIONS TO JOIN THE DIVISION**

**2.3.1 Joining the Division**

An eligible person may apply to join the Division either as a Local Branch Member or as a General Member.

**2.3.2 Payment of Membership Fee**

A membership fee accompanying any application to join the Division or any renewal of existing membership of the Division must be paid by:

- (1) the applicant/ Member; or
- (2) the applicant's/ Member's spouse or parents,

but not by any other person otherwise it is of no effect.

**2.3.3 State Director May Hold Application**

- (1) Despite any other provision in this Constitution, the State Director may hold any application to join the Division for up to 28 days after the date of receipt of the application by the State Director.
- (2) The State Director may only hold an application under **subclause 2.3.3(1)** if the State Director decides that the application may not be *bona fide*.
- (3) If the State Director holds an application under **subclause 2.3.3(1)**, the State Director must as soon as practicable bring the application before State Executive.
- (4) State Executive may by motion carried by 75% of the members of State Executive present and voting, take whatever steps it decides with respect to the application. For avoidance of doubt, no other provisions of this Constitution apply to an application held by the State Director under **subclause 2.3.3(1)** until the earlier of:
  - (a) the expiration of 28 days from the date of receipt of the application by the State Director; or
  - (b) the carrying of a motion by State Executive with respect to the application.

**2.4 APPLYING TO JOIN A LOCAL BRANCH****2.4.1 Application of this Clause**

This **clause 2.4** applies to:

- (1) applications from persons who are not Members to join the Division as Local Branch Members; and
- (2) applications by Members to transfer their membership either:

(a) in the case of a Local Branch Member: from the Local Branch Member's current Local Branch to another Local Branch; or

(b) in the case of a General Member: to a Local Branch.

**2.4.2 How Many Branches Can A Person Join?**

An eligible person may be a member of:

- (1) not more than one Ordinary Branch; and/or
- (2) not more than one Young Liberal Branch; and/or
- (3) one or more Special Branches.

**2.4.3 How to Make an Application**

An application to join a Local Branch must be made to the State Director in the manner prescribed by State Executive, otherwise the application is of no effect and any purported acceptance of the application is of no effect.

**2.4.4 What Happens to an Application to Join a Local Branch**

Subject to **clause 2.4.5**, where a person applies to join a Local Branch:

- (1) the State Director must promptly send a copy of the application to the President and Secretary of the Local Branch specified in the application or, in the case of an application from a person who is not a Member where no Local Branch is specified in the application, to the President and Secretary of the Local Branch that the State Director decides to be geographically convenient to the applicant's Principal Place of Residence;
- (2) the Local Branch Secretary must bring the application before the next general meeting of the Local Branch and the Local Branch must either resolve to accept the application or resolve to recommend to the State Director that the application be refused;
- (3) if the application is accepted:
  - (a) the Local Branch Secretary must in the manner prescribed by the State Director notify the State Director of the date of approval; and
  - (b) the State Director must promptly advise the applicant and the Local Branch that the applicant has become a Member of the Local Branch and the date from which that membership is effective;

- (4) if the Local Branch resolves to recommend to the State Director that the application be refused:
  - (a) the Local Branch Secretary must in the manner prescribed by the State Director notify the State Director within 14 days that the Local Branch has resolved to recommend that the application be refused;
  - (b) within 14 days after receiving that notification the State Director must either:
    - (i) accept the Local Branch's recommendation, or
    - (ii) reject the Local Branch's recommendation and instead recommend to State Executive that the application be accepted,
  - (c) in the case of a Member applying to transfer his or her membership to another Local Branch, if the State Director accepts the Local Branch's recommendation, the application is refused;
  - (d) in the case of a Member applying to transfer his or her membership to another Local Branch, if the State Director recommends to State Executive that the application be accepted, State Executive must consider that recommendation at its next meeting and:
    - (i) if State Executive resolves by a resolution of not less than 75% of those voting to accept the State Director's recommendation, the application is accepted,
    - (ii) otherwise the application is rejected
  - (e) in the case of a non-Member applying to join the Division as a Local Branch Member, if the State Director accepts the Local Branch's recommendation, the State Director must promptly bring the application before State Executive, which must consider that recommendation at its next meeting and must either:
    - (i) accept the application, in which case the applicant becomes a General Member; or
    - (ii) refuse the application;

- (f) in the case of a non-Member applying to join the Division as a Local Branch Member, if the State Director recommends to State Executive that the application be accepted, State Executive must either:
  - (i) resolve by a resolution of not less than 75% of those voting to accept the State Director's recommendation, in which case the applicant becomes a member of the relevant Local Branch;
  - (ii) otherwise accept the application, in which case the applicant becomes a General Member; or
  - (iii) refuse the application,
- (g) in each event in (c)-(f) above the State Director must:
  - (i) promptly advise the applicant and the Local Branch accordingly, and
  - (ii) in the case of (e)(ii) and (f)(iii) above, also return the prescribed membership fee;
- (h) a recommendation of refusal not communicated to the State Director in accordance with **clause 2.4.4(4)(a)** within three months after the State Director having sent the copy of the application to the Local Branch Secretary shall be of no effect and the application will be deemed accepted as of that date.

#### **2.4.5 Applications from Members of Parliament**

Where an existing General Member or an existing Local Branch Member applies to join a Local Branch, and the person is either:

- (1) a Senator,
- (2) a member of the Legislative Council, or
- (3) a member of Parliament representing the State or Federal electorate to which that Local Branch is allocated,

then subject to **clause 3.2.4**, upon receipt of the application by the State Director that person:

- (4) becomes a member of that Local Branch,



- 
- (5) if the Local Branch is an Ordinary Branch, ceases to be a member of any other Ordinary Branch, and
- (6) if the Local Branch is a Young Liberal Branch, ceases to be a member of any other Young Liberal Branch.
- 2.4.6 Limitations on the acceptance of members by a Local Branch**
- The maximum number of applications that may be accepted by a Local Branch in any calendar month is:
- (1) in the case of a Local Branch with 1 – 100 financial Members - 10 applications; and
- (2) in the case of a Local Branch with more than 100 financial Members - 20 applications.
- 2.4.7 Geographic Restriction on Applications for Membership of Ordinary Branches in Metropolitan Electorates**
- (1) An eligible person applying to join an Ordinary Branch, and whose Principal Place of Residence is within an Metropolitan Federal electorate, may only apply to join a Ordinary Branch that has been allocated by State Executive to the Federal electorate where the applicant resides.
- (2) Nothing in **clause 2.4.7** effects an existing Member of an Ordinary Branch allocated to a Federal electorate different to the Member's Principal Place of Residence. Such a Member will remain a member of the Branch despite a change in electoral boundaries otherwise affecting their ability to join that branch.
- (3) If the application of **clause 2.4.7** causes undue hardship to any person applying for membership of an Ordinary Branch, then the applicant may write to the State Director, who shall then present the applicant's letter to the State Executive at their next meeting, and the State Executive may, by 75% majority, allocate the applicant to any Ordinary Branch as it sees fit.
- 2.4.8 Geographic Restriction on Applications for Membership of Ordinary Branches in Country and Regional Electorates, and for all Young Liberal Branches**
- (1) An eligible person applying to join either:
- (a) An Ordinary Branch, and whose primary place of residence is within a Country or Regional Federal electorate, or
- (b) A Young Liberal Branch,
- may only apply to join an Ordinary or Young Liberal Branch that has been allocated by State Executive to the Federal electorate where the applicant resides, or an adjoining Federal electorate.

- (2) Nothing in **clause 2.4.8** effects an existing Member of an Ordinary Branch or Young Liberal Branch allocated to a Federal electorate different to the Member's Principal Place of Residence. Such a Member will remain a member of the Branch despite a change in electoral boundaries otherwise affecting their eligibility to join that branch.
- (3) If the application of **clause 2.4.8** causes undue hardship to any person applying for membership of an Ordinary or Young Liberal Branch, then the applicant may write to the State Director, who shall then present the applicant's letter to the State Executive at their next meeting, and the State Executive may, by 75% majority, allocate the applicant to any Ordinary or Young Liberal Branch as it sees fit.

#### **2.4.9 Holding over applications**

If there are more applications for membership before a meeting of a Local Branch than may be accepted in that month:

- (1) the Local Branch must decide by motion which applications will be accepted at that meeting; and
- (2) the applications which have not been accepted or refused and cannot be accepted must be held over until the next meeting of the Local Branch.
- (3) applications which have not been accepted within three months must be returned to the State Director for the purpose of ascertaining if the person applying still wishes to join that Local Branch.

#### **2.4.10 What Happens When An Application is Not Considered Promptly By the Local Branch**

- (1) If a completed copy of an application to join a Local Branch is not returned to the State Director within two months after the State Director has sent the copy of the application to the Local Branch Secretary, unless the Local Branch has within that time refused the application:
  - (a) the application is deemed to have been accepted; and
  - (b) the State Director must promptly advise the applicant and the Local Branch that the applicant has become a Member of the Local Branch and the date from which that membership is effective;
  - (c) the priority of which applications are deemed accepted is determined by ranking the applications

in the order the applications were received by the State Director with priority given to the applications received by the State Director first in time .

- (2) An application that cannot be deemed accepted due to the operation of **clause 2.4.6** is to be deemed accepted in the next month in which further applications may be accepted unless first refused by the Local Branch.
- (3) If an application has not been deemed accepted by a Branch within three months of being sent to the Local Branch due to the operation of **clause 2.4.6**, the application must be returned to the State Director for the purpose of ascertaining if the person applying still wishes to join that Local Branch.

**2.4.11 State Director to Give Notice to Previous Local Branch**

In the case of a Member applying to transfer his or her membership to another Local Branch, upon receiving notification of acceptance of a transfer the State Director must promptly give notice to the Member's previous Local Branch of the transfer.

**2.4.12 Restriction on a non-Member joining at a formation meeting**

A person may not join a new Local Branch at a formation meeting if that person has resigned from membership of the Division within the 12 months before the date of the formation meeting.

**2.4.13 An Open Branch**

- (1) Notwithstanding the provisions of this clause 2.4 to the contrary, a Branch may choose to become an Open Branch. Any Branch may elect to be categorised as an Open Branch only in accordance with this clause.
- (2) A Branch that has elected to become an Open Branch permits any application for membership to that Branch to be deemed automatically accepted by the Branch when a membership application has been accepted by the Secretariat. A membership application has been accepted by the Secretariat on the date of the correspondence notifying the Secretary of the Branch that a membership application has been accepted.
- (3) A Branch may elect to become an Open Branch at the Annual General Meeting of the Branch by motion for which notice is given. A Branch will remain an Open Branch from the Annual General Meeting of the Branch when that decision is made until the subsequent Annual General Meeting.

- (4) A Branch may decide before the subsequent Annual General Meeting at which an election to become an Open Branch is made to change categorisation as an Open Branch, if at a general meeting of the Branch a motion for which notice has been given is considered and carried by 60% of the members present at the meeting voting on the motion.
- (5) A decision of a Branch to change its categorisation as an Open Branch must be notified to the State Director within 14 days of the carriage of the motion to change categorization. A decision to change categorisation takes effect from the date upon which notice is received by the State Director.

## 2.5 APPLYING TO BECOME A GENERAL MEMBER

- |  |   |
|--|---|
| <b>2.5.1 Application of this Clause</b>                                | This <b>clause 2.5</b> applies to applications from persons who are not Members to join the Division as General Members, including General Young Liberal Members.   |
| <b>2.5.2 How to Make an Application</b>                                | An application to become a General Member must be made to the State Director in the manner prescribed by State Executive, otherwise the application is of no effect and any purported acceptance of the application is of no effect.  |
| <b>2.5.3 What Happens to an Application to Become a General Member</b> | <ol style="list-style-type: none"> <li>(1) the State Director shall make a decision to accept or refuse an application;</li> <li>(2) if the application is accepted, the State Director must advise State Executive at its next meeting and the applicant as soon as is practicable that the applicant has become a General Member and the date from which that membership is effective;</li> <li>(3) if the application is refused, the State Director must before advising the applicant of the decision to refuse the application report to the next meeting of State Executive the names of the persons whose application has been rejected and the grounds on which the application has been refused;</li> <li>(4) State Executive may accept an application previously refused by the State Director;</li> <li>(5) if the an application is not accept by State Executive at its next meeting after being notified of the particulars of an applicant refused by the State Director, the State</li> </ol> |

Director must promptly advise the applicant and, in the case a non-Member applying to join the Division as a General Member, return the prescribed membership fee.

## **2.6 WHEN MEMBERSHIP TAKES EFFECT**

### **2.6.1 Local Branch Members**

An applicant becomes a member of a Local Branch with effect from:

- (1) the date that the relevant Local Branch accepts or is deemed to accept the application, or
- (2) the date that State Executive accepts the application under **clause 2.4.4(4)(d)(i)** or **clause 2.4.4(4)(f)(i)**.

### **2.6.2 General Members**

An applicant becomes a General Member with effect from:

- (1) the date that the State Director accepts the application, or
- (2) the date that State Executive accepts the application under **clause 2.4.4(4)(f)(ii)** or **clause 2.5.3(4)**.

### **2.6.3 Where Membership Takes Effect After 1 March**

- (1) Subject to the other provisions of this Constitution, a person whose application for membership of the Division is received by the State Director after 1 March in a Membership Year and takes effect before 30 June of that Membership Year is a Member for the remainder of the current Membership Year and for the whole of the next Membership Year.
- (2) Subject to the other provisions of this Constitution, a person whose application for membership of the Division is received by the State Director before 1 March in a Membership Year and takes effect before 30 June of that Membership Year is a Member for the remainder of the current Membership Year.

## **2.7 MEMBERSHIP OF A POLICY BRANCH OR A PROFESSIONAL BRANCH**

### **2.7.1 Membership**

A Local Branch Member or a General Member may also be a member of:

- (1) one Policy Branch; and/or
- (2) one Professional Branch.

**2.7.2 Application to Join**

An application to join a Policy Branch or a Professional Branch may be made:

- (1) at the same time as an application to become a Local Branch Member or to become a General Member,
- (2) at the same time as renewal of existing membership of the Division, or
- (3) from time to time at other times.

**2.7.3 Joining**

- (1) Upon an application under **clause 2.7.2(1)** to join a Policy Branch or a Professional Branch, the applicant becomes a member of that Branch upon becoming a General Member or Branch Member as the case may be.
- (2) Upon an application under **clause 2.7.2(2)** to join a Policy Branch or Professional Branch, the applicant becomes a member of that Branch upon receipt of the application by the State Director and:
  - (a) in the case of an application to join a Policy Branch, the member thereby ceases to be a member of any other Policy Branch,
  - (b) in the case of an application to join a Professional Branch, the member thereby ceases to be a member of any other Professional Branch.
- (3) Upon an application under **clause 2.7.2(3)** to join a Policy Branch or a Professional Branch, the State Director shall process that application as soon as practicable. The applicant becomes a member of that Branch upon receipt of notice to that effect from the State Director and:
  - (a) in the case of an application to join a Policy Branch, the member thereby ceases to be a member of any other Policy Branch,
  - (b) in the case of an application to join a Professional Branch, the member thereby ceases to be a member of any other Professional Branch.

## 2.8 ASSOCIATE BODIES

### 2.8.1 State Executive may create new support bodies of the Division, and appoint people to these support bodies

The State Director may appoint or remove a person who is not a member of the Division to any of the following categories:

- (1) Volunteer Supporter;
- (2) Liberal Network;
- (3) Liberal Link;
- (4) Liberal Activist.

Appointment of a person to any of these categories is not a grant of membership, and appointment infers no rights to that person under the Division's Constitution.

### 3. MEMBERS' RIGHTS AND OBLIGATIONS

#### 3.1 EFFECT OF MEMBERSHIP

- 3.1.1 Co-operation with Members** The members of the State Parliamentary Party and the Federal Parliamentary Party and other Members must co-operate and work together for the achievement of the objectives of the Division.
- 3.1.2 Members Bound by this Constitution** All Members are bound by the provisions of this Constitution.

#### 3.2 THE RIGHTS OF MEMBERS

- 3.2.1 The Rights of All Members of the Organisation** A financial member of the Organisation may:
- (1) attend a meeting of any Branch;
  - (2) be given notice of and, subject to paying the prescribed registration fee, attend State Convention and vote on all motions put at each meeting of State Convention; and
  - (3) unless made ineligible under another provision of this Constitution, nominate for endorsement as a Liberal candidate for election to office in Federal, State or Local Government.
- 3.2.2 The Rights of Local Branch Members** In addition to those rights referred to in **clause 3.2.1**, a financial Local Branch Member other than a Junior Member, a Special Member or a Young Liberal who is ineligible to vote in State or Federal elections in New South Wales has the rights in the following table, subject to other provisions of this Constitution.

	A	B
	SUBJECT	RIGHT OF LOCAL BRANCH MEMBER
1	Local Branch Meetings	<ol style="list-style-type: none"> <li>(1) To be counted for the purpose of determining whether or not a quorum is present at a meeting of the Local Branch.</li> <li>(2) To be able to participate in the requisitioning of a meeting of the Local Branch.</li> </ol>



2	Local Branch Office-Bearers	<p>(1) To be eligible to stand for office in the Local Branch and vote upon the election of office-bearers in the Local Branch.</p> <p>(2) To be eligible to vote upon a motion to create a casual vacancy in a position elected by the Local Branch.</p>
3	Local Branch Entitlements	To be counted for the purpose of determining the Local Branch's entitlement to delegates to other Bodies of the Division.
4	LGCs, SECs and FECs	To be given notice of and attend meetings of the LGC (if any), SEC and FEC to which his or her Local Branch is allocated. A Local Branch Member who is not a member of the relevant LGC (if any), SEC and FEC may also vote on all motions put at meetings of those Conferences except where this Constitution provides that only Conference members may vote.
5	Young Liberal Council	In the case of Young Liberals only, to attend meetings of Young Liberal Council and speak to and vote on policy motions at Young Liberal Council.
6	Women's Council	In the case of female Members only, to attend meetings of Women's Council and speak to and vote on policy motions at Women's Council.
7	State Council	If not a member of State Council, to attend meetings of State Council and speak to motions during policy sessions of State Council.
8	Local Branches and Selection Committees	<p>(1) To be eligible to participate in the meeting of a Selection Committee subject to clause 3.2.4(5) and 3.2.5(10).</p>

### 3.2.3 Rights of Certain Young Liberals

A Young Liberal who is ineligible to vote in State or Federal elections in New South Wales has all the rights of a Local Branch Member referred to in **clause 3.2.2** but only with respect to offices and entitlements within the Movement. For avoidance of doubt, such a Young Liberal is ineligible to be chosen by his or her Local Branch to participate in the meeting of a Selection Committee.

### 3.2.4 Limits on Rights of Members in Ordinary Branches in Metropolitan Electorates

(1) A Branch Member of an Ordinary Branch in a Metropolitan Electorate does not have any Local Branch Membership Rights with respect to his or her membership of that Local Branch if the Local Branch is not allocated to the FEC in the Federal electorate where the person's Principal Place of Residence is located unless:

- (a) the Local Branch Member has been a member of that Local Branch for at least two years already;
  - (b) the Local Branch Member has been a member of that Local Branch since at least 2 August 2008 or
  - (c) the person's Principal Place of Residence was previously in such a Federal electorate and not more than three months has expired since the person's Principal Place of Residence ceased to be in that Federal electorate;
- (2) Subject to other provisions of **clause 3.2.4** a financial Local Branch Member has an entitlement:
  - (a) to exercise voting rights;
  - (b) to hold rights to be elected to office; and
  - (c) to be included in calculating a Local Branch's entitlements,with respect to only one Local Branch AGM in any two Membership Year period; and
- (3) A Local Branch Member is not eligible to stand for office in the Local Branch and vote upon election of office-bearers in the Local Branch unless the Member has been a member of the Local Branch for at least six months or the Local Branch has been in existence for less than 12 months.
- (4) A Local Branch Member:
  - (a) may not be counted for the purposes of Local Branch Entitlements under **clause 3.2.2** Row 3; and
  - (b) is not eligible to stand for office elected by an SEC, FEC or LGC; and
  - (c) is not eligible to stand for any office elected by State Council, Women's Council or Young Liberal Council.unless the Member has been a member of the Local Branch for at least six months.
- (5) A Local Branch Member other than a Member who is an office bearer of a Local Branch may not participate in a selection committee unless the Member has registered

before the close of the rolls in the manner prescribed by the State Director and who has either been:

- (a) a financial Member of that particular Local Branch for a continuous period of 2 years as at the close of rolls; or
  - (b) a financial Member of that particular Local Branch for a continuous period of 6 months, and a financial Member of the Division for a continuous period of 2 years, as at the close of rolls.
- (6) For the purpose of subclause 3.2.4(5), a Member will be deemed to be a continuous financial Member of the Local Branch and Division for a period of 2 years where that period includes:
  - (a) the 2 month period set out in clause 3.5.4, and the Member has paid their membership fees within that period; or
  - (b) the months of July 2018, August 2018, September 2018 and October 2018, and they have paid their membership fees within that 4 month period.
- (7) A Local Branch Member may not apply to join another Local Branch within six months after he or she became a member of his or her current Local Branch.
- (8) A Local Branch Member who joined the Division by joining a new Local Branch at a formation meeting or a Local Branch Member who joined a new Local Branch at a formation meeting may not apply to join another Local Branch within 12 months of the date of the formation meeting.
- (9) A Local Branch Member may not apply to join a new Local Branch at a formation meeting unless the Local Branch member is a member of a Local Branch in the same FEC as the new Local Branch.
- (10) A Local Branch Member of a Local Branch does not have any entitlement, arising out of their membership of that new Local Branch, to be a member of a Selection Committee within 12 months from the date of the formation meeting of that Local Branch.
- (11) Notwithstanding clause 3.2.4, a Member that has been permitted to join a Branch (to which clause 3.2.4 applies) by motion of State Executive pursuant to clause 2.4.7(3)

**3.2.5 Limits on Rights of Members in Local Branches in Country and Regional Electorates, and all Young Liberal Branches**

- will have Local Branch Membership Rights upon carriage of the motion by State Executive.
- (1) A Local Branch Member of:
- (a) a Local Branch in a Country or Regional electorate, or
  - (b) any Young Liberal Branch,
- does not have any Local Branch Membership Rights with respect to his or her membership of that Local Branch if the Local Branch is not allocated to the FEC in the Federal electorate where the person's Principal Place of Residence is located or to an adjoining Federal electorate unless:
- (c) the Local Branch Member has been a member of that Local Branch for at least two years already;
  - (d) the Local Branch Member has been a member of that Local Branch since at least 2 August 2008; or
  - (e) the person's Principal Place of Residence was previously in such a Federal electorate and not more than three months has expired since the person's Principal Place of Residence ceased to be in that Federal electorate;
- (2) Subject to other provisions of **clause 3.2.5** a financial Local Branch Member has an entitlement:
- (a) to exercise voting rights;
  - (b) to hold rights to be elected to office; and
  - (c) to be included in calculating a Local Branch's entitlements,
- with respect to only one Local Branch AGM in any two Membership Year period;
- (3) A Local Branch Member is not eligible to stand for office in the Local Branch and vote upon election of office-bearers in the Local Branch unless the Member has been a member of the Local Branch for at least six months or the local Branch has been in existence for less than 12 months.
- (4) A Local Branch Member:

- (a) may not be counted for the purposes of Local Branch Entitlements or under **clause 3.2.2** Row 3; and
- (b) is not eligible to stand for office elected by an SEC, FEC or LGC;
- (c) is not eligible to stand for any office elected by State Council, Women's Council or Young Liberal Council.

unless the Member has been a member of the Local Branch for at least six months.

- (5) A Local Branch Member may not apply to join another Local Branch within six months after he or she became a member of his or her current Local Branch.
- (6) A Local Branch Member who joined the Division by joining a new Local Branch at a formation meeting or a Local Branch Member who joined a new Local Branch at a formation meeting may not apply to join another Local Branch within 12 months of the date of the formation meeting.
- (7) A Local Branch Member may not apply to join a new Local Branch at a formation meeting unless the Local Branch member is a member of a Local Branch in the same or adjoining FEC as the new Local Branch.
- (8) A Member of a Local Branch does not have any entitlement, arising out of their membership of that new Branch, to be a member of a Selection Committee within 12 months from the date of the formation meeting of that Branch.
- (9) Notwithstanding clause 3.2.5, a Member that has been permitted to join a Branch (to which clause 3.2.5 applies) by motion of State Executive pursuant to clause 2.4.8(2) will have Local Branch Membership Rights upon carriage of the motion by State Executive.
- (10) A Local Branch Member other than a Member who is an office bearer of a Local Branch may not participate in a selection committee unless the Member has registered before the close of the rolls in the manner prescribed by the State Director and who has either been:
  - (a) a financial Member of that particular Local Branch for a continuous period of 2 years as at the close of rolls; or

- (b) a financial Member of that particular Local Branch for a continuous period of 6 months, and a financial Member of the Division for a continuous period of 2 years, as at the close of rolls.
- (11) For the purpose of subclause 3.2.5(10), a Member will be deemed to be a continuous financial Member of the Local Branch and Division for a period of 2 years where that period includes:
- (a) the 2 month period set out in clause 3.5.4, and the Member has paid their membership fees within that period; or
- (b) the months of July 2018, August 2018, September 2018 and October 2018, and they have paid their Membership fees within that 4 month period.
- 3.2.6 The Rights of General Members** Except as specifically provided elsewhere in this Constitution, a financial General Member has no voting rights within the Division.
- 3.2.7 The Rights of General Young Liberal Members**
- (1) A General Young Liberal Member may attend meetings of Young Liberal Council; but
- (2) Except as specifically provided elsewhere in this Constitution, a financial General Young Liberal Member has no voting rights in the Division, unless they are also an Ordinary Branch Member.
- 3.2.8 The Rights of Junior Members and Special Members** A Junior Member or a Special Member may attend and participate in meetings of the Local Branch of which the person is a member but has no Local Branch Membership Rights with respect to that Local Branch.
- 3.2.9 Observers** In addition to a financial member of the Organisation, any other person may attend a meeting of a Branch if by motion the meeting allows that person to attend the meeting as an observer.

### 3.3 DUAL MEMBERSHIP

- 3.3.1 Limit on Exercise of Rights** Despite **clause 3.2.2**, an eligible person who is a member of two or more Local Branches holds Branch Membership Rights in one only of those Local Branches.
- 3.3.2 Selection of Local Branch**
- (1) For the purposes of **clause 3.3.1**, an eligible person who is a member of two or more Local Branches may by notice given to the State Director nominate one of those Local

Branches as the Local Branch in which the person holds Local Branch Membership Rights.

- (2) If an eligible person who is a member of two or more Local Branches does not nominate one Local Branch as the Local Branch in which the person holds Local Branch Membership Rights, the person is deemed to hold Local Branch Membership Rights:
  - (a) if the person is a financial member of all Local Branches: in the Local Branch that the person joined first; or
  - (b) if the person is a financial member of one only of those Local Branches: in that Local Branch.

### 3.3.3 Date of Effect of Notice

A notice given to the State Director under **clause 3.3.2** is effective from the later of:

- (1) 28 days after the date of receipt of the notice by the State Director; and
- (2) six months after the date that a previous notice (if any) given by that person under **clause 3.3.2** took effect.

### 3.3.4 State Director to Maintain Register

The State Director must maintain a register:

- (1) of those eligible persons who have nominated a Local Branch under **clause 3.3.2** and the register must indicate the Local Branch nominated and the date of the latest nomination (if any) made by the person under **clause 3.3.2**; and
- (2) of those eligible persons who have not nominated a Local Branch under **clause 3.3.2** but whose entitlement to exercise rights is within **clause 3.3.2**.

### 3.3.5 Young Liberal Dual Membership

- (1) A Young Liberal may become a Dual Member of a Young Liberal Branch and an Ordinary Branch without additional cost and will be deemed to exercise voting rights only in the Young Liberal Branch.
- (2) If a Young Liberal elects to exercise voting rights in an Ordinary Branch and maintain membership of a Young Liberal Branch they will be required to pay the requisite membership for both Branches.
- (3) A Young Liberal may become a Dual Member of an Ordinary Branch and a General Young Liberal Member if there is no Young Liberal Branch allocated to the Federal

Electorate in which they reside. Such persons will be eligible for voting rights in their Ordinary Branch.

### 3.4 MEMBERSHIP FEES

- 3.4.1 State Council to Determine Membership Fees** State Council must determine:
- (1) an annual membership fee for each category of membership of the Division; and
  - (2) membership fees payable in relation to any other period of membership,
- after considering the recommendation of the Treasurer.

### 3.5 RENEWING MEMBERSHIP

- 3.5.1 State Director to Send Renewal Notices** Prior to the end of each Membership Year the State Director must send to all Members membership renewal notices in the form prescribed by State Executive.
- 3.5.2 Due Date for Payment** Membership fees are payable by 1 July in the manner prescribed by State Executive.
- 3.5.3 Date of Payment** A person's membership is renewed from the date of receipt by the State Director of the appropriate membership fee.
- 3.5.4 Effect of Not Renewing – Unfinancial Local Branch Members** A Local Branch Member who, with respect to his or her membership of a particular Local Branch, fails to pay a membership fee by the due date is deemed to be a Local Branch Member of that Local Branch for the period of up to two months after the due date. During that time the Local Branch Member:
- (1) does not hold Local Branch Membership Rights with respect to the Local Branch; but
  - (2) does not cease to hold any office by reason only that the person is an unfinancial Local Branch Member.
- 3.5.5 Effect of Not Renewing – Cessation of Local Branch Membership**
- (1) A Local Branch Member who, with respect to his or her membership of a particular Local Branch, fails to pay a membership fee within four months after the due date ceases to be a Local Branch Member of that Local Branch.
  - (2) A person who ceases to be a local Branch Member under **subclause 3.5.5(1)** is reinstated to membership of the Division as a Local Branch Member of the relevant Local



Branch if the person pays the membership fee within 12 months after the due date.

- (3) A person who is reinstated to membership under **clause 3.5.5(2)** may not exercise any rights under **clause 3.2.2** Rows 2, 3 and 8 until the person has been a financial member of the Division for a continuous period of six months.

**3.5.6 Effect of Not Renewing – Cessation of Membership as General Member**

- (1) A General Member who fails to pay a membership fee within two months after the due date ceases to be a General Member.
- (2) A person who ceases to be a General Member under **subclause 3.5.6(1)** is reinstated to membership of the Division as a General Member if the person pays the membership fee within 12 months after the due date.
- (3) Upon receipt by the State Director of that amount, the person's membership is deemed to have continued without interruption from the time it ceased until the date of payment but with respect only to things to be done or to be determined after the date of payment.

### **3.6 APPLYING TO TRANSFER LOCAL BRANCH MEMBERSHIP**

**3.6.1 Transfers of Local Branch Membership**

Applications to transfer Local Branch membership are subject to the provisions of **clauses 2.4, 3.2.4 and 3.2.5**.

### **3.7 APPLYING TO TRANSFER GENERAL MEMBERSHIP**

**3.7.1 How to Make an Application to Transfer**

If a General Member wishes to become a Branch Member, that person must follow the procedure in **clause 2.4** and the provisions of that clause apply to the Member's application.

### **3.8 CESSATION OF YOUNG LIBERAL MEMBERSHIP**

**3.8.1 Cessation of Young Liberal Membership**

Subject to **clause 3.8.2** a Young Liberal ceases to be a Young Liberal at the end of the Membership Year in which the Young Liberal attains the age of 30.

**3.8.2 Young Liberal Office Bearers turning 30**

- If:
- (1) during a Membership Year a Young Liberal attains the age of 30, and

- (2) at the end of that Membership Year he or she holds an office as a member of Young Liberal Executive of the kind listed as an elected member in **clause 15.3.1**,

he or she continues to be a Young Liberal during the next Membership Year until the end of that term of office.

### **3.9 RESIGNATION**

#### **3.9.1 Resignation of Branch Member**

- (1) A Branch Member may resign:
- (a) membership of a Branch; and/or
  - (b) membership of the Division,
- by giving notice to the State Director.
- (2) A General Member may resign:
- (a) membership of a Policy Branch;
  - (b) membership of a Professional Branch; and/or
  - (c) membership of the Division,
- by giving notice to the State Director.
- (3) The resignation is effective upon receipt of the notice by the State Director.
- (4) In the case of a Local Branch Member who resigns only membership of a Local Branch, the Local Branch Member automatically becomes a General Member.
- (5) The State Director must promptly give notice to the Local Branch Secretary of the resignation.

#### **3.9.2 Resignation of General Member or General Young Liberal Member**

- (1) A General Member or General Young Liberal Member may resign membership of the Division by giving notice to the State Director.
- (2) The resignation is effective upon receipt of the notice by the State Director.

#### **3.9.3 Resignation of a Liberal Councillor**

- (1) If a Member who is an endorsed Liberal Councillor elected to office in local government resigns from the Organisation during their term of office, that person may not rejoin the Division within a period of three years from the date of

resignation, except by motion passed by State Executive and ratified by State Council.

### 3.10 SUSPENSION OF MEMBERS

#### 3.10.1 State Executive May Suspend a Member

State Executive may suspend the membership of a Member on the following grounds:

- (1) that State Executive has resolved that a Member's conduct is unsatisfactory conduct as a member of the Division; or
- (2) that State Executive has resolved that a Member's conduct is misconduct as a member of the Division.

#### 3.10.2 What type of conduct may lead to suspension

- (1) Unsatisfactory conduct as a Member includes conduct either by an act or omission, which involves conduct which falls short of the standard of conduct that a Member of the Division is entitled to expect from a reasonable Member.
- (2) Misconduct as a Member includes conduct either by an act or omission, which involves a substantial or consistent failure to reach a reasonable standard of conduct as a Member
- (3) A breach of a mandatory code of conduct may be either unsatisfactory conduct or misconduct.

#### 3.10.3 Length of suspension

- (1) State Executive may suspend a Member's membership for up to 2 years under **clause 3.10.1(1)**.
- (2) State Executive may suspend a Member's membership for up to 5 years under **clause 3.10.1(2)**.

#### 3.10.4 Effect of Suspension

- (1) A Member whose membership has been suspended under **clause 3.10.1** has no rights under **clauses 3.2.1, 3.2.2, 3.2.3 and 3.2.6** as applicable.
- (2) A Member whose membership has been suspended for a period of three (3) months or more will automatically cease to hold any position as office bearer of any Body of the Division. The State Director will advise the relevant branch or conference of the member's suspension and that a vacancy has been created.

#### 3.10.5 Commencing the suspension procedures

State Executive may consider a resolution to suspend a Member:

- (1) upon its own motion; or

- 
- |  |     |   |
|--|-----|---|
|  | (2) | upon receipt of a written complaint from a Branch, FEC, SEC, LGC, Young Liberal Council or Women's Council.   |
|  | (3) | Upon receipt of a written complaint under the Code of Practice for Liberals in Local Government provided that the procedural fairness provisions in Appendix E have been followed.  |
| <b>3.10.6 Complaints submitted to State Executive</b>                    | (1) | A written complaint from a Local Branch, FEC, SEC, LGC, Young Liberal Council or Women's Council must be authorised by a motion from the Body requesting State Executive to suspend the membership of a Member.   |
|  | (2) | The Body in <b>clause 3.10.5(2)</b> may only consider such a motion if the Body has followed the procedural fairness provisions in <b>Appendix E</b> .  |
| <b>3.10.7 Procedure for Suspending a Member</b>                          | (1) | State Executive may suspend the membership of a Member under <b>clause 3.10.1</b> only if each member of State Executive and the Member is given at least 28 days' notice that a motion to suspend the Member will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in <b>Appendix E</b> . |
| <b>3.10.8 State Executive May Make a Recommendation to State Council</b> |     | In addition to suspending the membership of a Member under <b>clause 3.10.1(2)</b> , State Executive may recommend to State Council that the Member be expelled under <b>clause 3.14</b> .  |
| <b>3.10.9 Right of Appeal</b>  | (1) | A Member suspended by State Executive has a right of appeal to State Council at its next meeting.   |
|  | (2) | State Council may confirm or overturn the suspension.   |
|  | (3) | Notice of appeal must be in writing and given to the State Director within seven days of the State Director giving the Member notice of the suspension of their membership.   |
|  | (4) | Any motion at State Council to overturn the suspension must be carried by 60% majority of its members present and voting.   |
| <b>3.10.10 Effect of Appeal and Expiration of Period of Suspension</b>   |     | On the expiration of a period of suspension or the passing of a motion by State Council to overturn the suspension by State Executive of a Member, the membership of the Member is deemed to have continued without interruption from the time it was suspended until the expiration of the suspension or the passing of  |

the motion by State Council (as the case may be), but with respect only to things to be done or to be determined after that later time.

### 3.10.11 Special Powers not to be used

Despite any other provision of this Constitution State Executive may not vary the provisions of **clauses 3.10.1, 3.10.2, 3.10.3 and 3.10.4** by the use of special powers in **clause 13.2.4**.

## 3.11 AUTOMATIC TERMINATION OF MEMBERSHIP

### 3.11.1 Circumstances in Which Membership Automatically Terminates

A person's membership of the Division automatically terminates in the circumstances set out in the following table.

A	
Circumstances in Which Membership Automatically Ceases	
1	If a Member becomes a member of a Proscribed Organisation First Limb.
2	<p>(1) If a Member who is not a candidate endorsed by the Organisation for election to an office without the prior written permission of State Executive:</p> <p>(a) nominates or publicly announces or causes or permits to be announced that Member's proposed nomination as a candidate for election to that office when there is a candidate endorsed by the Organisation for election to that office or State Executive has resolved to call for nominations for endorsement by the Organisation for election to that office; or</p> <p>(b) claims to be an endorsed candidate of the Organisation for election to any office.</p>
3	<p>If a Member who has, without the prior written permission of State Executive, nominated for election to an office and is not a candidate endorsed by the Organisation for election to that office, publicly announces or causes or permits to be publicly announced:</p> <p>(1) that the candidate is a Member;</p> <p>(2) the name of the Local Branch of which the candidate is a member;</p> <p>(3) any office held by the candidate in the Organisation; or</p> <p>(4) in any other way relates the word "Liberal" to the candidacy,</p> <p>unless it is also publicly announced or caused or permitted to be announced that the candidate is not an endorsed candidate of the Organisation for election to that office.</p>

- 
- 3.11.2 State Director To Give Notice** If the State Director becomes aware that the circumstances referred to in **clause 3.11.1** apply with respect to a Member, the State Director must give notice to that Member that his or her membership will automatically terminate 21 days after the giving of the notice.
- 3.11.3 When Automatic Termination Takes Effect** The membership of a Member terminates on the date that is 21 days after the State Director gives notice under **clause 3.11.2**.
- 3.11.4 Prohibitions on Rejoining Division** If a person's membership terminates under this **clause 3.11**, the person cannot rejoin the Division for the following periods after the termination takes effect:
- (1) within three years if the Member publicly announced or caused or permitted to be announced that Member's proposed nomination as a candidate for election to that office; or
  - (2) within ten years if the Member nominated for election to that office;
- except by motion passed by State Executive ratified by State council.
- 3.11.5 No Right of Appeal** There is no appeal with respect to termination of membership under this **clause 3.11**.
- 3.11.6 Former Members** If:
- (1) the State Director becomes aware that, as at any time when a former Member was a Member, the circumstances referred to in **clause 3.11.1** applied to that Member, and
  - (2) the State Director gives notice of this to State Executive,
- that person cannot rejoin the Division within the applicable periods specified in **clause 2.2.2** dating from the date of the conduct in column B of **clause 2.2.2**, except by motion passed by State Executive ratified by State Council.

### **3.12 EXPULSION OF MEMBER WHO ACTIVELY ASSISTS OTHER CANDIDATES**

- 3.12.1 State Executive May Expel Member** State Executive may expel a Member where the Member has actively assisted a candidate other than a candidate endorsed or approved by the Organisation for election to office in Federal,

- State or local government for which there is a candidate endorsed by the Organisation or for which State Executive has resolved to call for nominations.
- 3.12.2 Procedure for Expelling Member** State Executive may expel a Member under **clause 3.12.1** only if the Member and each member of State Executive is given at least 28 days' notice that a motion that the Member be expelled will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in **Appendix E**.
- 3.12.3 Prohibition on Rejoining Division** If a person is expelled under this **clause 3.12**, the person cannot rejoin the Division:
- (1) in the case of active assistance given in a Federal or State election up to five years after the time the expulsion takes effect;
  - (2) in the case of active assistance given in any other election, within three years after the time the expulsion takes effect;
- except by motion passed by State Executive ratified by State Council.
- 3.12.4 No Right of Appeal** There is no appeal with respect to expulsion under this **clause**.
- 3.12.5 Former Members** (1) If:
- (a) a person who has been a Member within three years of the day of the election referred to under **clause 3.12.1**, and
  - (b) that person actively assisted a candidate other than a candidate endorsed or approved by the Organisation for election to office in Federal, State or local government for which there was a candidate endorsed by the Organisation or for which State Executive had resolved to call for nominations,
- State Executive may, if each member of State Executive is given at least 28 days' notice that such a motion (the "former motion") will be considered by State Executive, resolve that person cannot rejoin the Division up to five years after that resolution except by motion passed by State Executive ratified by State Council.
- (2) With respect to the former motion:

(a) the procedural fairness provisions in Appendix E do not apply, and

(b) there is no right of appeal.

### **3.13 EXPULSION OF LOCAL BRANCH MEMBERS BY LOCAL BRANCHES**

#### **3.13.1 Procedure for Expelling a Local Branch Member**

A Local Branch Member may be expelled from his or her Local Branch if each member of the Local Branch is given at least 28 days' notice in writing that a motion to expel the Local Branch Member will be put at a general meeting of the Local Branch and with respect to that motion the Local Branch follows the procedural fairness provisions in **Appendix E**.

#### **3.13.2 Local Branch Secretary Must Give Notice to State Director**

The Secretary of a Local Branch that passes a motion to expel one of its Local Branch Members must immediately give notice to the State Director of the motion.

#### **3.13.3 Effect of Expulsion**

On the passing of a motion by a Local Branch to expel one of its Local Branch Members, that Local Branch Member becomes a General Member.

#### **3.13.4 Expelled Member May Apply to Join Another Local Branch**

If a General Member who was expelled from the Local Branch of which he or she was last a Local Branch Member applies to transfer to another Local Branch:

- (1) the State Director must give notice to the Secretary of that other Local Branch of the fact of the person's expulsion from his or her last Local Branch; and
- (2) the Secretary of that other Local Branch must give notice to the members of that Local Branch of the fact of the person's expulsion before the person's application to transfer is considered by the Local Branch.

### **3.14 EXPULSION OF LOCAL BRANCH MEMBERS BY STATE COUNCIL**

#### **3.14.1 Procedure for Expulsion**

A Local Branch Member is expelled from the Division if each member of State Council is given at least 28 days' notice in writing that a motion to expel the Local Branch Member will be put at a meeting of State Council and with respect to that motion State Council follows the procedural fairness provisions in **Appendix E**.



- 3.14.2 When Expulsion Takes Effect** A Local Branch Member ceases to be a Member on the carrying by State Council of the motion that the person be expelled.
- 3.14.3 No Re-Admission Without Approval**
- (1) A person who ceases to be a Local Branch Member under **clause 3.14.1** may not rejoin the Division within three years after the passing by State Council of the motion that the person be expelled except by motion passed by State Council.
  - (2) If, after the expiry of that period, the person applies to join a Local Branch, that person must give notice to the State Director and that Local Branch of the fact of the person's expulsion before the person's application for membership is considered by the Local Branch.
- 3.14.4 Former Members**
- (1) State Council may resolve that a former Local Branch Member may not rejoin the Division within three years after the passing by State Council of such a motion (the "former motion") except by further motion passed by State Council.
  - (2) With respect to the former motion, the procedural fairness provisions in **Appendix E** do not apply.
  - (3) If, after the expiry of that period, the person applies to join a Local Branch, that person must give notice to the State Director and that Local Branch of the fact that that person was the subject of the motion referred to in (1) above before the person's application for membership is considered by the Local Branch.

### 3.15 EXPULSION OF GENERAL MEMBERS

- 3.15.1 Procedure for Expelling a General Member** A General Member is expelled from the Division if each member of State Executive is given at least 28 days' notice in writing that a motion to expel the General Member will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in **Appendix E**.
- 3.15.2 When Expulsion Takes Effect** A General Member who is expelled from the Division ceases to be a Member on the carrying by State Executive of the motion that the person be expelled.

### 3.16 EXPULSION OF LOCAL BRANCH MEMBER IN CASE OF CRIMINAL CONDUCT

#### 3.16.1 State Executive May Expel a Local Branch Member

State Executive may expel a Local Branch Member where State Executive is of the opinion that:

- (1) the Local Branch Member has publicly admitted serious criminal conduct (whenever the conduct occurred) or has been convicted of a serious criminal offence (whenever the offence or conviction occurred); and
- (2) if the Local Branch Member remained a member of the Division, this would:
  - (a) result in damage to the reputation of the Division or Organisation;
  - (b) cause embarrassment to the Division or Organisation; or
  - (c) reduce the Division's or Organisation's prospects of success in any election.

#### 3.16.2 Procedure for Expelling Member

State Executive may expel a Local Branch Member under **clause 3.16.1** only if the Branch Member and each member of State Executive are given at least 28 days' notice that a motion that the Local Branch Member be expelled will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in Appendix E (except that the motion must be carried by not less than 75% of the members of State Executive present and voting).

#### 3.16.3 Prohibition on Rejoining Division

- (1) A person who is expelled under this **clause 3.16** may not rejoin the Division within three years after that expulsion except by motion passed by State Council.
- (2) If, after the expiry of that period, the person applies to join a Local Branch, that person must give notice to the State Director and that Local Branch of the fact of the person's expulsion before the person's application for membership is considered by the Local Branch.

#### 3.16.4 Right of Appeal

A Local Branch Member expelled under this **clause 3.16** may appeal to State Council, which may reverse the expulsion subject to the following:

- (1) The Local Branch Member and each member of State Executive must be given at least 28 days' notice that a

motion to reverse the expulsion of the Branch Member will be put at a meeting of State Council.

- (2) With respect to that motion, the procedural fairness provisions in **Appendix E** must be followed, subject to **sub-clause 3.16.4(3)** below.
- (3) That motion must be carried by a majority of not less than 60% of the members of State Council present and voting.
- (4) The Local Branch Member remains expelled unless and until State Council reverses the expulsion.

### 3.16.5 Former Members

- (1) If:
  - (a) State Executive is of the opinion that a former Local Branch Member has publicly admitted serious criminal conduct (whenever the conduct occurred) or has been convicted of a serious criminal offence (whenever the offence or conviction occurred),
  - (b) State Executive is also of the opinion that if the former Local Branch Member were to re-join the Division at the present time, this would:
    - (i) result in damage to the reputation of the Division or Organisation;
    - (ii) cause embarrassment to the Division or Organisation;
    - (iii) or reduce the Division's or Organisation's prospects of success in any election, and
  - (c) each member of State Executive is given at least 28 days' notice that such a motion be put at a meeting of State Executive,

State Executive may resolve that that former Local Branch Member may not rejoin the Division within three years after that motion except by motion passed by State Council.

- (2) With respect to the former motion:
  - (a) the procedural fairness provisions in **Appendix E** do not apply, and
  - (b) there is no right of appeal.
- (3) If, after the expiry of that period, the person applies to join a Local Branch, that person must give notice to the State

Director and that Local Branch of the fact that that person was the subject of the motion referred to in (1) above before the person's application for membership is considered by the Local Branch.

**3.16.6 Publication of suspended or expelled Members**

In the case of the use of powers under **clauses 3.10, 3.11, 3.12, 3.15, 3.16** the State Director shall:

- (1) Notify within seven days any Body of which the Member is or was a member and the members of State Executive, the name of that Member, the clause used in relation to that Member, and the penalty imposed; and
- (2) Report to the next meeting of State Council name of the Member, the clause used in relation to that Member and the penalty imposed, unless otherwise decided by State Executive by the use of special powers under **clause 13.2.4**.

**3.17 URGENT SUSPENSION OR EXPULSION OF MEMBERS BY STATE DIRECTOR**

**3.17.1 State Director May Suspend a Member**

The State Director, in consultation with the State President, may determine to suspend the membership of a Member if:

- (1) The State Director has determined that a Member's conduct breached the provisions of either the Media, Finance or Ethics Mandatory Codes of Practice or Rules adopted by State Executive under **clause 13.2.3**; and
- (2) The Member's conduct is likely to:
  - (a) result in damage to the reputation of the Division or Organisation; or
  - (b) cause embarrassment to the Division or Organisation, the Party or a Parliamentary Leader; or
  - (c) reduce the Division's or Organisation's prospects of success in any election.

**3.17.2 Suspension or Expulsion by the State Director during Campaign Periods**

- (1) For the purposes of this clause, a 'Campaign Period' shall be determined by the State Executive.
- (2) During a Campaign Period for any local, state or federal election and up until that day immediately following polling day for that election, the State Director, in consultation with the State President, may determine to suspend the membership of, or expel, a Member if:

- (a) The State Director has determined, at his or her sole discretion, that the Member's conduct breached the provisions of the Media, Finance or Ethics Mandatory Codes of Practice or Rules adopted by State Executive in accordance with **clause 13.2.3**; or
- (b) The State Director has determined that the Member's conduct may constitute an offence under a state or federal law; or
- (c) The State Director has determined, at his or her sole discretion, that the conduct of that Member is likely to:
  - (i) result in damage to the reputation of the Division or Organisation;
  - (ii) cause embarrassment to the Division or Organisation, the Party or a Parliamentary Leader; or
  - (iii) reduce the Division's or Organisation's prospects of success in any election.

**3.17.3 Notice to Member**

- (1) If the State Director makes a determination in accordance with **clause 3.17.1** or **3.17.2** the Member must be notified in writing of that determination.
- (2) The notice must set out the following:
  - (a) The length of the suspension;
  - (b) The reasons for the suspension or expulsion;
  - (c) The effect of the suspension or expulsion; and
  - (d) The rights of appeal.

**3.17.4 Ratification by State Executive**

State Executive may ratify a determination by the State Director at the first meeting after the determination is made. If State Executive does not ratify the determination at that meeting the suspension or expulsion is of no effect.

**3.17.5 Effect and Length of Suspension by State Director**

- (1) A suspension of a Member in accordance with **clause 3.17.1** or **3.17.2** may not exceed 6 months and is effective from the date of the giving of a notice in accordance with **clause 3.17.3**.
- (2) A Member whose membership has been suspended for a period of three (3) months or more will automatically cease

to hold any position as office bearer of any Body of the Division. The State Director will advise the relevant branch or conference of the member's suspension and that a vacancy has been created.

- 3.17.6 Effect of suspending or expelling a member who is an endorsed Liberal candidate** A suspension or expulsion of a Member in accordance with **clause 3.17.2** where the Member is at the time of the suspension or expulsion an endorsed Liberal candidate for federal, state or local government office has the automatic effect of disendorsing the Member as Liberal candidate for the relevant federal, state or local government office.
- 3.17.7 No right of appeal for member disendorsed in Campaign Period** A Member who is disendorsed as the Liberal candidate for federal, state or local government office in accordance with **clause 3.17.6** has no right of appeal or review.
- 3.17.8 Right of Appeal** A Member who has been suspended or expelled under this clause 3.17 may appeal to State Council, which may reverse the suspension or expulsion subject to the following:
- (1) The Member and each member of State Executive must be given at least 28 days' notice that a motion to reverse the expulsion of the Branch Member will be put at a meeting of State Council.
  - (2) With respect to that motion, the procedural fairness provisions in Appendix E must be followed, subject to sub-clause 3.17.8(3) below.
  - (3) That motion must be carried by a majority of not less than 60% of the members of State Council present and voting.

## 4. REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS

### 4.1 HOLDING VALID MEETINGS

- 4.1.1 What is Required for a Valid Meeting** Subject to **clause 4.1.3**, a gathering of members of a Body of the Division is a meeting only if it complies with the relevant requirements in **Appendix B**. It is otherwise of no effect.
- 4.1.2 Form of Meeting** Despite any other provision in this Constitution:
- (1) members of a Body of the Division may meet in person, by video conference, teleconference or similar means or by a combination of those forms; and

- (2) a meeting may be held at separate locations at the same or different times.

#### **4.1.3 Time Limit on Objections**

A gathering of members of a Body of the Division is deemed to be a valid meeting of that Body if either:

- (1) minutes of that gathering as a purported meeting are adopted at a subsequent meeting of that Body, and
- (2) no objection to the validity of that gathering as a purported meeting is made by any Member in writing to the State Director within two months after that adoption of minutes;

or

- (3) in the case of a gathering at which an office bearer is purportedly elected:
  - (a) details of that purported election are sent to the State Director, and
  - (b) no objection to the validity of that gathering as a purported meeting is made by any Member in writing to the State Director within two months after receipt of those details by the State Director.

#### **4.1.4 Time Limit on Objections**

The purported carriage of business at a meeting of a Body of the Division is deemed to be the validly conducted business of that Body if either:

- (1) minutes recording that carriage of business are adopted at a subsequent meeting of that Body, and
- (2) no objection to the validity of that carriage of business is made by any Member in writing to the State Director within two months after that adoption of minutes;

or

- (3) in the case of business which is the election of an office bearer:
  - (a) details of that purported election are sent to the State Director and no later to all other persons entitled to notice of the result of that election, and
  - (b) no objection to the validity of that purported election is made by any Member in writing to the State Director

within two months after receipt of those details by the State Director.

**4.1.5 Opportunity to correct defect**

If the State Director or the Disputes Panel rules that a gathering of members was not a valid meeting of a Body:

- (1) any time limit otherwise imposed by this constitution for the holding of such a meeting is extended until one month after that ruling, and
- (2) a subsequent gathering of members of that Body held within one month after that ruling is a valid meeting of that Body if it otherwise complies with the relevant requirements in **Appendix B**.

**4.1.6 Opportunity to correct defect**

If the State Director or the Disputes Panel rules that the purported carriage of business at a meeting of a Body was invalid, any time limit otherwise imposed by this constitution for the carriage of that business is extended until two months after that ruling.

**4.2 OTHER PROVISIONS RELATING TO MEETINGS**

**4.2.1 Quorum**

- (1) A quorum must be maintained at all times during a meeting or the meeting lapses and after that time is of no effect.
- (2) Unless otherwise specified within this Constitution, the quorum for any meeting of a body of the Division shall be 50% of the members of that Body including, for the avoidance of doubt, a meeting of a nomination review committee.

**4.2.2 Alternates**

- (1) If a delegate from one Body in the Division ("**Sponsoring Body**") is unable to attend all or any part of a meeting of another Body of the Division, that delegate may by letter addressed to the chairperson of the other Body of the Division appoint any other member of the Sponsoring Body who would (at the time of appointment) be eligible to be elected as a delegate to that other Body to act as his or her alternate with the voting rights of that delegate.
- (2) If a delegate fails to appoint an alternate, the President or the Secretary of the Sponsoring Body may do so in the same manner.
- (3) No alternate may be elected as an office-bearer of the other Body in the Division.



- (4) If a person is a member of a Body of the Division in more than one capacity, that person:
  - (a) has only one vote at meetings of that other Body; and
  - (b) can only appoint one alternate in his or her place at meetings of that other Body.

#### **4.2.3 What Must Be Done After a Local Branch AGM**

Within 14 days after each Local Branch AGM the Local Branch Secretary must complete a Local Branch report in the form prescribed by State Executive and send it:

- (1) to the State Director;
- (2) to the appropriate field officer (if any);
- (3) in the case of an Ordinary Branch and a Young Liberal Branch: to the Secretary of the FEC, SEC and LGC to which the Local Branch is allocated and to any Member who is a member of the House of Representatives or the Legislative Assembly for the electorates of the FEC or SEC respectively to which the Local Branch is allocated; and
- (4) in the case of a Young Liberal Branch: to the President of Young Liberal Council.

#### **4.2.4 What Must Be Done After an AGM of an FEC, SEC or LGC**

Within 14 days after each AGM of an FEC, SEC or LGC, the Secretary must complete an FEC, SEC or LGC report in the form prescribed by State Executive and send it:

- (1) to the State Director;
- (2) to the appropriate field officer (if any);
- (3) in the case of an FEC: to any Member who is a member of the House of Representatives for the electorate of the FEC; and
- (4) in the case of an SEC: to any Member who is a member of the Legislative Assembly for the electorate of the SEC.

### **4.3 REQUISITIONING MEETINGS**

#### **4.3.1 Requisitioning Meetings of Local Branches, FECs, SECs, LGCs and State Council**

- (1) A meeting of a Local Branch, an FEC, an SEC, an LGC or State Council ("**Body**") may be requisitioned by not less than 30% of the members of that particular Body.

- (2) The President of such a Body must call a meeting of that Body to take place within 14 days (or 21 days in the case of an AGM) after the giving of written notice of a requisition.
- (3) If the President of the Local Branch fails to call a meeting of the Local Branch which in fact takes place within the time specified in **subclause 4.3.1(2)** or if there is no properly appointed person holding the office of President, the President of the FEC or SEC to which the Local Branch is allocated must call a general meeting of the Local Branch. For that purpose the President of the FEC or SEC may obtain from the State Director the names and last recorded addresses of the members of the Local Branch.
- (4) If:
  - (a) the President of an FEC, SEC, LGC or the President of the Division fails to call a meeting of the Body within the time specified in **subclause 4.3.1(2)**;
  - (b) there is no properly appointed person holding the office of President; or
  - (c) in the case of a Branch, the President of the FEC or SEC to which the Branch is allocated fails to call a meeting of the Body within a reasonable time,the State Director must call a meeting of the Body.

#### **4.3.2 Requisitioning Committee Meetings**

- (1) A meeting of the Committee of a Local Branch, an FEC, an SEC or an LGC, Young Liberal Executive, the General Committee of Women's Council, State Executive and any committee or standing committee of State Council, State Executive, Young Liberal Council or Women's Council ("**Body**") may be requisitioned by not less than 30% of the members of the Body.
- (2) The chairperson of the Body must call a meeting of the Body to take place within 14 days after the giving of written notice of a requisition.
- (3) If the chairperson of the Body fails to call a meeting of the Body within the time specified in **subclause 4.3.2(2)**, the members of the Body who signed the requisition may convene a meeting of the Body.

#### 4.4 AUDIO VISUAL ATTENDANCE AT MEETINGS

##### 4.4.1 Meetings to Include Meetings by Telephone etc

A reference in this Constitution to a meeting includes a reference to a situation where, through a link established by means of any system of telephone, audio or audio-visual communication, the member or members of a Body of the Division absent from the place appointed for a meeting of the Body can hear and be heard by:

- (1) one another (if more than one); and
- (2) the member or members of the Body in attendance at that place.

##### 4.4.2 Members Deemed to be Present at Meeting

Where **clause 4.4.1** applies:

- (1) the member or members of the Body in attendance at the place appointed for the meeting; and
- (2) the member or members absent from that place but who can hear and be heard as described in that clause,

are deemed to be assembled together at that meeting held at that place.

##### 4.4.3 Restrictions on the use of telephones etc

The following restrictions apply to a Member or person attending a meeting under **clause 4.4.1**:

- (1) A Member may not chair a meeting of any Body, except in the case where the place designated for the meeting is an audio-visual, video-conferencing or tele-conferencing platform.
- (2) Except in the case of a Selection Committee which State Executive has resolved will take place by audio-visual means, a Member may not vote in any secret ballot held during a meeting of a Body.
- (3) A person may not attend a formation meeting of a Local Branch or Special Branch.
- (4) A Member may not attend an AGM of a Local Branch, SEC, or FEC allocated to a Metropolitan Electorate.
- (5) A Member may not attend an AGM of a Special Branch for the purposes of this clause.

- (6) A Member may attend an AGM of a Local Branch, SEC or FEC allocated to a Country or Regional Electorate except that such a Member may not vote in a secret ballot.
- (7) A member of State Executive may attend a State Executive Meeting and is afforded all voting rights.
- (8) A Member may not vote in any way for the choosing of selectors for the purposes of a Selection Committee.
- (9) The chairperson may exclude a person from attending or participating in a meeting if in the opinion of the chairperson there are reasonable grounds to doubt the identity of the person.”
- (10) The chairperson must apply as far as practicable any guide published by the State Director from time to time in relation to establishing the identity of a person.

## 4.5 WRITTEN MOTIONS

### 4.5.1 Written Motions Permitted

A written motion signed or acknowledged in writing or by electronic mail by all the members of any Body of the Division is taken to be a decision of the Body passed at a meeting of the Body duly convened and held.

### 4.5.2 Form of Written Motion

The written motion may consist of:

- (1) one or more documents each indicating the identity of each signatory, the text of the motion and each signatory’s agreement or disagreement to the motion, as the case may be, each signed by one or more Members; and/or
- (2) the printed record of one or more electronic mail messages each indicating the identity of the sender, the text of the resolution and the sender’s agreement or disagreement to the motion, as the case may be,

and such motion takes effect on the last date on which a member signs one of the documents referred to in **subclause 4.5.2(1)** above or sends one of the messages referred to in **subclause 4.5.2(2)** above.

### 4.5.3 How Written Motions are Carried

A written motion signed or acknowledged in writing or by electronic mail message by the members of any Body of the Division must indicate whether the member votes for or against the motion and is carried only if a sufficient number of members vote in favour of the motion.

**4.5.4 Sufficient Evidence of a Written Motion**

- (1) A facsimile copy of a document signed by a member of a Body of the Division is sufficient evidence that the member has signed a document in accordance with this **clause 4.5** unless there is other evidence which suggests that the member did not do so.
- (2) The printed record of an electronic mail message indicating the identity of the sender by secure electronic signature as a member of a Body of the Division must be accepted as authentic unless there is other evidence which suggests that it did not come from the sender identified.

**4.6 IDENTIFICATION OF MEMBERS****4.6.1**

If in the opinion of the chairperson of a meeting on reasonable grounds there is doubt as to the identity of a person attending a meeting and purporting to be a Member:

- (1) The chairperson may request that person to produce sufficient identification to satisfy the chairperson of the identity of the person and of the status as a Member of the Division.
- (2) A person who refuses or fails to provide sufficient identification to the chairperson shall not exercise any of the rights of membership of the Division at that meeting and must not be counted for the purposes of quorum.
- (3) If a person fails to produce sufficient identification to the chairperson or if the chairperson is not satisfied as to the identity or membership status of that person, the chairperson may suspend the meeting until that person leaves or is removed from the meeting.
- (4) The chairperson must apply as far as is practicable any guide published by the State Director from time to time in relation to the application of this clause.

**4.7 MATTERS OF INTERPRETATION OF THIS CONSTITUTION RAISED AT MEETINGS****4.7.1 Interpretation of this Constitution**

- (1) Issues relating to the interpretation of this Constitution that arise at a meeting must be decided in the first instance by a ruling of the chairperson of the meeting.
- (2) If a motion of dissent is carried in the ruling of the chairperson, the matter must be adjourned and the

question referred to the Disputes Panel which must rule upon it and advise the Body.

## 4.8 POLICY BRANCHES AND PROFESSIONAL BRANCHES

### 4.8.1 Policy and Professional Branches Virtual Meetings

Without limiting any part of **clause 4** of this Constitution, a Policy Branch or a Professional Branch may consider and resolve in relation to any policy motion, and debate on it, in such manner as the Chairman of that Branch considers appropriate from time to time. This may include conduct of “virtual meetings” over the internet, polling over a period of time over the internet or decision-making mechanisms other than meetings

## 5. NOTICE

### 5.1 NOTICE

#### 5.1.1 Notice

The provisions of **Appendix C** apply whenever this Constitution requires notice, documents or payments to be given, delivered or made.

#### 5.1.2 Members to Give Address to State Director

- (1) Each Member must give to the State Director an electronic mail (e-mail) address to which notices to the Member may be sent or, if Member does not have such an address, a postal address to which notices to the Member may be sent.
- (2) Each Member is solely responsible for ensuring the accuracy and currency of addresses provided under (1) and any person obliged to provide notice under this Constitution is entitled to rely on the accuracy and currency of an address of a Member held by the State Director.

## 6. FORMING A NEW BRANCH

### 6.1 TYPES OF BRANCHES

**6.1.1 Types Of Branches** The following types of Branches may be formed in the Division:

- (1) Ordinary Branches;
- (2) Young Liberal Branches;

- (3) Special Branches;
- (4) Policy Branches; and
- (5) Professional Branches.

## 6.2 HOW TO FORM A NEW ORDINARY BRANCH OR YOUNG LIBERAL BRANCH

### 6.2.1 Forming a New Ordinary Branch or Young Liberal Branch

The procedure to form a new Ordinary Branch or Young Liberal Branch is in the following table.

	A	B
	Where there is more than one Ordinary Branch in the relevant State electorate	Where there is not more than one Ordinary Branch in the relevant State Electorate
1	<p>A motion at a meeting of an SEC to form a new Branch within the SEC cannot be considered by the SEC unless the notice of that meeting is accompanied by a report by the SEC committee (or in default, by any member of the SEC) which sets out:</p> <ul style="list-style-type: none"> <li>(a) each criterion prescribed by State Executive for the formation of new branches, and</li> <li>(b) views, with reasons, on whether the new Branch meets that criterion.</li> </ul>	<p>A motion at a meeting of an SEC to form a new Branch cannot be considered by the SEC unless the notice of that meeting is accompanied by a report by the SEC committee (or in default, by any member of the SEC) which sets out:</p> <ul style="list-style-type: none"> <li>(a) each criterion prescribed by State Executive for the formation of new branches, and</li> <li>(b) views, with reasons, on whether the new Branch meets that criterion.</li> </ul>
2	A motion to form the new Branch must be passed at a meeting of the SEC to which the new Branch will be allocated.	If there is an SEC, a motion to form the new Branch must be passed at a meeting of the SEC to which the new Branch will be allocated.
3	If a motion to form the new Branch is lost at the SEC meeting, no further action may be taken.	If the motion to form the new Branch is lost at the SEC meeting, intending members may apply to State Executive for approval to convene a formation meeting. That application must be accompanied by a submission which sets out:

		<p>(a) each criterion prescribed by State Executive for the formation of new branches; and</p> <p>(b) a submission, with reasons, on whether the new Branch meets that criterion.</p>
4	<p>If a motion to form a new Branch is passed at a meeting of the SEC to which the new Branch will be allocated, the SEC secretary must promptly notify in writing:</p> <p>(a) the State Director,</p> <p>(b) any Member who is a member of the House of Representatives for the electorate of the FEC to which the Branch will or may be allocated,</p> <p>(c) any Member who is a member of the Legislative Assembly for the electorate of the SEC to which the Branch is allocated, and</p> <p>(d) the secretaries of the FEC and the LGC to which the Branch is or may be allocated,</p> <p>and provide each with a copy of a report by the SEC committee (which may be the same report as referred to above) which sets out:</p> <p>(a) each criterion prescribed by State Executive for the formation of new branches, and</p> <p>(b) the SEC committee's views, with reasons, on whether the new Branch meets that criterion.</p>	<p>If a motion to form a new Branch is passed at a meeting of the or SEC to which the new Branch will be allocated, the SEC secretary (or in default the State Director) must promptly notify in writing:</p> <p>(a) the State Director,</p> <p>(b) any Member who is a member of the House of Representatives for the electorate of the FEC to which the Branch will or may be allocated,</p> <p>(c) any Member who is a member of the Legislative Assembly for the electorate of the SEC to which the Branch is allocated, and</p> <p>(d) the secretaries of the FEC and the LGC to which the Branch is or may be allocated,</p> <p>and provide each with a copy of a report by the SEC committee (which may be the same report as referred to above) which sets out:</p> <p>(a) each criterion prescribed by State Executive for the formation of new branches, and</p> <p>(b) the SEC committee's views, with reasons, on whether the new Branch meets that criterion.</p> <p>If instead under row 3 above intending members apply to State Executive for approval to convene a formation meeting, the State Director must promptly inform in writing:</p> <p>(a) any Member who is a member of the House of Representatives for the electorate of the FEC to which the Branch will or may be allocated,</p> <p>(b) any Member who is a member of the Legislative Assembly for the electorate of</p>



		<p>the SEC to which the Branch is allocated, and</p> <p>(c) the secretaries of the FEC and the LGC to which the Branch is or may be allocated,</p> <p>and provide each with a copy of the submission by the intending members referred to in row 3 above.</p>
5	<p>If a motion to form a new Branch is passed at a meeting of the SEC to which the new Branch will be allocated, State Executive must then decide whether to authorise the formation of the new Branch.</p>	<p>If:</p> <p>(a) a motion to form a new Branch is passed at a meeting of the SEC to which the new Branch will be allocated, or</p> <p>(b) intending members apply under in row 3 above,</p> <p>State Executive must then decide whether to authorise the formation of the new Branch. In the case of (b), State Executive may only authorise the formation of the new Branch by motion passed by a majority of not less than 60% of the members of State Executive present and voting.</p>
6	<p>If State Executive decides not to authorise the formation of the new Branch, no further action may be taken.</p>	<p>If State Executive decides not to authorise the formation of the new Branch, no further action may be taken.</p>
7	<p>If State Executive decides to authorise the formation of the new Branch, the SEC must then convene a formation meeting to take place within 3 months after that decision by State Executive.</p> <p>If the formation meeting does not take place within 3 months after that decision by State Executive, State Executive's authorisation and this branch formation procedure both lapse.</p> <p>The formation meeting must be chaired by the State Director or a nominee of the State Director.</p> <p>The State Director may appoint a returning officer for a formation meeting. The chairperson and returning officer may be the same person.</p>	<p>If State Executive decides to authorise the formation of the new Branch, the State Director must then convene a formation meeting to take place within 3 months after that decision by State Executive.</p> <p>If the formation meeting does not take place within 3 months after that decision by State Executive, State Executive's authorisation and this branch formation procedure both lapse.</p> <p>The formation meeting must be chaired by the State Director or a nominee of the State Director.</p> <p>The State Director may appoint a returning officer for a formation meeting. The chairperson and returning officer may be the same person.</p>

8	<p>The formation meeting must be advertised in a local newspaper. The notice must specify:</p> <p>(a) the date, time and place for the meeting; and</p> <p>(b) the date and time by which applications to join the new Branch and notices of intention to attend as an observer must be lodged at the Secretariat.</p> <p>At least 28 days notice of the meeting must be given.</p> <p>The formation meeting must be held at a venue approved by the State Director.</p>	<p>The formation meeting must be advertised in a local newspaper. The notice must specify:</p> <p>(a) the date, time and place for the meeting; and</p> <p>(b) the date and time by which applications to join the new Branch and notices of intention to attend as an observer must be lodged at the Secretariat.</p> <p>At least 28 days notice of the meeting must be given.</p> <p>The formation meeting must be held at a venue approved by the State Director.</p>
9	<p>Applications to join a new branch and notices of intention to attend as an observer must be lodged at the Secretariat by 5.00pm, 14 days before the date of the formation meeting.</p> <p>An application to join a new branch at a formation meeting must be made in accordance with <b>clause 2.4.3</b> of the Constitution.</p> <p>An applicant who has lodged an application to join the new a branch later than 5.00pm, 14 days before the date of the formation meeting has no rights under this Constitution at the formation meeting. Such an application shall be processed in accordance with <b>clause 2.4.4</b> of the Constitution.</p> <p>A person who has lodged a notice of intention to attend as an observer later than 5.00pm, 14 days before the date of the formation meeting shall not be admitted into a formation meeting.</p>	<p>Applications to join a new branch and notices of intention to attend as an observer must be lodged at the Secretariat by 5.00pm, 14 days before the date of the formation meeting.</p> <p>An application to join a new branch at a formation meeting must be made in accordance with <b>clause 2.4.3</b> of the Constitution.</p> <p>An applicant who has lodged an application to join the new a branch later than 5.00pm, 14 days before the date of the formation meeting has no rights under this Constitution at the formation meeting. Such an application shall be processed in accordance with <b>clause 2.4.4</b> of the Constitution.</p> <p>A person who has lodged a notice of intention to attend as an observer later than 5.00pm, 14 days before the date of the formation meeting shall not be admitted into a formation meeting.</p>
10	<p>The State Director shall produce a provisional list of applicants to join a proposed Branch and those persons who have lodged a notice of intention to attend as an observer no later than 14 days before the date of the formation meeting.</p> <p>The State Director shall make this provisional list available for inspection at the Secretariat.</p> <p>Any objections to any person on the provisional list must be made to the State Director by 5.00pm three days after the State</p>	<p>The State Director shall produce a provisional list of applicants to join a proposed Branch and those persons who have lodged a notice of intention to attend as an observer no later than 14 days before the date of the formation meeting.</p> <p>The State Director shall make this provisional list available for inspection at the Secretariat.</p> <p>Any objections to any person on the provisional list must be made to the State Director by 5.00pm three days after the State</p>

	<p>Director has made the provisional list available for inspection.</p> <p>The State Director shall determine all objections no later than 7 days before the date and time of the formation meeting.</p> <p>Only those persons included in the final list of applicants and observers may attend or exercise any rights at the formation meeting.</p>	<p>Director has made the provisional list available for inspection.</p> <p>The State Director shall determine all objections no later than 7 days before the date and time of the formation meeting.</p> <p>Only those persons included in the final list of applicants and observers may attend or exercise any rights at the formation meeting.</p>
11	<p>Despite any other provision of this Constitution, the quorum for a formation meeting is:</p> <p>(a) in the case of a proposed Branch to be allocated to a Metropolitan Electorate, at least 20 persons who are not Members and who are validly included in the final list of applicants; or</p> <p>(b) in the case of a proposed Branch to be allocated to a Country Electorate, at least 10 persons who are not Members and who are validly included in the final list of applicants.</p> <p>Provided that quorum is present, all persons validly included in the final list may proceed to consider a motion to form the new Branch.</p>	<p>Despite any other provision of this Constitution, the quorum for a formation meeting is:</p> <p>(a) in the case of a proposed Branch to be allocated to a Metropolitan Electorate, at least 20 persons who are not Members and who are validly included in the final list of applicants; or</p> <p>(b) in the case of a proposed Branch to be allocated to a Country Electorate, at least 10 persons who are not Members and who are validly included in the final list of applicants.</p> <p>Provided that quorum is present, all persons validly included in the final list may proceed to consider a motion to form the new Branch.</p>
12	<p>If at the formation meeting a motion is carried to form the Branch, the persons entitled to vote on that motion may elect office-bearers of the Branch.</p>	<p>If at the formation meeting a motion is carried to form the Branch, the persons entitled to vote on that motion may elect office-bearers of the Branch.</p>
13	<p>If at the formation meeting a motion is carried to form the Branch, State Director must promptly notify in writing:</p> <p>(a) the relevant SEC Secretary,</p> <p>(b) any Member who is a member of the House of Representatives for the electorate of the FEC to which the Branch will or may be allocated,</p> <p>(c) any Member who is a member of the Legislative Assembly for the electorate of the SEC to which the Branch is allocated, and</p>	<p>If at the formation meeting a motion is carried to form the Branch, the State Director must promptly notify in writing:</p> <p>(a) the relevant SEC secretary,</p> <p>(b) any Member who is a member of the House of Representatives for the electorate of the FEC to which the Branch will or may be allocated,</p> <p>(c) any Member who is a member of the Legislative Assembly for the electorate of the SEC to which the Branch is allocated, and</p>

	<p>(d) the secretaries of the FEC and the LGC to which the Branch is or may be allocated,</p> <p>that the Branch has been formed and provide each with a Branch return which indicates who was present and any office-bearers elected.</p>	<p>(d) the secretaries of the FEC and the LGC to which the Branch is or may be allocated,</p> <p>that the Branch has been formed and provide each with a Branch return which indicates who was present and any office-bearers elected.</p>
14	<p>If at the formation meeting a motion is carried to form the Branch, the new Branch is formed as at the close of the next meeting of State Executive which is at least two weeks after the notice required in row 13 is given, unless at that State Executive meeting State Executive resolves by a majority of not less than 75% of those present and voting to reverse its earlier decision to authorise the formation of the branch.</p>	<p>If at the formation meeting a motion is carried to form the Branch, the new Branch is formed as at the close of the next meeting of State Executive which is at least two weeks after the notice required in row 13 is given, unless at that State Executive meeting State Executive resolves by a majority of not less than 75% of those present and voting to reverse its earlier decision to authorise the formation of the branch.</p>
15	<p>On the formation of the new Branch but not beforehand:</p> <p>(a) the persons validly included in the final list of applicants and who attended the formation meeting become Branch Members;</p> <p>(b) the persons elected as office-bearers at the formation meeting become office-bearers of the Branch.</p>	<p>On the formation of the new Branch but not beforehand:</p> <p>(a) the persons validly included in the final list of applicants and who attended the formation meeting become Branch Members;</p> <p>(b) the persons elected as office-bearers at the formation meeting become office-bearers of the Branch.</p>
16	<p>In consultation with the returning officer (if any) the chairperson of a formation meeting has the power to:</p> <p>(a) eject any person from the formation meeting on the grounds of misconduct;</p> <p>(b) prohibit the use of mobile communication devices or the consumption of alcohol during a formation meeting;</p> <p>(c) close the formation meeting if in the opinion of the chairperson it is not possible to continue the meeting in an orderly manner or the chairperson has received a request from those responsible for the venue of the formation meeting or at the request of the police.</p>	<p>In consultation with the returning officer (if any) the chairperson of a formation meeting has the power to:</p> <p>(a) eject any person from the formation meeting on the grounds of misconduct;</p> <p>(b) prohibit the use of mobile communication devices or the consumption of alcohol during a formation meeting;</p> <p>(c) close the formation meeting if in the opinion of the chairperson it is not possible to continue the meeting in an orderly manner or the chairperson has received a request from those responsible for the venue of the formation meeting or at the request of the police.</p>

	<p>The chairperson may make give reasonable directions for the good order and management of a formation meeting.</p> <p>Subject to any appeal procedures in this Constitution, the decision of the chairperson to close a formation meeting is final. Despite any other provision of this Constitution, a motion of dissent in the chairperson at a formation meeting is not a valid motion. The chairperson of a formation meeting must rule a motion of dissent out of order.</p>	<p>The chairperson may make give reasonable directions for the good order and management of a formation meeting.</p> <p>Subject to any appeal procedures in this Constitution, the decision of the chairperson to close a formation meeting is final. Despite any other provision of this Constitution, a motion of dissent in the chairperson at a formation meeting is not a valid motion. The chairperson of a formation meeting must rule a motion of dissent out of order.</p>
17	If State Executive decides to reverse its authorisation of the formation of the new Branch, the State Director must return the membership fees paid by the applicants.	If State Executive decides to reverse its authorisation of the formation of the new Branch, the State Director must return the membership fees paid by the applicants.

**6.2.2 Name, Branch Area and FEC of New Ordinary Branch or Young Liberal Branch**

In giving its approval to the formation of a new Ordinary Branch or Young Liberal Branch under this **clause 6.2**, State Executive may also determine:

- (1) the name of the Branch;
- (2) the geographical area of the Branch; and
- (3) the FEC to which the Branch is allocated.

**6.3 [Removed]**

**6.4 HOW TO FORM A NEW POLICY BRANCH OR PROFESSIONAL BRANCH**

**6.4.1 Power of State Executive**

State Executive may resolve to form a new Policy Branch or Professional Branch.

**6.4.2 Requirement to Hold Meetings**

- (1) In each even Membership Year commencing 2008, every Policy Branch and Professional Branch must hold an AGM. Every Policy Branch and Professional Branch must hold a general meeting every six months.
- (2) Each Policy Branch and Professional Branch must submit to the State Director by no later than 31 January in any year a report of all meetings and activities undertaken by the Branch in the previous calendar year in a manner prescribed by State Executive.

- (3) State Executive may resolve to suspend the rights of a Policy Branch or Professional Branch for a period of up to 3 months where the Branch has:
  - (a) failed to submit a report in accordance with this clause; or
  - (b) in the case of Branches allocated to metropolitan electorates, failed to meet the minimum meeting requirements accordance with this clause.
- (4) The State Executive may consider an appeal against suspension if the Policy Branch or Professional Branch can demonstrate exceptional circumstances affecting their ability to meet the requirements of this clause. The State Executive may uphold an appeal from a Branch that has demonstrated exceptional circumstances by a motion carried by 60% of the State Executive.
- (5) A resolution enforcing the power to suspend rights of Branches made pursuant this clause must apply to all Branches that have failed to meet the requirements of 6.4.2 except where State Executive has otherwise resolved in accordance with clause 6.4.2(4).

## **6.5 CANCELLATION OF FORMATION OF A NEW BRANCH**

### **6.5.1**

The State Director may cancel authorisation for the formation of a new Branch of the Division before the formation meeting of the new Branch is held, if in the opinion of the State Director there are reasonable grounds for believing that proceeding with the formation meeting and the formation of a new Branch could:

- (1) Result in damage to the reputation of the Division; or
- (2) Result in the subversion of the intention for which the Branch is being formed

### **6.5.2**

Before the State Director exercises their power pursuant to this clause the State Director must notify the following persons regarding the potential exercise of this power:

- (1) The State President; and
- (2) The Presidents of the FEC and SEC to which the new Branch is proposed to be allocated; and
- (3) Any Member who is a Member of the House of Representatives and any Member who is a Member of the

Legislative Assembly for the electorate to which the Branch is proposed to be allocated.

## 7. BRANCHES

### 7.1 MINIMUM MEMBERSHIP OF LOCAL BRANCHES

- 7.1.1 Minimum Number of Members** (1) A Local Branch other than a Sub-Branch must consist of not less than:
- (a) 10 Members, in the case of a Branch formed before 1 July 2008 and allocated to a Metropolitan Electorate;
  - (b) 20 Members, in the case of a Branch formed on or after 1 July 2008 and allocated to a Metropolitan Electorate;
  - (c) 10 Members, in the case of a Branch allocated to a Country or Regional Electorate.
- (2) A Sub-Branch must consist of not less than 5 Members.
- (3) If at any time between 1 September and 30 June in any given year:
- (a) a Branch created before 1 July 2008 and allocated to a Metropolitan Electorate, other than a Sub-Branch, consists of less than 10 Branch Members; or
  - (b) a Branch created on or after 1 July 2008 and allocated to a Metropolitan Electorate, other than a Sub-Branch, consists of less than 20 Branch Members; or
  - (c) a Branch allocated to a Country or Regional Electorate consists of less than 10 Branch Members, or
  - (d) a Sub-Branch consists of less than 5 Branch Members,
- the State Director must give notice to the President and Secretary of the Branch that:
- (e) it is breach of the relevant requirement in **subclause 7.1.1(1) or 7.1.1(2)**; and
  - (f) if that breach is not rectified within 28 days from the date of the giving of the notice, the Branch will be automatically dissolved.

- (4) A notice given under **subclause 7.1.1(2)** must also be sent to the relevant FEC and SEC Presidents.
- (5) Subject to the other provisions of this Constitution, a Local Branch may meet and transact business during the 28 day period referred to in **subclause 7.1.1(2)**.
- (6) If, on the expiration of the 28 day period referred to in **subclause 7.1.1(2)**, the Local Branch still does not comply with the relevant requirement in **subclause 7.1.1(1)** or **7.1.1(2)**, the local Branch is dissolved and the State Director must give notice of the dissolution to each Local Branch Member of that Local Branch.
- (7) If a local Branch is dissolved under **subclause 7.1.1(6)**, the members of that Local Branch as at the date of its dissolution become General Members, and if the Branch was a Young Liberal Branch, the Members also become General Young Liberal Members.
- (8) As soon as practicable after the date of dissolution, the State Director must give notice to all members of the relevant Local Branch that they have ceased to be local Branch Members and have become General Members.
- (9) Despite any other provision of this Constitution:
  - (a) while a Local Branch remains a Sub-Branch it has no entitlement to delegates to or members of any other Body including any FEC, SEC, LGC, State Council or Selection Committee; and
  - (b) in calculating the size of any Body, Local Branch Members of a Sub-Branch are not counted.

## **7.2 BRANCHES – OTHER GENERAL PROVISIONS**

### **7.2.1 Branch Entitlements**

- (1) All Branch entitlements will be adjusted between AGMs based on their entitlements calculated at 30 June in the previous Membership Year except Branch entitlements to appoint members of a Selection Committee.
- (2) Where a Branch's entitlements for additional delegates to any other body of the Party increases between AGMs in accordance with clause 7.2.1(1) it shall fill such additional positions by electing Members in accordance with the casual vacancy provisions. If a Branch's entitlements are reduced between AGMs, in accordance with clause



7.2.1(1) the State Director shall remove the delegate(s) elected last.

### 7.2.2 Affiliation

A Branch must not, without a prior motion carried by State Executive, affiliate with any body outside the Division.

### 7.2.3 University Liberal Clubs

- (1) State Executive may give authority for a University Liberal Club to affiliate with the Division and, in particular, to use the name “Liberal” on terms that it decides.
- (2) For avoidance of doubt, by reason of that affiliation alone an affiliated University Liberal Club is not a Branch nor do its members have any rights or status under this Constitution other than as an affiliate of the Division.

### 7.2.4 Change of Name

- (1) A Branch may carry a motion to change its name.
- (2) An Ordinary Branch cannot change its name without prior motions carried by State Executive and by the SEC to which the Branch is allocated.
- (3) A Young Liberal Branch cannot change its name without prior motions carried by State Executive, Young Liberal Executive and the SEC to which the Branch is allocated.
- (4) A Special Branch cannot change its name without a prior motion carried by State Executive.

### 7.2.5 Branch Records

Each Branch must keep the financial and other records as required by the State Director.

## 7.3 THE FUNCTIONS OF BRANCHES

### 7.3.1 Local Branch Functions

The functions of each Local Branch are as follows.

BRANCHES AND THEIR LOCAL COMMUNITIES	To build strong linkages between the Liberal Party and the Branch’s local community.
	To facilitate effective, two way communication between the local Liberal endorsed parliamentary representative and the Branch’s local community.
	To ensure that the needs and aspirations of the Branch’s local community are given due consideration in policy discussions within the Division.

BRANCHES AND BUILDING MEMBERSHIP	To actively recruit new members from the Branch's local community.
BRANCHES AND THEIR MEMBERS	To encourage its Branch Members to be involved in the campaigning and policy activities of the Division.
	To keep its Branch Members informed in a timely manner on campaigning and policy activities of the Division and other Division related matters.
BRANCHES AND ELECTION CAMPAIGNS	To fully support the Branch's SEC and FEC in its local and other campaign activities.
BRANCHES AND POLICY DEVELOPMENT	To initiate meaningful policy discussion and agree upon worthwhile resolutions for consideration by State Council.
BRANCHES AND THE PARLIAMENTARY PARTIES	To actively support Liberal endorsed Members of Parliament, particularly (where applicable) for the Branch's State and Federal electorates.
BRANCHES AND THEIR LOCAL CONFERENCES	To agree with their SEC the Branch's area of operations.
BRANCHES AND THE DIVISION GENERALLY	To raise funds for the purposes of the Division.
	To consider proposals relating to this Constitution or the better administration of the Division and submit agreed resolutions to State Council.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

### 7.3.2 Policy Branch Functions

The functions of each Policy Branch are as follows.

BRANCHES AND THEIR POLICY COMMUNITIES	To build strong linkages between the Liberal Party and the Branch's policy community.
	To facilitate effective, two way communication between Liberal endorsed parliamentary representatives and the Branch's policy community.
	To ensure that the needs and aspirations of the Branch's policy community are given due consideration in policy discussions within the Division.

BRANCHES AND BUILDING MEMBERSHIP	To actively recruit new members from the Branch's policy community.
BRANCHES AND THEIR MEMBERS	To encourage its Branch Members to be involved in the campaigning and policy activities of the Division.
	To keep its Branch Members informed in a timely manner on campaigning and policy activities of the Division and other Division related matters.
BRANCHES AND POLICY DEVELOPMENT	To initiate meaningful policy discussion and agree upon worthwhile resolutions for consideration by State Council.
BRANCHES AND THE PARLIAMENTARY PARTIES	To actively support Liberal endorsed Members of Parliament.
BRANCHES AND THE DIVISION GENERALLY	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

### 7.3.3 Professional Branch Functions

The functions of each Professional Branch are as follows.

BRANCHES AND THEIR PROFESSIONAL COMMUNITIES	To build strong linkages between the Liberal Party and the Branch's professional community.
	To facilitate effective, two way communication between Liberal endorsed parliamentary representatives and the Branch's professional community.
	To ensure that the needs and aspirations of the Branch's professional community are given due consideration in policy discussions within the Division.
BRANCHES AND BUILDING MEMBERSHIP	To actively recruit new members from the Branch's professional community.
BRANCHES AND THEIR MEMBERS	To encourage its Branch Members to be involved in the campaigning and policy activities of the Division.
	To keep its Branch Members informed in a timely manner on campaigning and policy activities of the Division and other Division related matters.

BRANCHES AND POLICY DEVELOPMENT	To initiate meaningful policy discussion and agree upon worthwhile resolutions for consideration by State Council.
BRANCHES AND THE PARLIAMENTARY PARTIES	To actively support Liberal endorsed Members of Parliament.
BRANCHES AND THE DIVISION GENERALLY	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

## 7.4 ALLOCATION OF LOCAL BRANCHES TO CONFERENCES

### 7.4.1 Basis Upon Which State Executive is to Allocate a Branch to Conferences

Upon the formation of an Ordinary Branch, Young Liberal Branch or Women's Branch, or following a redistribution, State Executive must allocate each Ordinary Branch, Young Liberal Branch or Women's Branch to an FEC, SEC and LGC as follows:

- (1) where the Local Branch has agreed its area of operations with an SEC and State Executive has previously ratified that area: to the FEC, SEC and LGC in which that area is located; or
- (2) otherwise: to that FEC and SEC representing the Federal and State electorate and the LGC representing the local government area within which more members of the Local Branch reside than in any other electorate and local government area.

### 7.4.2 Transfer to Another Conference

- (1) A Local Branch may carry a motion to transfer from one FEC, SEC or LGC to another.
- (2) A Local Branch may only transfer from one FEC, SEC or LGC to another after a motion to that effect is carried by State Council and the FEC, SEC or LGC to which the Branch wishes to transfer.
- (3) A Local Branch may also transfer from one LGC to another after:
  - (a) a motion to that effect is carried by the Local Government Oversight Committee, after consulting with the Local Branch and the LGC to which it wishes to transfer; and

- (b) that motion is ratified by State Executive by a motion of 60% of those present and voting.

The operation of this clause 7.4.2(3) is to cease from close of business on 31 December 2020.

## **7.5 LOCAL BRANCH GENERAL MEETINGS AND AGMs**

### **7.5.1 Requirement to Hold Meetings**

- (1) Subject to clause 7.5.5, in each even Membership Year commencing 2008, every Local Branch must hold an AGM. Every Local Branch must hold a general meeting every six months.
- (2) Each Branch must submit to the State Director by no later than 31 January in any year a report of all meetings and activities undertaken by the Branch in the previous calendar year in a manner prescribed by State Executive.
- (3) State Executive may resolve to suspend the rights of Branches for a period of up to 3 months where the Branch has:
  - (a) in the case of Branches allocated to metropolitan electorates, failed to meet the minimum meeting requirements accordance with this clause.
- (4) For the purposes of this clause the rights of Branches shall include representation at State Council, FEC, SEC and LGC, Young Liberal Council, Women's Council and Selection Committees.
- (5) The State Executive may consider an appeal against suspension if the Branch can demonstrate exceptional circumstances affecting their ability to meet the requirements of this clause. The State Executive may uphold an appeal from a Branch that has demonstrated exceptional circumstances by a motion carried by 60% of the State Executive.
- (6) A resolution enforcing the power to suspend rights of Branches made pursuant this clause must apply to all Branches that have failed to meet the requirements of 7.5.1 except where State Executive has otherwise resolved in accordance with clause 7.5.1(5).

### **7.5.2 Time of AGM**

Each Local Branch must hold its AGM:

- (1) by 31 October in each even year commencing 2008 or such other date as State Executive may determine for all Local Branches; or
- (2) if:
  - (a) in any even year commencing 2008, the Local Branch makes a written application to State Executive, it may seek an extension for that Local Branch to hold its AGM. An application for an extension must be made before 31 October in that year or before the date determined by State Executive for the conclusion of Branch AGMs; and
  - (b) State Executive approves the application, not later than the date determined by State Executive for that Local Branch.

**7.5.3 What Happens if  
A Local Branch  
Does Not Hold its  
AGM by the Due  
Date**

- (1) If a Local Branch does not hold its AGM by 30 November in any even year it is dissolved on 1 December of that year.
- (2) If a Local Branch is dissolved under **subclause 7.5.3(1)**, the State Director must give notice of the dissolution to each member of the Local Branch.
- (3) On the giving of that notice each member of the Local Branch becomes a General Member.
- (4) If State Executive alters the date provided in clause 7.5.2(1) by which a Local Branch is to hold its AGM, a Local Branch that has not held its AGM by the date specified by State Executive is dissolved on a date one month after the date specified by State Executive for the holding of Local Branch AGMs. This subclause does not apply to a Local Branch that has been granted an extension to hold its AGM at a later date by State Executive in accordance with clause 7.5.2(2). Each member of a Local Branch that is dissolved in accordance with this subclause is to be notified of the dissolution in accordance with subclause 7.5.3(2) and each member of a Local Branch dissolved by reason of this subclause is to become a General Member.

**7.5.4 Procedure at  
Local Branch  
Meetings and  
Application of  
Standing Orders**

At all Local Branch meetings:

- (1) unless otherwise stated in this Constitution, all questions must be decided by majority vote of those Local Branch Members present and entitled to vote;

- (2) the chairperson has both a deliberative and a casting vote except in the case of a Member chairing the election of Local Branch office-bearers at the AGM in which case that person does not have a right to vote (and except in the case of a Member chairing the election of any Local Branch office-bearer at any other meeting of the Local Branch).
- (3) all elections must be conducted by secret ballot; and
- (4) if the Local Branch has carried a motion that its meetings are to be conducted in accordance with the Standing Orders, the Local Branch and its Members must comply with the Standing Orders.

**7.5.5 Formation meeting**

A Local Branch does not hold an AGM in any Membership year:

- (1) in which the Local Branch is formed, or
- (2) which commences within 3 months after the Local Branch is formed.

**7.5.6 Location of Local Branch meetings**

All local Branch meetings must be held in the electorate or adjoining electorate relating to the SEC to which the Local Branch has been allocated.

**7.6 BRANCH ELECTIONS AND ENTITLEMENTS****7.6.1 Elections at AGMs**

A Local Branch must at its AGM elect from among its financial, non-parliamentary Local Branch Members by secret ballot the following office-bearers, who shall hold office for a period of two years.

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>Type of Branch</b>	<b>Office-Bearers</b>	<b>Notes</b>
1	All Local Branches	President	
2		A Development Vice-President and a Policy Vice-President	
3		Secretary	

4		Treasurer	
5		Other Committee Members as the AGM may elect (for example, a membership officer, a minute secretary, a social officer, a functions officer, a community liaison officer, an internet officer, or committee members at large)	
6		Delegate or delegates to State Council	<p>(1) Special Branch: two delegates.</p> <p>(2) Ordinary and Young Liberal Branches allocated to a metropolitan electorate with 20 or more members: 2 delegates (one of whom must be a man and one of whom must be a woman);</p> <p>(3) Ordinary and Young Liberal Branches allocated to a Country or Regional electorate with 10 or more members: 2 delegates (one of whom must be a man and one of whom must be a woman);</p> <p>(4) An ordinary and Young Liberal branches allocated to a metropolitan area with less than 20 members does not receive any state council delegate.</p>



7		<p>Delegate or delegates to FEC, SEC and LGC</p>	<p>(1) 20-30 Branch Members – 1 delegate</p> <p>(2) 31-40 Branch Members – 2 delegates</p> <p>(3) 41-50 Branch Members – 3 delegates</p> <p>(4) 51-75 Branch Members – 4 delegates</p> <p>(5) 76-100 Branch Members – 5 delegates</p> <p>(6) 101-150 Branch Members – 6 delegates</p> <p>(7) 151-200 or more Branch Members – 7 delegates</p> <p>(8) 201-300 or more Branch Members – 8 delegates</p> <p>(9) 301-500 or more Branch Members – 9 delegates</p> <p>(10) 501 or more Branch Members – 10 delegates plus additional delegate per 250 additional Branch Members beyond 500 Branch Members.</p>
8		<p>One female delegate to Women's Council. From the date of a Branch AGM held after 30 June 2016: two female delegates to Women's Council.</p> <p>From a Branch designated as a Women's Branch and from the date of a Branch AGM held after 30 June 2016, five delegates.</p>	
9		Any other office-bearers that the Branch decides	

10		Honorary Auditor	(1) Need not be a Member (2) Must not be a member of the Branch Committee
11	Young Liberal Branch only	Delegates to Young Liberal Council	(1) 10 to 19 Branch Members, 2 delegates. (2) 20 to 29 Branch Members, 4 delegates (3) 30 to 39 Branch Members, 6 delegates (4) 40 to 49 Branch Members, 8 delegates (5) 50 to 59 Branch Members, 10 delegates (6) 60 or more Branch Members, 12 delegates

### 7.6.2 Branch Committee

The Committee of each Branch comprises:

- (1) the President;
- (2) the Development Vice-President;
- (3) the Policy Vice-President;
- (4) the Secretary;
- (5) the Treasurer: and
- (6) any other Committee Members elected by the AGM.

## **7.7 OFFICE-BEARERS OF POLICY BRANCHES AND PROFESSIONAL BRANCHES**

- 7.7.1 Office-bearers of Policy and Professional Branches** State Executive must, by 31 October in each even year commencing 2008 or such other date as State Executive may determine for all Policy Branches and Professional Branches, appoint from among the Members of that Branch who are financial, non-parliamentary Members of that Branch the following office-bearers:
- (1) the Chairman;
  - (2) the Deputy Chairman; and
  - (3) the Secretary.

## **7.8 OTHER PROVISIONS RELATING TO OFFICE-BEARERS OF BRANCHES**

- 7.8.1 Other Provisions Relating To Branch Office-Bearers** In **Appendix D** are the provisions relating to:
- (1) term of Branch office-bearers and delegates;
  - (2) expiration of the term of Branch delegates;
  - (3) when casual vacancies occur; and
  - (4) filling casual vacancies.
- 7.8.2 Duties of Branch Office-Bearers** State Executive must by motion determine the duties of Branch office-bearers.

# **8. LOCAL GOVERNMENT, FEDERAL AND STATE ELECTORATE CONFERENCES**

## **8.1 FORMATION OF SECs AND FECs**

- 8.1.1 Formation of SECs and FECs**
- (1) An SEC will be formed in every State electorate where there is one or more Branch(es).
  - (2) An FEC will be formed in every Federal electorate where there is one or more Branch(es).

**8.2 REMOVED****8.3 HOW TO FORM A NEW LGC****8.3.1 Forming a New LGC**

This is the procedure to form a new LGC in a local government area:

	<b>A</b>
	<b>Forming a New LGC</b>
1	A motion to form the new LGC must be passed at a meeting of a Branch within the relevant local government area.
2	The State Director (or the State Director's nominee, who must be a staff member of the Division) must convene and chair a meeting of Presidents, Vice-Presidents, Secretaries, Treasurers and delegates to SECs and FECs of Branches within the relevant local government area and any councillor for the local government area, if a Member. The meeting must be attended by at least 35% of the Presidents, Vice-Presidents, Secretaries, Treasurers and delegates to FECs and SECs of Branches within the local government area and any councillor for the local government area, if a member, and at that meeting a motion to form an LGC must be carried.
3	If the motion is carried, the State Director must submit the application to the Local Government Management Committee. The Local Government Oversight Committee may consent to the formation of the new LGC.
4	Thereafter State Executive may authorise the formation of the new LGC whether or not the Local Government Oversight Committee consented to the formation of the new LGC.
5	If State Executive authorises the formation of the new LGC, the State Director (or the State Director's nominee, who must be a staff member of the Division) must convene and chair an inaugural meeting within 30 days of the State Executive authorisation.
6	The inaugural meeting must elect LGC office-bearers.

**8.4 MEMBERSHIP OF CONFERENCES****8.4.1 Composition**

FECs, SECs and LGCs comprise the following Members.

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>LGCs</b>	<b>SECs</b>	<b>FECs</b>

1	The Presidents, Vice-Presidents, Secretaries and Treasurers of the Branches allocated to the LGC.	The Presidents, Vice Presidents, Secretaries and Treasurers of the Branches allocated to the SEC.	The Presidents, Vice-Presidents, Secretaries and Treasurers of the Branches allocated to the FEC.
2	The additional delegate or delegates from each Branch elected under <b>clause 7.6.1</b> .	The additional delegate or delegates from each Branch elected under <b>clause 7.6.1</b> .	The additional delegate or delegates from each Branch elected under <b>clause 7.6.1</b> .
3	The office-bearers of the LGC elected under <b>clause 8.8.1</b> (but where elected at an AGM, only effective from the conclusion of the election of all office-bearers at the AGM).	The office-bearers of the SEC elected under <b>clause 8.8.1</b> (but where elected at an AGM, only effective from the conclusion of the election of all office-bearers at the AGM).	The office-bearers of the FEC elected under <b>clause 8.8.1</b> (but where elected at an AGM, only effective from the conclusion of the election of all office-bearers at the AGM).
4	Any councillor for the local government area, if a Member.	The Member of Parliament for the electorate, if a Member.	The Member of Parliament for the electorate, if a Member.
5		Any member of the Legislative Council who is a member of a Branch allocated to the SEC.	Any senator who is a member of a Branch allocated to the FEC.

#### 8.4.2 Delegates

If the total number of members of an FEC, SEC or LGC will be less than 10, State Executive may request the Branches within the relevant electorate or local government area to increase the total number of members of the FEC, SEC or LGC (as the case may be) to 10, or to a number as near as practicable to 10, by sending a number of delegates from each Branch proportionate to the number of FEC, SEC or LGC members to which each Branch is otherwise entitled.

### 8.5 THE FUNCTIONS OF CONFERENCES

#### 8.5.1 SEC and FEC Functions

The functions of each SEC and FEC are as follows.

CONFERENCES AND ELECTION CAMPAIGNS	To prepare at the commencement of each parliamentary term and then implement a comprehensive campaign plan and budget for the State or Federal electorate represented by the SEC or FEC.
	To conduct the election campaigns for the Liberal endorsed candidate for the State or Federal electorate represented by the Conference, subject to direction from State Executive.

	To fully support the other parliamentary campaigns in which the Division is engaged, as directed by State Executive.
CONFERENCES AND THE PARLIAMENTARY PARTIES	To fully and actively support (where applicable) the Liberal endorsed Member of Parliament for the State or Federal electorate represented by the Conference.
	To support other Liberal endorsed Members of Parliament.
CONFERENCES AND THEIR BRANCHES	To prepare at the commencement of each parliamentary term and then implement an agreement between: <ul style="list-style-type: none"> <li>(1) the Conference</li> <li>(2) where applicable the Liberal endorsed Member of Parliament for the State or Federal electorate represented by the Conference; and</li> <li>(3) the Branches within the State or Federal electorate,</li> </ul> and ratified by State Executive, setting out the agreed responsibilities and contributions that each will make in terms of mutual support and co-operation particularly with respect to local campaign planning and implementation.
	To actively encourage the establishment of viable Branches within the State or Federal electorate represented by the Conference.
	To facilitate more effective Branches through co-ordination of activities and effort.
	To agree with the Branches allocated to the State or Federal Electorate Conference and ratified by State Executive, the area of operations of each of those Branches.
CONFERENCES AND THE SELECTION OF LIBERAL ENDORSED CANDIDATES	To identify quality candidates.
	To inform preselectors as to the selection process.
CONFERENCES AND THE DIVISION GENERALLY	To raise funds for the purposes of the Division, in particular the election campaign of the Liberal endorsed candidate for the State or Federal electorate represented by the Conference. Where necessary, this includes imposing levies upon Branches allocated to the SEC or FEC in proportion to their memberships.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.
CONFERENCES AND POLICY DEVELOPMENT	To initiate meaningful policy discussion and agree upon worthwhile resolutions for considerations by State Council

**8.5.2 LGC Functions** The functions of each LGC are as follows.

LGCs AND LOCAL GOVERNMENT ELECTION CAMPAIGNS	To conduct the election campaigns for the Liberal endorsed candidate(s) for the local government area represented by the LGC, subject to direction from State Executive.
LGCs AND COUNCILLORS	To fully and actively support (where applicable) the Liberal endorsed councillors for the local government area represented by the LGC.
	To decide upon the order in which Liberal endorsed local government candidates are to be presented to the electorate.
LGCs AND THE DIVISION GENERALLY	To raise funds for the election campaign of the Liberal endorsed candidate(s) or Members for the local government area represented by the LGC.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

**8.6 CONFERENCE MEETINGS**

- 8.6.1 Requirement to Hold Meetings**
- (1) In each even Membership Year commencing 2008, every Conference must hold an AGM. In each calendar year every Conference must hold at least two other general meetings.
  - (2) Each Conference must submit to the State Director by no later than 31 January in any year a report of all meetings and activities undertaken by the Conference in the previous calendar year in a manner prescribed by State Executive.

- 8.6.2 Procedure at FEC, SEC and LGC Meetings and Application of Standing Orders**
- At all FEC, SEC and LGC meetings:
- (1) unless otherwise stated in this Constitution, all questions must be decided by majority vote of those Branch Members present and entitled to vote from Branches allocated to the FEC, SEC or LGC (as the case may be);
  - (2) the chairperson has both a deliberative and a casting vote except in the case of a Member chairing the election of FEC, SEC or LGC office-bearers at the AGM in which case that person does not have a right to vote (and except in the case of a Member chairing the election of any FEC,

SEC or LGC office-bearer at any other meeting of the FEC, SEC or LGC);

- (3) all elections must be conducted by secret ballot and only members of the FEC, SEC or LGC (or their alternates) may vote; and
- (4) meetings must be conducted in accordance with the Standing Orders and the FEC, SEC and LGC and the Branch Members of Branches allocated to the FEC, SEC and LGC (as the case may be) must comply with the Standing Orders.

### **8.6.3 Location of Conference Meetings**

All conference meetings must be held in the electorate or local government area to which the SEC, FEC or LGC (as applicable) relates, or within an adjoining electorate or local government area, as long as it is within 100 kilometres from the border of the respective electorate or local government area.

## **8.7 CONFERENCE AGMs**

### **8.7.1 Time of AGM**

Each Conference must hold its AGM:

- (1) in the case of an LGC: before 30 November in each even year commencing 2008 or as determined by State Executive.;
- (2) in the case of an SEC: before 30 November in each even year commencing 2008 or as determined by State Executive for all SECs;
- (3) in the case of an FEC: before 30 November in each even year commencing 2008 or as determined by State Executive for all FECs;

or if:

- (4) in any even year commencing 2008 the LGC, SEC or FEC makes written application to State Executive before 30 October for an extension of time to hold its AGM, at a date not later than 14 December in that year; and
- (5) State Executive approves the application,

not later than the date determined by State Executive for that LGC, SEC or FEC.

### **8.7.2 What Happens if a Conference**

- (1) Unless State Executive otherwise determines either generally or in a particular case, if a period of 27 months



**Does Not Hold its  
AGM by the Due  
Date**

or more has elapsed since the last AGM of an FEC, SEC or LGC, the State Director must convene an AGM of the FEC, SEC or LGC.

- (2) If that meeting is inquorate or otherwise does not proceed to business, State Executive may take whatever action it sees fit.

**8.8 CONFERENCE ELECTIONS****8.8.1 Elections at  
AGMs**

The members of an FEC, SEC and LGC must at its AGM elect from among the financial, non-parliamentary Members of Branches (including Sub-Branche)s allocated to the FEC, SEC or LGC (as the case may be) the following office-bearers, who shall hold office until the next Conference AGM.

	<b>A</b>	<b>B</b>
	<b>Office-Bearers</b>	<b>Notes</b>
1	President	
2	A Development Vice-President and a Policy Vice-President	
3	Secretary	
4	Treasurer	
5	Delegate or delegates to State Council	<p>(1) FEC: two delegates (one of whom must be a man and one of whom must be a woman).</p> <p>(2) SEC: two delegates for the first 250 Branch Members of Branches allocated to the SEC and one additional delegate for every additional 250 Branch Members of Branches allocated to the SEC or part thereof, and at least one of whom must be a woman.</p> <p>(3) LGC: one delegate where there is a Member of the LGC who is an endorsed local government Councillor for the Local Government Area of that LGC.</p>
6	Delegates to Women's Council	FEC and SEC: two female delegates

7	One additional member from each Branch (excluding Sub-Branches) allocated to the FEC, SEC or LGC (as the case may be)	Each such additional member from a Branch is to be elected by those Members of that Branch who are members of the FEC, SEC or LGC (as the case may be).
8	Honorary Auditor	<p>(1) Need not be a member.</p> <p>(2) Must not be a member of the Conference Committee.</p>

#### 8.8.2 Composition of FEC, SEC and LGC Committee

The Committee of an FEC, SEC and LGC comprises the office-bearers elected under **clause 8.8.1** (other than those in rows 5, 6 and 8), together with:

- (1) in the case if an FEC: if a Member, the Member of Parliament for the Federal electorate represented by the FEC;
- (2) in the case if an SEC: if a Member, the Member of Parliament for the State electorate represented by the SEC;
- (3) in the case of an LGC: if a Member, any councillor from the local government area represented by the LGC; and
- (4) any Branch Members co-opted to the Committee under **clause 8.8.4**.

#### 8.8.3 Powers of Conference Committee

An FEC, SEC and LGC Committee must:

- (1) exercise the powers of the FEC, SEC and LGC between meetings;
- (2) report to the FEC, SEC and LGC; and
- (3) be under the control and subject to the direction of the FEC, SEC and LGC.

#### 8.8.4 FEC, SEC or LGC Committee May Co-opt Members

- (1) The Committee of an FEC, SEC or LGC may by motion ratified by the FEC, SEC or LGC appoint Branch Members to the Committee particularly to complete campaign related tasks.
- (2) A motion carried by a Committee must specify:

(a) the term of the appointment which must not extend beyond the AGM of the FEC, SEC or LGC occurring next after the appointment; and

(b) the responsibilities of the additional member or members to be appointed to the Committee.

**8.8.5 Duties of FEC, SEC and LGC Office-Bearers**

State Executive must by motion determine the duties of FEC, SEC and LGC office-bearers.

**8.8.6 Conference Entitlements**

All FEC and SEC entitlements are to be calculated as at 30 June in the previous Membership Year.

## 9. STATE COUNCIL

### 9.1 MEMBERSHIP OF STATE COUNCIL

**9.1.1 Composition**

There will be a State Council comprising the following members.

	A	B
	Ex-Officio Members	Delegates
1	All members of the Legislative Assembly who are Members.	The State Council delegates elected from each Branch, FEC, SEC and LGC.
2	All Members of the Legislative Council who are Members.	
3	All members of the House of Representatives who represent electorates in New South Wales and who are Members.	
4	All members of the Senate representing the State of New South Wales and who are Members.	
5	The Leader of the Federal Parliamentary Party.	
6	The Federal President of the Liberal Party of Australia.	

7	Each Past President of the Division if he or she is a Branch Member.	
8	Members of State Executive.	
9	Any member of the Federal Executive who is a Branch Member.	
10	Life Members of State Council.	

### 9.1.2 Life Members of State Council

- (1) State Council may from time to time appoint Members as Life Members of State Council.
- (2) To be eligible for appointment as a Life Member of State Council, a Member must have given meritorious service to the Division for a period of not less than 15 years.
- (3) A Member will be appointed a Life Member of State Council if a motion to that effect is passed by a majority of not less than three quarters of the members of State Council present and voting at the meeting.
- (4) At any time there will be not more than five Life Members of State Council.
- (5) A Life Member of State Council has all the privileges of membership of State Council.

### 9.1.3 Ceasing to be a Member of State Council

- (1) A member of State Council other than a Life Member ceases to be a member of State Council if the member is not present in person or by an alternate, without leave, at three consecutive meetings of State Council unless State Council otherwise determines.
- (2) Where a member of State Council ceases to be a member in accordance with subclauses 9.1.3(1), the State Director will advise the delegate and the President and Secretary of the Body from which they were a delegate.

## 9.2 FUNCTIONS OF STATE COUNCIL

### 9.2.1 Functions of State Council

The functions of State Council are as follows.

STATE COUNCIL AND THE STATE PLATFORM	To determine and revise the State Platform on behalf of the Division.
STATE COUNCIL AND POLICY	To consider policy resolutions from Branches, SECs, FECs, the Young Liberal Council, Women's Council and the Liberal Local Government Assembly.
STATE COUNCIL AND THE DIVISION GENERALLY	To be the governing body of the Division by controlling the management and affairs of the Division.
	To consider resolutions relating to this Constitution from the bodies referred to in <b>clause 28.5.2</b> .
	To make regulations in accordance with this Constitution.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution.

## 9.3 STATE COUNCIL MEETINGS

### 9.3.1 Requirement to Hold Meetings

In each Membership Year, State Council must hold at least three meetings, one of which must be held other than in a Metropolitan Electorate.

### 9.3.2 Compulsory attendance at State Council Meetings

- (1) All Members who are:
- (a) Members of the Legislative Assembly or Legislative Council; or
  - (b) Members of the House of Representatives or Senators for the State of New South Wales; or
  - (c) Elected member of local councils; or
  - (d) Members of State Executive;
- must attend each meeting of State Council.

- (2) Leave may be granted by Parliamentary Leaders in the case of elected parliamentary representatives, the Chair of the Local Government Management Committee in the case of elected Liberal councillors, and the State President in the case of State Executive members.

**9.3.3 Agenda for State Council Meetings**

At the first meeting of State Executive after the State Council AGM or as soon as possible after that, the State President will appoint a State Council Agenda Committee comprising four members of State Executive and four members of State Council with the simple majority approval of State Executive. The Agenda Committee will be chaired by the State President or a nominee. The Committee will recommend the agenda for each State Council meeting to State Executive, who will approve State Council Agendas.

**9.3.4 Procedure at State Council Meetings and Application of Standing Orders**

- (1) At all meetings of State Council:
- (a) unless otherwise stated in this Constitution, all questions must be decided by majority vote of members of State Council present and entitled to vote; and
  - (b) the chairperson has both a deliberative and a casting vote.
- (2) All meetings of State Council must be conducted in accordance with the Standing Orders and State Council and its members must comply with the Standing Orders.
- (3) An office-bearer of a Policy Branch or Professional Branch who is not a member of State Council may move and speak to motions of that Policy Branch or Professional Branch at State Council

**9.3.5 Mandatory Reporting on Policy Motions**

- (1) Any policy motion passed by the State Council shall be forwarded to either:
- (a) the relevant Liberal Minister or Shadow Minister, or
  - (b) if there is no relevant Liberal minister or shadow minister, the Leader of the Parliamentary Liberal Party,
- who shall respond to the motion indicating their concurrence with or rejection of the motion.
- (2) If the motion is rejected, then the response must include a detailed reason as to why it has been rejected.

- (3) Failure to respond to a passed policy motion shall be reported to the next meeting of State Council.

## 9.4 STATE COUNCIL AGMs

- 9.4.1 Time of AGM** State Council must hold its AGM by 30 November in each odd year or such other date as State Executive may determine, which must be within 3 months of 30 November in each odd year.
- 9.4.2 Information to be made available to Members at AGM** The State Director must make available to members of State Council:
- (1) at least 21 days prior to the AGM, a list of names of the members of State Executive together with particulars of their respective attendances at meetings of State Executive since the previous AGM;
  - (2) at the AGM, a copy of the audited and unaudited income and expenditure statements referred to in the requirements for the business at AGMs of State Council in Part 3 of **Appendix B**; and
  - (3) a list of all persons selected as scrutineers, those persons selected on the Scrutineer Reserve List in accordance with **subclause 9.4.3(2)** and those persons who have accepted appointments as scrutineers.
- 9.4.3 State Council Scrutineers**
- (1) Not later than 14 days before the AGM of State Council, the State Director must select by lot from the members of State Council:
    - (a) not less than six persons to act as scrutineers of the election of State Council office-bearers and all related procedures; and
    - (b) not more than six persons to act as scrutineers of the State Director's allocation of members of State Council to Selection Committees.
  - (2) The State Director must select by lot from the members of State Council additional persons to form the Scrutineer Reserve List and these persons must be ranked in order of selection by lot. The State Director may select by lot further members of State Council as required to add to the Scrutineer Reserve List.
  - (3) A scrutineer selected under this clause must cease to be a scrutineer for an election or elections if they nominate in

the same election or series of elections which they have been selected to scrutineer.

- (4) If a scrutineer selected under **subclause 9.4.3(1)** does not accept appointment, resigns his or her position as a scrutineer, ceases to be a scrutineer under **subclause 9.4.3(3)** or ceases to be a member of State Council, the State Director must invite the next person on the Scrutineer Reserve List to act as scrutineer (in the case of a person ceasing to be a scrutineer under **subclause 9.4.3(3)**, for the duration of the election or series of elections only).
- (5) If the State Director adds to the Scrutineer Reserve List or if scrutineers are appointed from the Scrutineer Reserve List the State Director must report this to the next meeting of State Council.

**9.4.4 Scrutineers Appointed by Candidates for President of the Division**

- (1) Each person who nominates for election to the office of President or Vice President of the Division may nominate in writing a Member to be the person's scrutineer.
- (2) A Member appointed as a scrutineer has the right to observe the actions of the Returning Officer in the conduct of the election of State Council office-bearers.

## **9.5 STATE COUNCIL ELECTIONS**

**9.5.1 Biennial Elections**

- (1) In conjunction with its AGM, State Council must elect from among financial, non-parliamentary Branch Members (as at the date of close of nominations) State Council office-bearers in accordance with the table set out below, who shall hold office until the next AGM (unless they cease to hold office earlier in accordance with other provisions of this Constitution):

	<b>A</b>	<b>B</b>
	<b>Office Bearers</b>	<b>Notes</b>
1	The President of the Division	
2	2 Urban Vice-Presidents of the Division	The Urban Vice-Presidents' Principal Place of Residence must be within a Metropolitan Electorate as at the date of close of nominations and during their term of office.



3	2 Country and Regional Vice-Presidents of the Division	The Country and Regional Vice-President's Principal Place of Residence must be within a Country Electorate or Regional Electorate as at the date of close of nominations and during his or her term of office.
4	10 Urban Representatives	Urban Representatives' Principal Places of Residence must be within a Metropolitan Electorate as at the date of close of nominations and during their term of office.  At least four Urban Representatives must be women.
5	6 Country and Regional Representatives	Country and Regional Representatives' Principal Places of Residence must be within Country Electorates or Regional Electorates as at the date of close of nominations and during their term of office.  At least two Country and Regional Representatives must be women.  At least three 3 must be Local Branch Members in Local Branches assigned to SECs, FECs that are deemed to be Country SECs, FECs .
6	A Chair of Convention Committee and Director of Policy Engagement	This is a single position
7	7 members of the Convention Committee	
8	10 delegates to the Federal Council	
9	6 members of the Joint Standing Committee on State Policy	
10	7 members of the Constitution Standing Committee	
11	7 members of the Rural and Regional Committee	
12	7 members of the Local Government Oversight Committee	None of whom shall be a sitting Councillor.

(2) State Council must elect from among financial, non-parliamentary Branch Members (as at the date of close of

nominations) a State Platform Committee in accordance with clause 10.3.

- 9.5.2 Conduct of State Council Elections** Elections for State Council office-bearers must be conducted in accordance with the Regulations.
- 9.5.3 Presidential Candidates to Address State Council**
- (1) Each person who nominates for election to the office of President of the Division must be allowed to address the AGM of State Council.
  - (2) Each candidate is allowed a five minute speech but no questions.
- 9.5.4 Nominations for multiple positions**
- (1) Where at an election of State Council office bearers referred to in **clause 9.5.1**:
    - (a) a person nominates for more than one of the offices referred to in rows 1-6 of the table in that clause, and
    - (b) that person would otherwise be elected to more than one of those offices,
 then that person is elected to only one office, being the first of those offices referred to in the table in **clause 9.5.1**.

## 9.6 CONSTITUTION STANDING COMMITTEE

- 9.6.1 Composition** There will be a Constitution Standing Committee comprising seven members elected in each even year commencing 2008 by State Council.
- 9.6.2 Functions** The Constitution Standing Committee has the functions given to it under this Constitution.
- 9.6.3 Chairperson and Deputy Chairperson** At the first meeting of the Constitution Standing Committee after each AGM of State Council, the members of the Constitution Standing Committee must elect by secret ballot a chairperson and a deputy chairperson of the Committee.

## 9.7 RURAL AND REGIONAL COMMITTEE

- 9.7.1 Composition**
- (1) There will be a Rural and Regional Committee comprising:

- (a) The State Parliamentary Leader (or their nominee);
  - (b) The Country Vice-Presidents of the Division;
  - (c) Seven members elected by State Council in every even year commencing 2008; and
  - (d) Up to six additional Members, jointly recommended by the State Parliamentary Leader and the Country Vice-Presidents, and approved by a simple majority of the State Executive.
- (2) Members of the Committee elected or appointed under **clauses 9.7.1(1)(c) and 9.7.1(1)(d)** must have their primary place of residence in a Country or Regional electorate.
  - (3) All meetings of the Committee shall be chaired by a Country Vice-President (or their nominee).

**9.7.2 Functions**

The Committee shall focus on matters of concern to Members from Country and Regional electorates and shall be responsible for organising Country Conferences.

**9.7.3 Meetings of the Committee**

- (1) The Committee shall meet no fewer than six times in each Membership Year.
- (2) Meetings of the Committee may be called by the Country Vice-President or the State Parliamentary Leader.
- (3) Notice of Meeting must be given at least three days before the scheduled date of the meeting.
- (4) Where possible, meetings of the Committee should be conducted by telephone or other like technology.

**9.7.4 Failure to meet**

Should the Committee not meet in a period of six consecutive months, the State Director must call a meeting of the Committee, to be held within 14 days.

**9.7.5 Country Conference**

- (1) The Committee shall organise at least one Country Conference each Membership Year.
- (2) The Country Conference must be held in a Country or Regional electorate.

- (3) All Members of the Division may, subject to paying the prescribed registration fee, attend a Country Conference and speak and vote on all motions put at that Country Conference.

## **9.8 LOCAL GOVERNMENT OVERSIGHT COMMITTEE**

### **9.8.1 Local Government Oversight Committee**

- (1) Composition - There will be a Local Government Oversight Committee comprising of seven members elected at such time as coincide with State Council elections.
- (2) Functions - The Local Government Oversight Committee has the functions given to it under clause 14.3.4 of this Constitution.
- (3) Chairperson Deputy Chairperson – The Chairperson and Deputy Chairperson shall be elected in accordance with 14.3.3 of this Constitution.

## **10. THE STATE PLATFORM AND POLICY**

### **10.1 THE STATE PLATFORM**

#### **10.1.1 What is the State Platform?**

The State Platform must state the Organisation's philosophical position on the policy framework required to meet the objectives of the Organisation and must set out the principles against which policy must be formulated.

#### **10.1.2 Responsibility for the State Platform**

- (1) As between the Organisation and the State Parliamentary Party, State Council on behalf of the Organisation has ultimate responsibility for determining and revising the State Platform.
- (2) In determining and revising the State Platform, State Council must consult with the Joint Standing Committee on State Policy.
- (3) State Executive must communicate the State Platform and any changes to it to the State Parliamentary Party through the State Parliamentary Leader.

#### **10.1.3 State Platform Binds State**

The State Parliamentary Party is bound by the State Platform except to the extent that the State Platform purports to determine

<b>Parliamentary Party</b>	State policy matters that are properly the province of the State Parliamentary Party.
<b>10.1.4 Amendment of the State Platform</b>	Motions to amend the State Platform must be submitted to State Council for consideration.
<b>10.1.5 Printing and Availability of the State Platform</b>	State Executive must have the State Platform printed and available to Members.

## 10.2 POLICY

<b>10.2.1 What is Policy?</b>	State policy must consist of a statement of the detailed means and programmes by which the objectives of the State Platform are proposed to be met and achieved by the State Parliamentary Party, whether in government or in opposition.
<b>10.2.2 Responsibility for Policy</b>	<p>(1) As between the Organisation and the State Parliamentary Party, the State Parliamentary Party has ultimate responsibility for determining and revising State policy.</p> <p>(2) The Ministers, Shadow Ministers or spokespersons elected or appointed by the State Parliamentary Party are primarily responsible for policy formulation on behalf of the State Parliamentary Party.</p>
<b>10.2.3 Policy Motions Carried by State Council</b>	<p>(1) State Executive must communicate to the State Parliamentary Party through the State Parliamentary Leader any motions passed by State Council relating to State policy matters.</p> <p>(2) The State Parliamentary Party must consider those motions and communicate its decisions with respect to those motions and the reasons for those decisions to State Executive within a time that allows for the publication of the decisions and reasons with the notice of meeting for the next meeting of State Council. The State Parliamentary Party must respond to motions passed by State Council that are brought their notice pursuant to clause 10.2.3 within 60 days of the State Council at which the motion was passed.</p> <p>(3) The State Parliamentary Leader or the State Parliamentary Leader's nominee who must be a member of State Parliament must present to each meeting of State Council a report on the decisions of the State Parliamentary Party with respect to those motions.</p>

**10.2.4 Policy Proposals Affecting the Implementation of the State Platform**

- (1) Policy proposals from any Body of the Division that may affect the implementation of the State Platform must be submitted to the State Director for submission to the Joint Standing Committee on State Policy. The Committee must advise the State Parliamentary Party in relation to the proposals.
- (2) If the Committee does not report on any proposal referred to it within 12 months the proposal must be placed before the next meeting of State Council for adoption.

**10.3 STATE PLATFORM COMMITTEE****10.3.1 Composition**

There will be a State Platform Committee elected as far as practicable every ten years commencing at the first AGM of State Council following 1 January 2020 to undertake a periodic review of the State Platform. The State Platform Committee shall hold office for a period of two years from the time of its election unless extended by State Executive for a period of up to one year.

	<b>A</b>	<b>B</b>
	<b>Members</b>	<b>Notes</b>
1	One Vice-President of the Division	<ul style="list-style-type: none"> <li>To be nominated by the President of the Division and appointed by motion carried at a meeting of State Executive</li> <li>The Vice-President will chair the Committee</li> </ul>
2	8 Members elected annually by State Council	

**10.3.2 Functions**

The functions of the State Platform Committee are as follows.

	<b>A</b>	<b>B</b>
1	STATE PLATFORM AND STATE COUNCIL	To bring the State Platform to State Council from time to time for discussion and revision.

2	CONSIDERATION OF POLICY MOTIONS CARRIED BY STATE COUNCIL	To consider policy motions carried by State Council and from time to time bring forward to State Council for debate motions affecting the State Platform.
---	--	---

**10.3.3 Requirement to Hold Meetings**

The State Platform Committee must meet at least once every two months.

**10.4 JOINT STANDING COMMITTEE ON STATE POLICY****10.4.1 Composition**

There will be a Joint Standing Committee on State Policy comprising the following members.

	A	B
	Members	Notes
1	The President of the Division or their nominee	The President of the Division will chair the Committee or their nominee.
2	The State Parliamentary Leader or their nominee	
3	The Vice-Presidents of the Division	
4	The Women's Council President or her nominee from time to time who must be a member of the General Committee of Women's Council	
5	The Young Liberal President or his or her nominee from time to time who must be a member of the Young Liberal Executive	
6	The Leader of the State Parliamentary Party in the New South Wales Legislative Council	
7	The Deputy Leaders of the State Parliamentary Party in both the New South Wales Legislative Assembly and Legislative Council	
8	The State Director	

9	6 Members elected by State Council each even year commencing 2008 for a period of two years	
10	The Chair of Convention Committee and Director of Policy Engagement.	

**10.4.2 Functions**

The functions of the Joint Standing Committee on State Policy are as follows.

	<b>A</b>	<b>B</b>
1	ASSISTANCE TO STATE PARLIAMENTARY PARTY	To provide such assistance to the State Parliamentary Party in the formulation of State policy as may be requested of it by the State Parliamentary Party.
2	CONSIDERATION OF POLICY	To consider those matters of State policy as the Committee may determine or as may be referred to it by: <ul style="list-style-type: none"> <li>(1) State Council;</li> <li>(2) any Local Branch with the approval by motion carried by the SEC to which the Branch is allocated.</li> <li>(3) any Special Branch, or</li> <li>(4) any Policy Branch or Professional Branch.</li> </ul>
3	REFERRALS TO STATE PARLIAMENTARY PARTY	To ask the State Parliamentary Party or any Minister, Shadow Minister or spokesperson to consider new or revised policy proposals that have the support of the Committee.
4	CO-ORDINATION OF POLICY	To co-ordinate policy between the Organisation and the State Parliamentary Party.
5	REVIEW OF POLICY	To review each policy document prepared by the State Parliamentary Party.
6	TO REPORT TO STATE EXECUTIVE AND STATE COUNCIL	To report after each Committee meeting to State Executive and to State Council.



**10.4.3 Requirement to Hold Meetings**

The Joint Standing Committee on State Policy must meet at least once every two months.

**10.5 STATE COUNCIL POLICY ADVISORY COMMITTEES****10.5.1 Formation**

- (1) State Executive may form Policy Advisory Committees by motion passed at a meeting of State Executive.
- (2) A motion seeking to form a Policy Advisory Committee must:
  - (a) be moved by the President of the Division;
  - (b) specify the terms of reference of the Committee; and
  - (c) set out a process for Members to nominate for membership of the Committee.

**10.5.2 Purpose**

The purpose of Policy Advisory Committees is to investigate contemporary policy issues of major significance and, by reporting to State Executive, the Joint Standing Committee on State Policy and State Council, to assist the Organisation and the State Parliamentary Party in their development of meaningful policies and their ongoing revision of the State Platform.

**10.5.3 Composition**

Each Policy Advisory Committee must comprise:

- (1) either:
  - (a) if the work of the Committee relates to matters of Federal policy: the Federal Minister or Shadow Minister responsible for the relevant portfolio or the Minister or Shadow Minister's nominee who must be a New South Wales member of the Federal Parliamentary Party; or
  - (b) if the work of the Committee relates to matters of State policy: the State Minister or Shadow Minister responsible for the portfolio to which the work of the Policy Advisory Committee relates as determined by State Executive; and
- (2) all Members who nominate for membership of the Policy Advisory Committee in the manner prescribed by State Executive provided that no Member may nominate for membership of more than two Policy Advisory Committees.

**10.5.4 Functions**

Each Policy Advisory Committee is:

- (1) to study policy questions specified within the terms of reference of the Committee; and
- (2) to make recommendations and reports to State Executive, the Joint Standing Committee on State Policy and State Council.

#### **10.5.5 Reporting Requirements**

The terms of reference of each Policy Advisory Committee must specify a date by which the Committee must report to State Executive and State Council. That date may not be later than the anniversary of the formation of the Committee.

#### **10.5.6 Business of Policy Advisory Committees**

Each Policy Advisory Committee:

- (1) is to be chaired by the Federal or State Minister or Shadow Minister determined by State Executive or, in the case of the Federal Minister or Shadow Minister, the Minister's nominee; and
- (2) may otherwise regulate its business as it sees fit, subject to the provisions of **Appendix B**.

## **11. STATE CONVENTION**

### **11.1 ANNUAL STATE CONVENTION**

#### **11.1.1 Purpose of State Convention**

There will be an annual State Convention of the Liberal Party (NSW Division), which will focus on policy.

#### **11.1.2 Chair of State Convention**

The State President (or nominee) will chair the State Convention.

### **11.2 TIME OF STATE CONVENTION**

#### **11.2.1 Time of State Convention**

State Convention must be held annually at the same time and place as a meeting of State Council other than the AGM of State Council.

### **11.3 CONVENTION COMMITTEE**

#### **11.3.1 Composition**

There will be a Convention Committee comprising:

- (1) The Chair of the Convention Committee and Director of Policy Engagement;
- (2) 7 members of Convention Committee elected by State Council or, until such time as an election takes place, appointed by the State President;
- (3) 4 additional members appointed by the State President;
- (4) The State President;
- (5) The Young Liberals President (or their nominee);
- (6) The Women's Council President (or their nominee); and
- (7) The State Director (or nominee) will be an ex-officio member of the Convention Committee.

### **11.3.2 Method of Election**

The President's nominated members of Convention Committee must be approved by a simple majority of State Executive.

### **11.3.3 Functions**

Subject to the approval of State Executive by motion and in liaison with the State Director, Convention Committee must:

- (1) determine which meeting of State Council that State Convention will be held in conjunction with;
- (2) organise the State Convention;
- (3) give at least two month's notice of State Convention to all Members;
- (4) compile a programme and agenda for State Convention which may include motions submitted by Branches, FECs, SECs, LGCs, Young Liberal Council, Women's Council, Professional and Policy Branches and the Liberal Local Government Assembly but with motions submitted by Branches to be debated only once all other motions submitted by those other Bodies are debated, and
- (5) report to State Executive as required by State Executive.

The logistical and financial organization of the Convention will be undertaken by the State Secretariat.

### **11.3.4 Who May Chair Meetings**

The Chair of the Convention Committee and Director of Policy Engagement must chair each meeting of Convention Committee.

In the absence of the Chair, the Committee shall elect a Chair for the purpose of that meeting.

### **11.3.5 Entitlements**

Membership of the Convention Committee shall not confer any additional entitlements upon those Members.

### **11.3.6 Mandatory Reporting on Policy Motions**

- (1) Any policy motion passed by the Convention shall be forwarded to either:
  - (a) the relevant Liberal Minister or Shadow Minister, or
  - (b) if there is no relevant Liberal minister or shadow minister, the Leader of the Parliamentary Liberal Party,

who shall respond to the motion indicating their concurrence with or rejection of the motion within 60 days of the State Convention at which the motion was passed.
- (2) The Federal or State Parliamentary Party Leader (as appropriate) or their representative is to report to the State Council following a State Convention on responses to motions adopted at State Convention.
- (3) If the motion is rejected, then the response must include a detailed reason as to why it has been rejected.
- (4) Failure to respond to a passed policy motion shall be reported to the next meeting of State Council.

## **12. CAMPAIGN ASSEMBLY**

### **12.1 MEMBERSHIP OF CAMPAIGN ASSEMBLY**

#### **12.1.1 Composition**

There will be a Campaign Assembly comprising:

- (1) the State Strategy Committee;
- (2) the State Campaign Committee (when formed);
- (3) the State Director; and
- (4) from each SEC and FEC:
  - (a) the President and the Campaign Manager (where appointed); and

- (b) the Member of Parliament for the electorate (if a Member) or the endorsed candidate.

## 12.2 THE FUNCTIONS OF CAMPAIGN ASSEMBLY

### 12.2.1 Functions of Campaign Assembly

The functions of Campaign Assembly are as follows.

	A	B
1	THE DIVISION AND CAMPAIGNING	To strengthen the corporate approach of the Division towards campaigning.
2	CAMPAIGN ASSEMBLY AND STATE EXECUTIVE	To receive and discuss reports from State Executive on campaign activities within the Division;
3		To assist State Executive as requested on matters relating to campaigning.
4		To provide feedback and make recommendations to State Executive on matters relating to campaigning.
5	CAMPAIGN ASSEMBLY AND LOCAL ELECTORATE CAMPAIGNS	To assist local electorate campaign planning and training of campaign workers.

### 12.2.2 Limit on Functions of Campaign Assembly

- (1) Campaign Assembly is not a decision-making body.
- (2) The functions of Campaign Assembly do not include determining the nature of any campaign or campaign strategy.

## 12.3 CAMPAIGN ASSEMBLY MEETINGS

### 12.3.1 Requirement to Hold Meetings

In each Membership Year, Campaign Assembly must hold at least three meetings unless State Executive considers there is insufficient business to warrant a meeting and at such other times as the Campaign Assembly or State Executive determines.

**12.3.2 Who May chair Meetings**

Meetings of the Campaign Assembly may be chaired by the President of the Division or, if the President is absent or unwilling to chair the meeting, one of the Vice-Presidents of the Division.

**13. STATE EXECUTIVE****13.1 MEMBERSHIP OF STATE EXECUTIVE****13.1.1 Composition**

There will be a State Executive comprising the following members.

	<b>A</b>	<b>B</b>
	<b>Ex-Officio Members</b>	<b>Elected Members</b>
1	The Treasurer	The President of the Division
2	The President of Women's Council, who shall also be the Female Vice-President of the Division	2 Urban Vice-Presidents of the Division
3	The President of Young Liberal Council	2 Country and Regional Vice-President of the Division
4	Any member of the Federal Executive who is a Member of the Division (subject to <b>clause 13.1.4</b> below)	10 Urban Representatives (four of whom must be women)
5	The Leader of the State Parliamentary Party or that Leader's alternate appointed from time to time by that Leader	6 Country and Regional Representatives (of which 2 must be women)  (of which 3 must be Local Branch Members in Local Branches assigned to SECs, FECs that are deemed to be Country or Regional SECs, FECs ).
6	The Leader of the Federal Parliamentary Party or Leader's alternate appointed from time to time by that Leader	The Chair of Convention Committee and Director of Policy Engagement
7	The President of the Liberal Local Government Assembly (who shall not be a	

	member of any state or federal Selection Committee by virtue of this office)	
--	--	--

### **13.1.2 Eligibility to nominate and be elected to State Executive and other conditions**

- (1) Registered lobbyists and employees of, or otherwise engaged by, Ministers of the Crown or Members of Parliament are ineligible to be Elected Members of State Executive.
- (2) Elected Members of State Executive are not eligible to nominate for preselection for State or Federal Parliament during their term of office.
- (3) Nothing in this clause 13.1.2 restricts the eligibility of members to nominate and be elected to Ex-Officio positions on State Executive or places any conditions or restrictions on Ex-Officio Members of State Executive during their term of office.

### **13.1.3 The Treasurer**

- (1) At the first meeting of State Executive after each AGM of State Council or as soon as possible after that, the President of the Division must nominate a Member to be the Treasurer.
- (2) A nominee of the President of the Division is appointed Treasurer only by motion of not less than 75% of the members of State Executive present and voting.

### **13.1.4 Federal Executive Members on State Executive**

From 1 January 2009, a Member who is an ex officio member of State Executive by reason of being a member of the Federal Executive (apart from the Federal President):

- (1) has no right to vote on any motion before State Executive, and
- (2) is not counted for the purpose of determining whether or not a quorum is present at a meeting of State Executive.

Such a Member otherwise has all the entitlements of a member of State Executive (including to receive notices of its meetings and to speak at its meetings).

## **13.2 THE FUNCTIONS AND POWERS OF STATE EXECUTIVE**

### **13.2.1 Functions of State Executive**

The functions of State Executive are as follows.

STATE EXECUTIVE AND MANAGEMENT OF THE DIVISION	To co-ordinate the activities of the Division into cohesive, strategic action plans.
	To provide leadership for and professional management of the Division, subject to the directions of State Council.
	To be responsible for the arrangements between the Organisation and other political parties in New South Wales.
STATE EXECUTIVE AND STATE COUNCIL	To exercise the functions of State Council between its meetings.
	To submit a comprehensive report to each meeting of State Council of its activities since the last meeting of State Council.
STATE EXECUTIVE AND MEMBERS	To keep all Members informed in a timely manner on campaigning and policy activities of the Division and other Division related matters.
STATE EXECUTIVE AND ELECTION CAMPAIGNS	To prepare and direct State and Federal election campaigns within the Division.
	To report to each meeting of the Campaign Assembly on the campaigning activities of the Division.
	To supervise the local campaign activities of each Conference.
	To assist each Conference in training its election workers.
STATE EXECUTIVE AND FINANCES	To be responsible for the financial affairs of the Division.
STATE EXECUTIVE AND THE SELECTION OF LIBERAL ENDORSED CANDIDATES	To assist Conferences in identifying quality candidates, to develop, approve and publish an appropriate timetable for preselections of both winnable and un-winnable seats at State and Federal Elections, and informing preselectors as to the selection process.
STATE EXECUTIVE AND PROFESSIONAL STAFF	To employ the State Director.
STATE EXECUTIVE AND THE DIVISION GENERALLY	To consider proposals relating to the better administration of the Division.
	To make guidelines for the efficient administration of the Division.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council.



**13.2.2 Other Functions of State Executive**

State Executive must:

- (1) exercise the functions of State Council between meetings; and
- (2) submit a report of its activities at each meeting of State Council.

**13.2.3 Powers of State Executive**

Subject to this Constitution, State Executive:

- (1) manages the affairs of the Division;
- (2) exercises the powers and functions conferred upon it by State Council;
- (3) may delegate and revoke the delegation of any of its powers (other than this power to delegate) to any person or body for any period and on any conditions by motion of not less than 60% of those present and voting ratified by State Council;
- (4) may constitute committees that may consist of any persons whether or not Members; and
- (5) may for the good administration of the Division determine guidelines or mandatory codes of practice, consistent with the provisions of this Constitution, of general application to Members and/or Bodies of the Division and may enforce mandatory codes of practice.
- (6) establish, in consultation with the State Finance Committee, a permanent trust arrangement for the Division, to be called the 'Liberal Party Future Fund' and, by a motion passed by not less than 75% of the State Executive, to levy any units of the Division such amounts as are necessary to provide a capital base for that Liberal Party Future Fund.

**13.2.4 Special Powers of State Executive**

- (1) If State Executive decides that past, present, or future compliance with, or rectification of a past, present, or future failure to comply with, any decision-making mechanism, or formal or procedural requirement specified in this Constitution:
  - (a) will:

- (i) result in damage to the reputation of the Division or Organisation;
  - (ii) cause embarrassment to the Division or Organisation, the Party or a Parliamentary Leader;
  - (iii) reduce the Division's or Organisation's prospects of success in any election; or
  - (iv) amount to a waste of resources; or
- (b) is merely technical in nature,

State Executive may by motion of no less than 90% of those present and voting, waive the requirement and substitute any other mechanism or formal or procedural requirement it thinks fit. The State President shall report to the next meeting of State Council the text of the motion carried under this clause.

- (2) This clause may not be exercised to alter the procedures for the formation of new Branches contained in clause 6 of the Constitution.

#### **13.2.5 Redistributions and Amalgamations**

- (1) Where a redistribution of State or Federal electoral boundaries is occurring or has occurred, and a candidate is endorsed, or has been endorsed, for a State or Federal office prior to the finalisation of new boundaries, State Executive may, by motion of 75 percent of those present and voting, resolve to endorse that candidate as the endorsed Liberal candidate for a particular State or Federal office, and any such endorsement is taken to supersede any previous endorsement for that State or Federal office.
- (2) In making its determination under sub-clause (1), the State Executive may have regard to the names proposed for electoral districts or divisions, whether there has been a material change in the electoral boundaries, whether objections have been lodged to the proposed electoral boundaries or any other matter relevant to the Division's prospects of success in an election.

#### **13.2.6 Reformation of FECs, SECs and LGCs Following Redistribution**

Following changes to State or Federal electorate or local government area boundaries or amalgamations for New South Wales being finalised, State Executive must by motion of 75% of those members of State Executive present and voting:

- (1) allocate all Ordinary Branches, Young Liberal Branches and Women's Branches to FECs, SECs, LGCs or local

- 
- government areas (where no LGC has been formed) as finalised;
- (2) resolve to dissolve those FECs, SECs or LGCs where there has been a change in the allocation of Branches to that FEC, SEC or LGC as a result of the changes to electorate or local government area boundaries or amalgamations;
  - (3) require the formation of new FECs, SECs and LGCs (if previously formed) in place of the FECs, SECs or LGCs dissolved, comprised of the Branches allocated to that FEC, SEC or LGC under sub-clause (2)(a); and
  - (4) conduct the selection and endorsement of Liberal candidates for election to office in Federal, State or local government on the basis of the new boundaries, other than where a decision has been made under 13.2.5.
- 13.2.7 State Executive Subject to State Council**
- (1) State Executive is subject to the control of State Council and:
    - (a) any motion of State Executive may be overruled or amended by motion of State Council passed by a majority of not less than 60% of the members of State Council present and voting; or
    - (b) If any motion put to the State Executive that requires 75% of State Executive Members present and voting to pass has been put to the State Executive and failed on at least two occasions, the Motion may be put to the State Council for consideration by any Member of State Council.
  - (2) Any motion put to State Council under Clause 13.2.6(1)(b) requires a majority of not less than 50% of the members of State Council present and voting.
  - (3) On the passage of a motion in this clause 13.2.6(2)-(3), it is to be deemed that the Motion was passed as if it were a resolution of State Executive.
- 13.2.8 Rights of Members of State Executive**
- Any member of State Executive, or any person authorised by motion of State Executive confirmed in writing by the State Director, will have the right to speak at any meeting of a Branch or Conference.

- |   |   |
|---|---|
| <b>13.2.9 Power of the State President to allocate portfolio responsibility</b> | At the first meeting of State Executive after each AGM of State Council, or as soon as possible after that, the President of the Division must allocate to members of the State Executive specific portfolio responsibilities for the management of the affairs of the Division. Each member of State Executive will report to State Executive on their portfolio responsibilities. |
| <b>13.2.10 State President may put urgent motions to State Executive</b>        | The State President may put motions that in the opinion of the State President require urgent consideration between meetings of the State Executive to a vote by way of electronic mail.  |

### **13.3 MEETINGS OF STATE EXECUTIVE**

- |  |   |
|--|---|
| <b>13.3.1 Requirement to Hold Meetings</b> | State Executive must meet at least once every month.  |
| <b>13.3.2 Location of Meetings</b>         | Where practicable, each year some meetings of State Executive are to be held: <ul style="list-style-type: none"> <li>(1) other than in the Sydney CBD; and</li> <li>(2) in different locations around New South Wales.</li> </ul> |

## **14. STANDING COMMITTEES OF STATE EXECUTIVE**

### **14.1 STATE FINANCE COMMITTEE AND FUNDRAISING COMMITTEE**

- |                                   |  |
|-----------------------------------|--|
| <b>14.1.1 Composition</b>         | There will be a State Finance Committee comprising the Treasurer, the Fundraising Committee Chair and other Members appointed by motion of State Executive.                          |
| <b>14.1.2 Term of Office</b>      | Members of the State Finance Committee hold office for a term of three years.  |
| <b>14.1.3 Functions</b>           | Subject to the direction of State Executive, the State Finance Committee and the Finance Director will responsible for the management of the income and expenditure of the Division. |
| <b>14.1.4 Removal from office</b> | State Executive may remove any member of the State Finance Committee from that committee before the end of that member's term. State Executive must apply the procedural fairness    |

provisions of **Appendix E**, except that any such resolution requires a majority of 75% of those present and voting.

#### **14.1.5 Fundraising Committee**

- (1) There will be a Fundraising Committee comprising the Chair appointed by the Treasurer, and other members as nominated by the Chair of the Fundraising Committee and appointed by motion of the State Finance Committee.
- (2) The State Finance Committee will appoint a Fundraising Committee for a term as decided by the State Finance Committee.
- (3) The Fundraising Committee will be responsible for the fundraising activities of the Division, reporting to the State Finance Committee.
- (4) State Executive shall determine from to time the name of the Fundraising Committee.

### **14.2 AUDIT AND GOVERNANCE COMMITTEE**

#### **14.2.1 Composition**

- (1) There will be an Audit & Governance Committee comprising a chairperson and up to six additional members.
- (2) The Chairperson should preferably hold a professional accounting qualification.
- (3) All members of the Audit & Governance Committee shall be appointed by State Executive by a motion carried by not less than 75% of those present and voting.
- (4) The Chairperson must be nominated for appointment by the President of the Division.

#### **14.2.2 Term of Office**

All members of the Audit & Governance Committee shall hold office for a term of three years.

#### **14.2.3 Limitations on Committee membership**

- (1) A member of State Executive may not be a member of the Audit & Governance Committee.
- (2) A member of the Audit & Governance Committee must be a General Member.
- (3) A member of the State Finance Committee may not be a member of the Audit & Governance Committee.

**14.2.4 Functions**

- (1) Subject to any limitations in this clause, the Committee shall keep a watching brief of the Division's procedures and systems relating to:
  - (a) accounting, administrative and organisational procedures; and
  - (b) protocols, regulations and practicesfor the purpose of identifying to the extent practicable that the procedures and systems are in accordance with the Constitution of the Division.
- (2) Recommend to the President of the Division, that the Committee should carry out an enquiry into a specified area of the Division's operations within **clause 14.2.4(1)**.
- (3) Any such recommendation must include the particulars of the issue under **clause 14.2.4(1)** to be investigated, the reason why the Committee wishes to conduct an enquiry, the scope of the proposed enquiry, the time and resources required to complete the enquiry.
- (4) The Committee may only conduct an enquiry under this clause if:
  - (a) authorised in writing by the President of the Division to conduct an enquiry, and any such authorisation shall contain the particulars as set out in **clause 14.2.4(2)(b)**; and
  - (b) a copy of the report of an enquiry including its conclusions and recommendations must be provided to the President of the Division and the State Director; and
  - (c) State Executive must be informed as soon as practicable a report has been delivered in accordance with this clause and the subject matter of the report.
- (5) Advise State Executive on the appointment or continued engagement and Terms of Engagement of the Division's External Auditors.
- (6) Review all non-oral financial information or reports made available to State Council and/or Members of the Division generally before such information is published and report as to whether that information is presented fairly in all material respects. The Committee's report shall form part of the financial information when published.

- (7) Report to State Executive at least annually on the Committee's activities since the previous report, including a summary of each enquiry conducted, its conclusions and recommendations.
- (8) Nothing in this clause prevents the President of the Division, the State Director or the Audit and Governance Committee providing a copy of a report to State Executive.
- 14.2.5 Communications & Recommendations** All formal communications by the Audit & Governance Committee are to be from the Chairperson unless determined otherwise by the Chairperson. All reports of any enquiries by the Committee must be in accordance with a resolution of the Committee.
- 14.2.6 Party Affairs Exclusion** Despite any other provision this clause, the Audit & Governance Committee shall not maintain a watching brief or conduct any enquiry on any matter within **clause 17.6.1**.
- 14.2.7 Indemnity for Audit and Governance Committee Members** The Division indemnifies all members of the Audit & Governance Committee for any personal liability arising from any act or omission in the performance in good faith of his or her functions as a member of the Committee;
- 14.2.8 Access to Records and Information** In conducting any enquiries, the members of the Committee shall be given reasonable co-operation by all Members and shall have reasonable access to all records, documents and information requested by members of the Committee provided that such access may be restricted to the Chairman of the Committee if requested by the President of the Division, Treasurer, State Director or a resolution of State Executive;
- 14.2.9 Removal from office** State Executive may remove any member of the Audit & Governance Committee from that Committee before the end of that member's term. State Executive must apply the procedural fairness provisions of **Appendix E**, except that any such resolution requires a majority of 75% of those present and voting.

### **14.3 LOCAL GOVERNMENT OVERSIGHT COMMITTEE**

- 14.3.1 Composition** (1) The Local Government Oversight Committee shall be comprised of 7 persons, elected by State Council none of whom shall be serving local government councillors.
- 14.3.2 Office Bearers** (1) The Chair of the Committee shall be elected from amongst Members of the Committee.

- (2) The members of the Local Government Oversight Committee must elect by secret ballot a Chairperson, deputy chairperson and secretary of the Committee at the first meeting of the committee after the election of the Committee by State Council.

#### **14.3.3 Functions**

The functions of the Local Government Oversight Committee include:

- (1) provide advice to State Executive on effectiveness, operations and application of the Local Government Code of Practice and undertake any functions assigned to the Committee in the Code of Practice;
- (2) undertake any functions assigned to the Committee by State Executive;
- (3) consider applications from Branches and Conferences to form LGCs within local government areas and recommend to State Executive whether each of the applications should be approved;
- (4) provide advice to State Executive and State Director on the timetable for pre-selections for Local Government elections;
- (5) consider applications from Local Government Conferences to run endorsed candidates and recommend to State Executive whether each of the applications should be approved; and
- (6) The Chair of the Local Government Oversight Committee (or nominee) shall be part of the Nomination Review Committee for all candidates for local government.

#### **14.3.4 Consent to Formation of LGCs**

The Local Government Oversight Committee must not consent to the formation of an LGC unless:

- (1) the Local Government Oversight Committee is satisfied that the Organisation will not be required to underwrite the campaign funds required by the relevant proposed LGC; and
- (2) the Local Government Oversight Committee has, by notice in writing to any Member of Parliament who is a member of a Branch within the proposed LGC, provided that Member of Parliament with an opportunity to communicate his or her views about formation of the LGC to the Local Government Oversight Committee.



## **14.4 LIBERAL LOCAL GOVERNMENT ASSEMBLY**

- 14.4.1 Composition** All Local Government Councillors who are Members.
- 14.4.2 Functions** The functions of the Liberal Local Government Assembly include to:
- (1) Coordinate the activities of the Liberal Party in local Government except for those matters that fall within the responsibility of the Local Government Oversight Committee;
  - (2) Provide advice to State Executive and the State Director on matters relating to local government campaigning; and
  - (3) Consider policy issues and motions relevant to local government in NSW and, where appropriate, propose motions to State Council and State Convention.
- 14.4.3 Meetings of the Liberal Local Government Assembly**
- (1) In each membership year the Assembly must hold at least three meetings.
  - (2) The Standing Orders for State Council apply to all meetings of the Assembly.
- 14.4.4 Agenda for Meetings of Liberal Local Government Assembly** The agenda for each meeting of Liberal Local Government Assembly is to be determined by the Assembly Executive.
- 14.4.5 The Liberal Local Government Assembly AGM**
- (1) The Assembly must hold an AGM within three months of the holding of a general election for local government councils in New South Wales.
  - (2) Thereafter the Assembly must hold an AGM every two years at a date to be proposed by the Assembly Executive ratified by State Executive.
- 14.4.6 Scrutineers**
- (1) Candidates for election as office-bearers to the Liberal Local Government Assembly may appoint a scrutineer for the purposes of the election not later than 14 days before the AGM. The State Director may select by lot from the members of Liberal Local Government Assembly additional scrutineers as required so there are no less than three persons to act as scrutineers of

the election of Liberal Local Government Assembly office-bearers.

**14.4.7 Liberal Local Government Assembly Elections**

The Assembly must elect at its AGM the following Office-Bearers as the Assembly Executive who must be a member of the Assembly at the time of their election and during their term in office:

- (1) President (ex-officio member of State Executive);
- (2) Vice-President;
- (3) Secretary;
- (4) Treasurer; and
- (5) three other general members of the Executive.

**14.4.8 Chair of Liberal Local Government Assembly AGM**

The President of the Division or their nominee will chair the AGM of the Liberal Local Government Assembly.

**14.4.9 Conduct of Elections for Liberal Local Government Assembly**

Elections for Office-Bearers of the Liberal Local Government Assembly must be conducted in accordance with the regulations.

**14.4.10 Functions of the Executive of the Liberal Local Government Assembly**

The functions of the Assembly Executive will be to coordinate the activities of the Assembly.

**14.5 STATE STRATEGY COMMITTEE**

**14.5.1 Composition**

The State Strategy Committee comprises:

- (1) the President of the Division;
- (2) the State Parliamentary Leader;
- (3) the State Director; and

- (4) other Members nominated by the President of the Division after consultation with the State Parliamentary Leader and appointed by motion of State Executive.

#### **14.6 PARTY AFFAIRS COMMITTEE**

- 14.6.1 Composition** The Party Affairs Committee shall comprise persons from the State Executive selected by the State President.
- 14.6.2 Role of the Committee** The Committee shall meet as required by any member of the Committee and will examine and make recommendations to the State Executive on organisational matters of the Division.

#### **14.7 ALLOCATION OF RESPONSIBILITIES**

- 14.7.1 Allocation of portfolio responsibility to members of any Standing Committee of State Executive** At the first meeting of each Standing Committee of State Executive established under clause 14 after the State Council AGM or as soon as possible after that, the Standing Committee Chair may allocate to Standing Committee members specific portfolio responsibilities for the management of the affairs of the Standing Committee. Each member of the Standing Committee appointed with portfolio responsibilities will report to the Standing Committee on their portfolio responsibilities.

### **15. YOUNG LIBERAL MOVEMENT**

#### **15.1 GENERAL**

- 15.1.1 Formation** There will be a Young Liberal Movement of Australia (New South Wales Division).
- 15.1.2 Aims of the Young Liberal Movement** The aims of the Movement are:
- (1) to foster and promote the objectives of the Division amongst the youth of New South Wales; and
  - (2) to accept responsibility to present the views of young Australians to the Organisation and the Federal and State Parliamentary Parties for consideration and, where appropriate, for adoption as Federal and State policy.

**15.1.3 Patrons of the Young Liberal Movement**

- (1) At the first meeting of Young Liberal Executive after each AGM of Young Liberal Council or as soon as possible after that, the President of Young Liberal Council must nominate three Members to be the patrons of the Movement provided that:
- (a) one nominee must be a New South Wales member of the State Parliamentary Party; and
  - (b) one nominee must be a New South Wales member of the Federal Parliamentary Party; and
  - (c) one nominee must be a non-parliamentary Member; and
  - (d) all three nominees should have or have had a close association with the Movement whether or not as Young Liberals.
- (2) The nominees of the President of Young Liberal Council are appointed patrons of the Movement by motion carried by a majority of members of Young Liberal Executive present and voting ratified by Young Liberal Council.
- (3) It is the duty of patrons of the Movement to attempt to secure the advancement of the interests of the Movement.

**15.1.4 Provisions Relating to Ordinary Branches to Apply to Young Liberal Branches**

The provisions of this Constitution relating to Ordinary Branches apply to Young Liberal Branches except as provided by this Part.

**15.1.5 Regulations**

Subject to this Constitution and the Regulations, Young Liberal Council may by motion ratified by State Council make its own regulations.

**15.2 YOUNG LIBERAL COUNCIL****15.2.1 Composition**

There will be a Young Liberal Council comprising the following members.

	<b>A</b>	<b>B</b>
	<b>Ex-Officio Members</b>	<b>Elected Members</b>

1	The President of Young Liberal Council.	The delegates to Young Liberal Council elected by Young Liberal Branches.
2	Each Past President of Young Liberal Council while he or she remains a Young Liberal.	
3	Life Members of Young Liberal Council.	
4	Members of the Young Liberal Executive	

### 15.2.2 Life Members of Young Liberal Council

- (1) Young Liberal Council may appoint persons as Life Members of Young Liberal Council.
- (2) To be eligible for appointment as a Life Member of Young Liberal Council:
  - (a) the person must be a Young Liberal or a former Young Liberal;
  - (b) the person must be nominated by Young Liberal Executive; and
  - (c) each member of Young Liberal Council must be given at least 10 days' notice that a motion to appoint the person as a Life Member will be put at a meeting of Young Liberal Council.
- (3) A person is appointed a Life Member of Young Liberal Council if a motion to that effect is passed by a majority of not less than three quarters of the members of Young Liberal Council present and voting at the meeting.
- (4) A Life Member of Young Liberal Council has all the privileges of membership of Young Liberal Council except the right to vote.
- (5) A Life Member of Young Liberal Council ceases to be a Life Member if the Member ceases to be a financial Member.

### 15.2.3 Vacancies on Young Liberal Council

- (1) If a delegate to Young Liberal Council elected by a Young Liberal Branch allocated to a State electorate that is a Metropolitan Electorate fails to attend three consecutive

meetings of Young Liberal Council without the approval of that Council, the delegate ceases to be a delegate.

- (2) If a vacancy occurs on Young Liberal Council the Secretary of Young Liberal Council must give notice to the Secretary of the relevant Young Liberal Branch which may elect another delegate to fill the vacancy.

#### **15.2.4 Functions of Young Liberal Council**

The functions of Young Liberal Council are as follows.

YOUNG LIBERAL COUNCIL AND THE ELECTORATE	To demonstrate to the community the concern and involvement of the Division in matters of concern to young people.
YOUNG LIBERAL COUNCIL AND YOUNG LIBERAL BRANCHES	To co-ordinate the work of Young Liberal Branches.
	To actively encourage with SECs and FECs the establishment of viable Young Liberal Branches within the electorates represented by those SECs and FECs.
YOUNG LIBERAL COUNCIL AND BUILDING MEMBERSHIP	To actively encourage Young Liberals to join and remain members of Ordinary Branches.
YOUNG LIBERAL COUNCIL AND POLICY DEVELOPMENT	To consider policy resolutions from Young Liberal Branches.
YOUNG LIBERAL COUNCIL AND THE DIVISION GENERALLY	To raise funds for the purposes of the Division. Where necessary, this includes imposing levies upon Young Liberal Branches not more than once per year and in proportion to their memberships.
	To make regulations in accordance with this Constitution.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

### **15.3 YOUNG LIBERAL EXECUTIVE**

#### **15.3.1 Composition**

There will be a Young Liberal Executive comprising the following members.

	<b>A</b>	<b>B</b>
	<b>EX-OFFICIO MEMBERS</b>	<b>ELECTED MEMBERS</b>
1	The Young Liberal Treasurer	The President of Young Liberal Council
2	Not more than two Young Liberals co-opted by Young Liberal Executive under <b>clause 15.3.3</b>	Two Metropolitan Vice-Presidents of Young Liberal Council (One of which must be a woman)
3	The Federal President and any Vice-President of the Young Liberal Movement who is also a Young Liberal Member in NSW	The Country and Regional Vice-President of Young Liberal Council
4	The Immediate Past President of Young Liberal Council while he or she remains a Young Liberal.	
5		Three Directors of Young Liberal Council
6		Three Officers of Young Liberal Council
7		The Tertiary Institutions Liaison Officer
8		Young Liberal Secretary
9	Director (Young Liberal Flying Squad)	

**15.3.2 The Young Liberal Treasurer and Director (Young Liberal Flying Squad)**

- (1) At the first meeting of Young Liberal Executive after each AGM of Young Liberal Council or as soon as possible after that, the President of Young Liberal Council must nominate a Young Liberal to be the Young Liberal Treasurer and Director (Young Liberal Flying Squad).
- (2) A nominee of the President of Young Liberal Council is appointed Young Liberal Treasurer and Director (Young Liberal Flying Squad) only by motion of a majority of the members of Young Liberal Executive present and voting excluding the ex-officio members of Young Liberal Executive.

**15.3.3 Young Liberal Executive May Co-opt Members**

- (1) Young Liberal Executive may by motion carried at Young Liberal Executive ratified by Young Liberal Council appoint not more than two additional Young Liberals to Young Liberal Executive.
- (2) A motion carried by Young Liberal Executive under **subclause 15.3.3(1)** must specify:
- (a) the term of the appointment which must not extend beyond the AGM of Young Liberal Council occurring next after the appointment; and
  - (b) the responsibilities of the additional member or members to be appointed to Young Liberal Executive.

**15.3.4 Power of the Young Liberal President to allocate portfolio responsibility**

At the first meeting of the Young Liberal Executive after each AGM of the Young Liberal Council or as soon as possible after that, the Young Liberal President may allocate to ex-officio or elected members of Young Liberal Executive under **clause 15.3.1** specific portfolio responsibilities for the management of the affairs of the Movement. Each member of Young Liberal Executive appointed with a portfolio will report to Young Liberal Executive on their portfolio responsibilities.

**15.3.5 Functions of Young Liberal Executive**

The functions of Young Liberal Executive are as follows.

	<b>A</b>	<b>B</b>
1	YOUNG LIBERAL EXECUTIVE AND THE MOVEMENT	To administer the affairs of the Movement.
2	YOUNG LIBERAL EXECUTIVE AND YOUNG LIBERAL COUNCIL	To exercise all administrative functions of Young Liberal Council, including the raising and expenditure of monies for use by Young Liberal Council.  To submit reports of its activities to meetings of Young Liberal Council.
3	YOUNG LIBERAL EXECUTIVE GENERALLY	To specify the responsibilities for the Tertiary Institutions Liaison Officer.  To fulfil other specific functions and responsibilities conferred on it by this Constitution.



## **15.4 YOUNG LIBERAL COUNCIL MEETINGS**

- 15.4.1 Requirement to Hold Meetings**      Young Liberal Council must meet at least once every two months except where impracticable due to State and Federal election campaigns.
- 15.4.2 Procedure at Young Liberal Council Meetings and Application of Standing Orders**
- (1)      At all meetings of Young Liberal Council:
    - (a) unless otherwise stated in this Constitution, all questions must be decided by majority vote of members of Young Liberal Council present and entitled to vote; and
    - (b) the chairperson has both a deliberative and a casting vote.
  - (2)      All meetings of Young Liberal Council must be conducted in accordance with the Standing Orders and Young Liberal Council and its members must comply with the Standing Orders.
- 15.4.3 Agenda for Young Liberal Council Meetings**      The agenda for each meeting of Young Liberal Council is to be determined by motion of Young Liberal Executive or, if the Young Liberal Executive has not met since the previous meeting of Young Liberal Council, the President of the Young Liberal Council.
- 15.4.4 Entry Fee for Meetings of Young Liberal Council**
- (1)      Young Liberal Executive may determine an entry fee to be paid by each person present at a meeting of Young Liberal Council.
  - (2)      The entry fee must be reasonably calculated to recover only the cost of the holding of the meeting.

## **15.5 YOUNG LIBERAL COUNCIL AGMs**

- 15.5.1 Time of AGM**      (1)      Young Liberal Council must hold its AGM by 31 October in each odd year or at such other date as State Executive may determine, which must be within 3 months of 31 October in each odd year.
- 15.5.2 Scrutineers**      (1)      Not later than 14 days before the AGM of Young Liberal Council, the State Director must select by lot from the members of Young Liberal Council not less than five persons to act as scrutineers of the election of Young Liberal Council office-bearers and all related procedures.

- (2)

The State Director must select by lot from the members of Young Liberal Council additional persons to form the Young Liberal Scrutineer Reserve List and these persons must be ranked in order of selection by lot. The State Director may select by lot further members of Young Liberal Council as required to add to the Young Liberal Scrutineer Reserve List.

(3)

A scrutineer selected under this clause must cease to be a scrutineer for an election or elections if they nominate in the same election or series of elections which they have been selected to scrutineer.

(4)

If a scrutineer selected under **subclause 15.5.2(2)** does not accept appointment, resigns his or her position as a scrutineer, ceases to be a scrutineer under **subclause 15.5.2(3)** or ceases to be a member of Young Liberal Council, the State Director must invite the next person on the Scrutineer Reserve List to act as scrutineer (in the case of a person ceasing to be a scrutineer under **subclause 15.5.2(3)**, for the duration of the election or series of elections only).

(5)

If the State Director adds to the Young Liberal Scrutineer Reserve List or if scrutineers are appointed from the Young Liberal Scrutineer Reserve List the State Director must report this to the next meeting of Young Liberal Council.
- 15.5.3

Scrutineers  
Appointed by  
Candidates for  
President of  
Young Liberal  
Council

(1)

Each person who nominates for election to the office of President or Vice President of Young Liberal Council may nominate in writing a Member to be the person’s scrutineer.

(2)

A Member appointed as a scrutineer has the right to observe the actions of the Returning Officer in the conduct of the election of Young Liberal Council office-bearers.

15.6 YOUNG LIBERAL COUNCIL ELECTIONS

- 15.6.1

Elections at  
AGMs

(1)

In conjunction with its AGM, Young Liberal Council must elect, by 31 October in each odd year, from among financial, non-parliamentary Young Liberals the following Young Liberal office-bearers, who shall hold office until the next AGM (unless they cease to hold office earlier in accordance with other provisions of this Constitution):

	A	B
--	---	---

	Office-Bearers	Notes
1	The President of Young Liberal Council	<ul style="list-style-type: none"> <li>Ex-officio member of all committees of Young Liberal Council.</li> <li>Ex-officio delegate to Federal Young Liberal Council.</li> <li>Ex-officio delegate to Federal Council.</li> </ul>
2	Two Metropolitan Vice-Presidents of Young Liberal Council (one of which must be a woman)	
3	The Country and Regional Vice-President of Young Liberal Council	
4	The Young Liberal Secretary	
5	Three Directors and three Officers of Young Liberal Council	<ul style="list-style-type: none"> <li>The first three (3) elected candidates are to be directors of Young Liberal Council.</li> <li>The next three (3) elected candidates are to be officers of Young Liberal Council.</li> </ul>
6	5 delegates to Federal Young Liberal Council	<ul style="list-style-type: none"> <li>Each must be a registered delegate to National Convention.</li> <li>Each must submit the National Convention fee with their nomination form.</li> </ul>
7	7 members of Young Liberal Policy Committee	
8	One Tertiary Institutions Liaison Officer	<ul style="list-style-type: none"> <li>Must be a bone fide student enrolled at a registered tertiary institution as determined by Young Liberal Executive</li> <li>Only members of Young Liberal Council who are bona fide students enrolled at a registered tertiary institution as determined by Young Liberal Executive may vote in the election of this office-bearer.</li> </ul>

### 15.6.2 Conduct of Elections of Young Liberal

- (1) Elections for Young Liberal offices must be conducted in accordance with the Regulations.

**Council Office-Bearers****15.6.3 Presidential Candidates to Address Young Liberal Council**

- (1) Each candidate for election to the office of President of Young Liberal Council must be allowed to address the meeting of Young Liberal Council prior to its AGM.
- (2) Each candidate is allowed a five minute speech with five minute question time.

**15.6.4 Nominations for multiple positions**

- (1) Where at an election of Young Liberal office bearers referred to in **clause 15.6.1**:
  - (a) a person nominates for more than one of the offices referred to in rows 1-5 and rows 7-8 of the table in that clause, and
  - (b) that person would otherwise be elected to more than one of those offices,
 then that person is elected to only one office, being the first of those offices referred to in the table in **clause 15.6.1**.

**15.7 FINANCIAL REPORTING TO YOUNG LIBERAL COUNCIL****15.7.1 Annual Audit**

- (1) As soon as practicable after the end of each Financial Year, Young Liberal Executive must have the financial books and records of the Movement audited.
- (2) The auditor must be a qualified auditor and must not be a Young Liberal. The auditor is appointed by motion proposed by Young Liberal Executive and carried at the January meeting of Young Liberal Council.
- (3) The auditor's statement must be presented by the Young Liberal Treasurer at the AGM of Young Liberal Council.

**15.7.2 Presentation of Unaudited Half Yearly Accounts**

The Young Liberal Treasurer must present to the first meeting of Young Liberal Council in a calendar year, the unaudited financial statements for the six month period ending on 31 December in the previous calendar year.

**15.7.3 Financial Reporting Generally**

The Young Liberal Treasurer must present monthly accounts at each meeting of Young Liberal Council.

## **15.8 YOUNG LIBERAL POLICY COMMITTEE**

**15.8.1 Formation**                      There will be a Young Liberal Policy Committee.

**15.8.2 Composition**                      The Young Liberal Policy Committee will comprise:

- (1)      the President of Young Liberal Council;
- (2)      a Vice-President of Young Liberal Council, as determined by the President of Young Liberal Council;
- (3)      a Director of Young Liberal Council, as determined by the President of Young Liberal Council;
- (4)      an Officer of Young Liberal Council, as determined by the President of Young Liberal Council; and
- (5)      7 Young Liberals elected by Young Liberal Council.

**15.8.3 Functions**                      The functions of the Young Liberal Policy Committee are:

- (1)      to review and update the Movement's Policy Document;
- (2)      to prepare policy papers for Young Liberal Council;
- (3)      to prepare motions for the annual Movement convention;
- (4)      to prepare policy papers and motions for the Federal Young Liberal Policy Committee;
- (5)      to prepare motions for the National Convention agenda that must not be in conflict with the State Platform and policies of the Division;
- (6)      to prepare submissions to public inquiries and commissions subject to the prior consent of the President of the Division;
- (7)      to present the January meeting of Young Liberal Council with motions for rescission;
- (8)      to produce a policy booklet at the end of its term containing all previous motions, not rescinded during the year, together with all new motions carried by Young Liberal Council and the annual convention; and
- (9)      to fulfil other specific functions and responsibilities conferred upon it by Young Liberal Council.

**15.8.4 Requirement to Hold Meetings**

The Young Liberal Policy Committee must meet at least once every two months.

**15.8.5 Who May Chair Committee Meetings**

- (1) The Vice-President appointed to Policy Committee is entitled to chair all meetings of the Young Liberal Policy Committee.
- (2) If the Vice-President is absent or unwilling to chair the meeting, the meeting may be chaired by a member of the Committee elected by the meeting.

**15.9 YOUNG LIBERAL ADMINISTRATION COMMITTEE****15.9.1 Formation**

There will be a Young Liberal Administration Committee.

**15.9.2 Composition**

The Young Liberal Administration Committee will comprise:

- (1) the President of Young Liberal Council;
- (2) a Vice-President of Young Liberal Council, as determined by the President of Young Liberal Council;
- (3) the Young Liberal Treasurer;
- (4) Young Liberal Secretary; and
- (5) 7 other Young Liberals nominated by the Vice-President and appointed by motion carried at a meeting of Young Liberal Executive.

**15.9.3 Functions**

The functions of the Young Liberal Administration Committee are:

- (1) to review the Movement's regulations;
- (2) to review and advise upon the Movement's administrative procedures; and
- (3) to fulfil other specific functions and responsibilities conferred upon it by Young Liberal Council.

**15.9.4 Requirement to Hold Meetings**

The Young Liberal Administration Committee must meet at least once every two months.

- 15.9.5 Who May Chair Committee Meetings

(1)

The Vice-President appointed to the Administration Committee is entitled to chair all meetings of the Young Liberal Administration Committee.

(2)

If the Vice-President appointed to the Administration Committee is absent or unwilling to chair the meeting, the meeting may be chaired by a member of the Committee elected by the meeting.

15.10 AD HOC COMMITTEES OF THE MOVEMENT

- 15.10.1Formation

Young Liberal Council or Young Liberal Executive may by motion form ad hoc committees.
- 15.10.2Member-ship of Ad Hoc Committees

Ad hoc committees must comprise:

(1)

the President of Young Liberal Council;

(2)

a Vice-President of Young Liberal Council; and

(3)

other Young Liberals named in the motion forming the Committee.
- 15.10.3Reporting

Each ad hoc committee must report to Young Liberal Executive and Young Liberal Council.

16. WOMEN’S COUNCIL

16.1 GENERAL

- 16.1.1 Formation

There will be a Women's Council.
- 16.1.2 Regulations

Subject to this Constitution and the Regulations, Women’s Council may by motion carried at Women’s Council ratified by State Council make its own regulations.

16.2 WOMEN’S COUNCIL

- 16.2.1 Composition

Women’s Council comprises the following Members.

	A	B
--	---	---

	Ex-Officio/ Other	Elected
1	Any President or Vice-President of the Division who is a female Member	The President of Women's Council.
2	The Immediate Past President of Women's Council	Delegates to Women's Council elected from Branches, SECs and FECs.
3	General members of Women's Council as set out in <b>clause 16.2.2</b>	
4	Members of Women's Council elected to office at the previous AGM of Women's Council	
5	<p>(a) All female members of the Legislative Assembly and the Legislative Council who are Members.</p> <p>(b) All female members of the House of Representatives who represent electorates in New South Wales who are Members.</p> <p>(c) All female members of the Senate representing the State of New South Wales who are Members.</p> <p>(d) All female Local Government Councillors who stood for local government election as an endorsed Liberal.</p>	

### 16.2.2 General Members of Women's Council

- (1) Women who are Branch Members and who attend and sign the attendance register at three meetings of Women's Council except the AGM of Women's Council are general members of Women's Council from the end of the third meeting that they attend and sign the attendance register until the end of the next AGM of Women's Council.
- (2) General members of Women's Council have all the rights of a delegate to Women's Council.



- 16.2.3 Voting Rights of General members**
- (1) **Clause 16.2.2(2)** will cease to operate at the end of the 2008 Women's Council Elections.
- (2) After the conclusion of the 2008 Women's Council Elections, General Members of Women's Council will have all the rights of a delegate to Women's Council except the right to vote in biennial election of office bearers.

### 16.3 THE FUNCTIONS OF WOMEN'S COUNCIL

- 16.3.1 Functions of Women's Council** The functions of Women's Council are as follows.

WOMEN'S COUNCIL AND THE ELECTORATE	To demonstrate to the community the concern and involvement of the Division in matters of concern to women.
WOMEN'S COUNCIL AND POLICY DEVELOPMENT	To advise on policy matters that cater for the specific needs and interests of women.
	To consider policy resolutions from Branches and from the members of Women's Council.
WOMEN'S COUNCIL AND PARLIAMENTARY CANDIDATES	To actively promote and encourage women to seek a parliamentary career.
WOMEN'S COUNCIL AND THE DIVISION GENERALLY	To co-ordinate the activities and work of women in the Division.
	To receive and distribute information on the activities and work of women in the Division.
	To report to State Executive, State Council and the Federal Women's Committee.
	To fulfil other specific functions and responsibilities conferred upon it by this Constitution or as directed by State Council and/or State Executive.

- 16.3.2 Affiliation** Women's Council must not, without a prior motion carried by State Executive, affiliate with any body outside the Division.

**16.3.3 Power to Form Committees**

- (1) Women's Council may constitute committees comprising any persons whether or not Members.
- (2) The President of Women's Council is a member of all committees formed under **subclause 16.3.3(1)** and may chair meetings that she attends of those committees.
- (3) A committee formed under **subclause 16.3.3(1)** may by motion carried by the committee appoint any female financial Member as a member of the committee.
- (4) The President of Women's Council must report to Women's Council any motion carried by a committee formed under **subclause 16.3.3(1)**.

**16.4 GENERAL COMMITTEE OF WOMEN'S COUNCIL****16.4.1 Composition**

- (1) There will be a General Committee of Women's Council.
- (2) The General Committee of Women's Council will comprise the following members:

	<b>A</b>	<b>B</b>
	<b>Ex-Officio/ Other</b>	<b>Elected</b>
1	Any President or Vice-President of the Division who is a female Member.	The President of Women's Council.
2	The Immediate Past President of Women's Council.	The Vice-Presidents of Women's Council.
3		The Secretary of Women's Council.
4		The Treasurer of Women's Council.
5		The Membership Secretary of Women's Council.
6		10 At Large members of the General Committee of Women's Council.

**16.4.2 Power of the Women's Council**

At the first meeting of the General Committee of the Women's Council after each AGM of the Women's Council or as soon

**President to allocate portfolio responsibility**

as possible after that, the Women's Council President will allocate to the members of the General Committee specific portfolio responsibilities for the management of the affairs of the Women's Council. Each member of the General Committee of the Women's Council appointed with a portfolio will report to General Committee on their portfolio responsibilities.

**16.5 WOMEN'S COUNCIL MEETINGS****16.5.1 Requirement to Hold Meetings**

In each Membership Year Women's Council must hold at least six meetings.

**16.5.2 Agenda for Women's Council Meetings**

The agenda for each meeting of Women's Council is to be determined by motion of the General Committee of Women's Council.

**16.5.3 Procedure at Women's Council Meetings and Application of Standing Orders**

- (1) At all meetings of Women's Council:
  - (a) unless otherwise stated in this Constitution, all questions must be decided by majority vote of members of Women's Council present and entitled to vote; and
  - (b) the chairperson has both a deliberative and a casting vote.
- (2) All meetings of Women's Council must be conducted in accordance with the Standing Orders and Women's Council and its members must comply with the Standing Orders.

**16.6 WOMEN'S COUNCIL AGMs****16.6.1 Time of AGM**

The AGM of Women's Council must be held by 31 October in each odd year or at such other date as State Executive may determine, which must be within 3 months of 31 October in each odd year.

**16.6.2 Scrutineers**

- (1) Not later than 28 days before the AGM of Women's Council, the State Director must select by lot from the members of Women's Council not less than five persons to act as scrutineers of the election of Women's Council office-bearers referred to in **clause 16.7.1** and all related procedures.
- (2) The State Director must select by lot from the members of Women's Council additional persons to form the

Women’s Council Scrutineer Reserve List and these persons must be ranked in order of selection by lot. The State Director may select by lot further members of Women’s Council as required to add to the Women’s Council Scrutineer Reserve List.

- (3) A scrutineer selected under this clause must cease to be a scrutineer for an election or elections if they nominate in the same election or series of elections which they have been selected to scrutineer.
- (4) If a scrutineer selected under this **clause 16.6.2** does not accept appointment, resigns her position as a scrutineer, ceases to be a scrutineer under **subclause 16.6.2(3)** or ceases to be a member of Women’s Council, the State Director must invite the next person on the Scrutineer Reserve List to act as scrutineer (in the case of a person ceasing to be a scrutineer under **subclause 16.6.2(3)**, for the duration of the election or series of elections only).
- (5) If the State Director adds to the Women’s Council Scrutineer Reserve List or if scrutineers are appointed from the Women’s Council Scrutineer Reserve List the State Director must report this to the next meeting of Women’s Council.

**16.6.3 Scrutineers  
Appointed by  
Candidates for  
President of  
Women’s Council**

- (1) Each person who nominates for election to the office of President or Vice President of Women’s Council may nominate in writing a Member to be the person’s scrutineer.
- (2) A Member appointed as a scrutineer has the right to observe the actions of the Returning Officer in the conduct of the election of Women’s Council office-bearers.

**16.7 WOMEN’S COUNCIL ELECTIONS**

**16.7.1 Elections At  
AGMs**

In conjunction with its AGM, Women’s Council must elect from among the financial, non-parliamentary female Branch Members by secret ballot the following office-bearers who shall hold office until the next AGM (unless they cease to hold office earlier in accordance with other provisions of this Constitution):

	<b>A</b>	<b>B</b>
--	----------	----------

	Office-Bearers	Notes
1	The President of Women's Council	Ex-officio member of State Executive and a delegate to State Council, Federal Council and Federal Women's Committee
2	2 Urban Vice-Presidents	Urban Vice-Presidents' Principal Places of Residence must be within either Metropolitan Electorates or Regional Electorates as at the date of close of nominations.
3	2 Country Vice-Presidents	Country Vice-Presidents' Principal Places of Residence must be within Country Electorates as at the date of close of nominations.
4	Secretary of Women's Council	
5	Treasurer of Women's Council	
6	Membership Secretary	
7	10 At Large members of the General Committee of Women's Council	

**16.7.2 Conduct of Elections of Women's Council Office-Bearers**

Elections for the offices referred to in **clause 16.7.1** must be conducted in accordance with the Regulations.

**16.7.3 Presidential Candidates to Address Women's Council**

Each candidate for election to the office of President of Women's Council must be allowed to address the AGM of Women's Council.

**16.7.4 Nominations for multiple positions**

Where at an election of Women's Council office bearers referred to in **clause 16.7.1**:

- (1) a person nominates for more than one of the offices referred to in the table in that clause, and
- (2) that person would otherwise be elected to more than one of those offices,

then that person is elected to only one office, being the first of those offices referred to in the table in **clause 16.7.1**.

## **16.8 FINANCIAL REPORTING TO WOMEN'S COUNCIL**

- 16.8.1 Annual Audit**
- (1) As soon as practicable after the end of each Financial Year, the General Committee of Women's Council must have the financial books and records of Women's Council audited.
  - (2) The auditor must be a qualified auditor and must not be a member of Women's Council. The auditor is appointed by motion proposed by the General Committee of Women's Council and carried at a meeting of Women's Council.
  - (3) The auditor's statement must be presented by the Treasurer of Women's Council at the AGM of Women's Council.
- 16.8.2 Presentation of Unaudited Half Yearly Accounts**
- The Treasurer of Women's Council must present to the first meeting of Women's Council each calendar year unaudited financial statements for the six month period ending on 31 December in the previous calendar year
- 16.8.3 Financial Reporting Generally**
- The Treasurer of Women's Council must present periodic accounts at each meeting of Women's Council.

## **17. DISPUTES PANEL**

### **17.1 COMPOSITION**

- 17.1.1 Composition**
- There will be a Disputes Panel comprising six members.

### **17.2 ELIGIBILITY FOR MEMBERSHIP**

- 17.2.1 Eligibility**
- To be eligible for appointment to the Disputes Panel a person:
- (1) must be a Member; and
  - (2) must not be a member of State Executive or the Constitution Standing Committee.

### **17.3 APPOINTMENT TO THE DISPUTES PANEL**

- 17.3.1 Manner of appointment** State Executive must appoint members of the Disputes Panel by motion carried by not less than 75% of those present and voting.
- 17.3.2 Term of appointment** An appointment to the Disputes Panel is for a term of two years commencing on a day set by State Executive.
- 17.3.3 Appointment of Chairperson and Deputy Chairperson**
- (1) State Executive must appoint from the members of the Disputes Panel a Chairperson and a Deputy Chairperson. The members appointed as Chairperson and Deputy Chairperson hold those positions for a period of two years.
  - (2) Appointments of the Chairperson and Deputy Chairperson must be by a motion carried by not less than 75% of those present and voting.
- 17.3.4 Removal of a member of the Disputes Panel** A member of the Disputes Panel may only be removed from the Disputes Panel before the end of his or her term by State Executive carrying a motion by not less than 75% of those present and voting.
- 17.3.5 Casual vacancies** A person appointed to fill a casual vacancy on the Disputes Panel must be appointed for the balance of the term applying to the casual vacancy.

### **17.4 PURPOSE OF THE DISPUTES PANEL**

- 17.4.1 Purpose** The purpose of the Disputes Panel is to provide a mechanism for:
- (1) the resolution of disputes about decisions made under this Constitution flowing from disputation about the facts of a decision;
  - (2) the interpretation of this Constitution relevant to the resolution of Disputes; and
  - (3) deciding the constitutional or administrative consequences of decisions reviewed by the Disputes Panel.
- 17.4.2 Prohibitions** The Disputes Panel has no role in the political, financial or other management of the Division.

## 17.5 FUNCTIONS OF THE DISPUTES PANEL

### 17.5.1 Disputes Panel may only deal with disputes

The Disputes Panel may only deal with a Dispute.

## 17.6 WHAT IS A DISPUTE?

### 17.6.1 Definition of Dispute

A Dispute is an application relating to the following decisions or matters:

- (1) decisions of the State Director relating to:
  - (a) the membership of a Member to any Body of the Division;
  - (b) issues of fact relating to automatic termination of membership under **clause 3.11**;
  - (c) a Member's right to participate in or exercise a vote in any Body of the Division;
  - (d) the validity of a purported meeting of a Body of the Division and business transacted at it; (including a decision as to matters under **Appendix C clause 1.1.4**)
  - (e) the validity of a purported written motion;
  - (f) the validity of a formation meeting of a Branch and the business transacted at it; and
  - (g) guidelines and mandatory codes of practice determined by State Executive.
- (2) decisions of the State Director in his or her capacity as Returning Officer for elections for office in any Body in the Division or selections for parliamentary candidates in relation to:
  - (a) a Member's right to stand for election or selection;
  - (b) a Member's right to vote in an election or as part of a Selection Committee;
  - (c) a Member's nomination for selection or endorsement; and



- (d) the validity of an election or selection conducted by the State Director;
- (3) decisions of the State Executive to the extent only of:
  - (a) issues of fact relating to the suspension of a Member under **clause 3.10**;
  - (b) issues of fact relating to the expulsion of a Member under **clause 3.11**; and
- (4) interpretation of this Constitution in relation to a motion of dissent referred from a meeting under **clause 4.7.1**.

## 17.7 HOW A DISPUTE COMES TO THE DISPUTES PANEL

- |  |   |
|--|---|
| <b>17.7.1 Application by Member</b>                        | A Member may make an application to the Disputes Panel in relation to a Dispute.  |
| <b>17.7.2 Member Must Raise Matter with State Director</b> | <p>A Member may not make an application to the Disputes Panel in relation to a Dispute unless:</p> <ul style="list-style-type: none"> <li>(a) The State Director has made a determination on the Dispute; or</li> <li>(b) The State Director has not made a determination and three (3) months has elapsed since the dispute was sent to the State Director by the Member.</li> </ul> |
| <b>17.7.3 Disputes referred by State Executive</b>         | Subject to this Constitution, State Executive may refer a Dispute to the Disputes Panel even if there has not been an application to the Disputes Panel in respect of that Dispute.   |
| <b>17.7.4 Rights of Body affected</b>                      | A Member may make an application to the Disputes Panel on behalf of a Body of the Division if the rights of the Body have been affected by a decision.  |
| <b>17.7.5 Joining of multiple applications</b>             | If the Chairperson of the Disputes Panel considers that there is more than one application made to the Disputes Panel relating to substantially the same Dispute, the Chairperson may direct that these applications be dealt with by the Disputes Panel together.  |

## 17.8 TIME LIMITS FOR APPLICATIONS

- 17.8.1 Applications relating to decisions of the State Director** Applications to the Disputes Panel relating to decisions of the State Director must be made within the following time limits:
- (1) within 21 days after the State Director giving notice in relation to an automatic termination of membership; and
  - (2) within 14 days after the State Director giving notice of a decision affecting a Member's rights for other decisions.
- 17.8.2 Applications relating to decisions of the State Director as Returning Officer** Applications to the Disputes Panel relating to decisions of the State Director as Returning Officer must be made within the following time limits:
- (1) within seven days after the State Director notifying the person affected by the decision;
  - (2) in the case of the validity of an election or selection, within seven days after the declaration of the result of an election or selection.
- 17.8.3 Second Review** Applications to the Disputes Panel for a Second Review (as described in **clause 17.11.2** below) must be made within the following time limits:
- (1) within 21 days after a Disputes Panel First Review Decision relating to the State Director giving notice in relation to an automatic termination of membership;
  - (2) within 14 days after a Disputes Panel First Review Decision relating to the State Director giving notice of a decision affecting a Member's rights for other reasons; and
  - (3) within 7 days after a Disputes Panel First Review Decision relating to decisions of the State Director as Returning Officer.

## 17.9 FORM OF APPLICATIONS

- 17.9.1 Applications**
- (1) An application to the Disputes Panel must be in the form prescribed by the Disputes Panel.
  - (2) Each application must be accompanied by a statutory declaration confirming the truth of the application. The

declaration must be in the form prescribed by the Disputes Panel.

## **17.10 LODGING OF APPLICATIONS**

- 17.10.1 Lodging** An application must be delivered to the State Director in the manner prescribed by the Disputes Panel and the State Director must provide each applicant with a receipt.

## **17.11 FIRST AND SECOND REVIEWS**

- 17.11.1 First Review**
- (1) An initial application to the Disputes Panel is for a “First Review”.
  - (2) The Chairperson or one member of the Disputes Panel nominated by the Chairperson must conduct a First Review.
- 17.11.2 Second Review**
- (1) A member whose application has been dealt with by a First Review, or an interested party in respect of that First Review, may make an application for a “Second Review”.
  - (2) A Second Review must be conducted by three members of the Disputes Panel allocated by the Chairperson, but not including the member of the Disputes Panel who conducted the First Review.
  - (3) A Second Review is a full reconsideration of the application. Decisions of the Disputes Panel in a Second Review are by a majority of the three members of the Disputes Panel dealing with the Second Review.

## **17.12 DISPUTES PANEL TO MEDIATE DISPUTES**

- 17.12.1 Disputes Panel to Mediate**
- (1) The Disputes Panel must endeavour, by all means it considers proper and necessary, to settle any dispute by assisting all interested parties to resolve the issue themselves or to reach an agreement between themselves and the Disputes Panel about the directions or declaration to be made by the Disputes Panel.
  - (2) If the Disputes Panel determines it cannot settle any Dispute by mediation, the Disputes Panel must make a decision about the Dispute.

### **17.13 DISPUTES PANEL MANNER OF OPERATION**

- 17.13.1 Conduct of Meetings and Deliberations**
- (1) The Disputes Panel must conduct its meetings and deliberations with as little formality as possible, subject to giving all parties procedural fairness.
  - (2) When determining a dispute the Disputes Panel must act according to substantial justice and the merits of the case.
  - (3) In carrying out its functions the Disputes Panel must pursue the objective of providing a mechanism for disputes resolution that is fair, just, economical, informal and quick.

### **17.14 POWERS OF THE DISPUTES PANEL**

- 17.14.1 Disputes Panel to decide its own procedures** Subject to this Constitution and the Regulations, the Disputes Panel may decide its own procedures.
- 17.14.2 Disputes Panel and getting information** In determining a Dispute, the Dispute Panel may get any information that it considers relevant. If the Disputes Panel gets such information, the Disputes Panel must:
- (1) make that information known to the applicant to the Dispute; and
  - (2) have regard to that information in making a decision about the Dispute.
- 17.14.3 Powers of the Disputes Panel** The Disputes Panel may:
- (1) mediate any Dispute referred to it;
  - (2) request and receive written submissions from any Member relevant to a Dispute;
  - (3) request and receive written reports or submissions from the State Director
  - (4) conduct interviews with any person relevant to a Dispute;

- (5) request the State Director to produce to the Disputes Panel any document within the power, custody or control of the State Director;
- (6) make other findings of fact as it sees fit;
- (7) make findings of fact relevant to a Dispute;
- (8) interpret those parts of this Constitution relevant to a Dispute;
- (9) request an opinion from the Constitution Standing Committee about the interpretation of the Constitution;
- (10) uphold or dismiss an application;
- (11) declare the effect under this Constitution of any findings of fact;
- (12) make recommendations to the State Director or State Executive; and
- (13) make recommendations for amendments to this Constitution or regulations made under this Constitution.

**17.14.4 Powers in relation to a dispute about an election or selection**

In the dealing with an application relating to a Dispute about an election or selection the following additional provisions apply:

- (1) the Disputes Panel may not make any order to prevent an election or selection from being held;
- (2) the Disputes Panel may determine whether the Constitution and regulations have been followed; and
- (3) in determining a Dispute about an election or selection, the Disputes Panel may interpret a ballot paper including its formality.

**17.14.5 Disputes Panel decision to be final**

Subject to this Constitution, a decision of the Disputes Panel about a Dispute is final and binding on the Division and all Members and there is no appeal to any Body of the Division.

**17.14.6 No change to a decision of the Disputes Panel**

No other Body of the Division may change or reverse a decision of the Disputes Panel.

- 17.14.7 Notification of decisions** The Disputes Panel must notify an applicant and any other person it considers to be an interested party of its findings and decision. The Disputes Panel need not but may give reasons for a decision.

## **17.15 SPECIAL PROVISIONS RELATING TO AUTOMATIC TERMINATION, SUSPENSION AND EXPULSION**

- 17.15.1 Special Provisions** The following provisions apply in relation to applications to the Disputes Panel in relation to automatic termination, expulsion or suspension of Membership:
- (1) the application must be made before the date as at which the membership is, according to the State Director's notice, to be automatically terminated, or before the Member is expelled or suspended;
  - (2) the Disputes Panel may only make findings of fact relating to the issues relevant to the termination, suspension or expulsion;
  - (3) the Disputes Panel may declare that, because of its findings of fact, a Member's membership will not terminate automatically; and
  - (4) the Disputes Panel may not reverse the decision of State Executive to suspend or to expel a Member.

## **17.16 EARLY DISMISSAL OF APPLICATIONS**

- 17.16.1 Grounds for early dismissal of applications** The Disputes Panel in a First or Second Review may dismiss an application without consideration or without further consideration if the Disputes Panel considers that:
- (1) the application has been withdrawn or abandoned;
  - (2) the application has been made out of time;
  - (3) the applicant has not made reasonable efforts to resolve the matter the subject of the application; or
  - (4) the subject matter of the application has already been dealt by the Disputes Panel; or
  - (5) the application is frivolous, vexatious, misconceived or lacking in substance or not made in good faith.

**17.16.2 Notice of early dismissal** If the Disputes Panel dismisses a complaint under this clause, it must give each applicant written notice of the dismissal setting out its reasons for dismissing the application.

**17.16.3 Second Review after early dismissal**

(1) If an application has been dismissed early by the Disputes Panel in a First Review, a Member may make an application for a Second Review.

(2) The Disputes Panel in a Second Review may dismiss an application under the provisions for early dismissal.

### **17.17 ADMINISTRATION OF THE DISPUTES PANEL**

**17.17.1 Chair-person and administration** The Chairperson is responsible for the administration of the Disputes Panel.

**17.17.2 Administrative support for the Disputes Panel** The State Director must provide reasonable administrative support to the Disputes Panel.

**17.17.3 Delegation of Chairperson's duties** The Chairperson may delegate his or her duties to the Deputy Chairperson.

**17.17.4 Disputes Panel register**

(1) The State Director must maintain a register of all applications and decisions.

(2) The Disputes Panel must provide the State Director with a copy of each decision.

(3) Decisions of the Disputes Panel must be available for inspection at the Secretariat by any member of the Division.

**17.17.5 Disputes Panel reports** The Disputes Panel must report to the State Executive annually in writing. The State Director must publish the report.

**17.17.6 Indemnity for Disputes Panel members** The Division indemnifies any member of the Disputes Panel for any personal liability for any act or omission in the performance in good faith of his or her functions as a member of the Disputes Panel.

- |   |   |
|---|---|
| <b>17.17.7 Disputes Panel decisions binding</b> | A decision of the Disputes Panel is binding upon the Division.  |
| <b>17.17.8 Assistance for an applicant</b>      | An applicant may have the assistance of or be represented by another person who must be a Member.   |
| <b>17.17.9 Time standard for decisions</b>      | <p>(1) The Disputes Panel must endeavour to complete each First Review and each Second Review (including making any determination) within two months after the application is made for that review.</p> <p>(2) If a member of the Disputes Panel who is conducting a First Review becomes aware that:</p> <p style="padding-left: 40px;">(a) the First Review has not been completed within two months after the application is made for that First Review, or</p> <p style="padding-left: 40px;">(b) it is likely that the First Review will not be completed within two months after the application is made for that First Review,</p> <p style="padding-left: 40px;">he or she must report this promptly to State Executive with an explanation for the delay.</p> <p>(3) If the chairperson of the Disputes Panel becomes aware that:</p> <p style="padding-left: 40px;">(a) a Second Review has not been completed within two months after the application is made for that Second Review, or</p> <p style="padding-left: 40px;">(b) it is likely that a Second Review will not be completed within two months after the application is made for that Second Review,</p> <p style="padding-left: 40px;">the chairperson must report this promptly to State Executive with an explanation for the delay.</p> |

## **18. PARLIAMENTARY PARTIES**

### **18.1 MEMBERSHIP OF PARLIAMENTARY PARTIES**

- 18.1.1 Composition**      There will be:



- (1) a Federal Parliamentary Party as provided in the Federal Constitution; and
- (2) a State Parliamentary Party consisting of the members of the New South Wales Parliament who are Members.

**18.1.2 Functions of the State Parliamentary Party**

The State Parliamentary Party must:

- (1) elect a State Parliamentary Leader;
- (2) be responsible for the work and duties of members of the New South Wales Parliament; and
- (3) create rules for its internal conduct.

## **19. STAFF OF THE DIVISION**

### **19.1 STATE DIRECTOR**

**19.1.1 State Executive May Employ**

State Executive must engage a State Director upon such terms as it decides.

**19.1.2 Functions and Duties of State Director**

The State Director must:

- (1) be responsible to the State Executive;
- (2) be responsible for the proper and efficient administration of the Division;
- (3) ensure that all bodies of the Division are acting in compliance with their constitutional obligations.
- (4) adjudicate any disputes that may arise concerning the management of the Division; and
- (5) perform the other duties prescribed from time to time by the State Executive.

**19.1.3 Binding decisions of the State Director**

The State Director may make decisions on any matter within **clause 17.6.1(1)** and **clause 17.6.1(2)**. The State Director's decision on any such matter is final and subject only to any decision of the Disputes Panel.

**19.2 OTHER PARTY OFFICERS****19.2.1 State Director  
May Engage**

The State Director may engage other administrative staff as the State Director considers necessary and upon such terms as the State Director decides.

**19.2.2 Employees of the  
Division not to be  
Members of State  
Council**

A person who is or becomes an employee of the Division may not become or remain a member of State Council.

**20. MERGING, SUSPENDING AND DISSOLVING BRANCHES AND  
CONFERENCES****20.1 MERGING BRANCHES****20.1.1 How to Merge  
Two Or More  
Branches**

Two or more Branches are merged if the following procedure is followed:

	<b>A</b>
	<b>PROCEDURE</b>
1	Each Branch holds a general meeting for which at least 28 days' notice has been given of the intention to move the motion that the Branch be merged with one or more other Branches identified in the motion. That motion is carried by not less than 75% of the Branch Members present and voting at the meeting. The quorum for each such meeting is the same as for a Branch AGM.
2	The Secretary of each Branch must promptly gives notice to the State Director of the passing of the motion by that Branch.
3	<p>State Executive:</p> <p>(1) approves the name of the new, merged Branch; and</p> <p>(2) allocates the merged Branch to an SEC and an FEC in accordance with <b>subclause 7.4.1(2)</b>.</p> <p>On the carrying of these motions by State Executive:</p> <p>(3) the former Branches are automatically dissolved;</p> <p>(4) the new merged Branch is automatically formed;</p>

	<p>(5) all Branch Members of the former Branches automatically become Branch Members of the new merged Branch; and</p> <p>(6) the books and property of the former Branches automatically become the books of property of the new merged Branch.</p> <p>The State Director must give notice to the Secretaries of those Branches and the Presidents of the SEC and FEC to which State Executive has determined to allocate the merged Branch.</p>
4	<p>Within two months after giving of notice by the State Director the President of the SEC or the FEC must convene an inaugural meeting of the new merged Branch.</p>

## 20.2 SUSPENDING A BRANCH OR CONFERENCE

### 20.2.1 State Executive May Suspend Branch or Conference

State Executive may suspend a Branch or Conference.

### 20.2.2 Procedure for Suspending a Branch or Conference

State Executive may suspend a Branch or Conference under **clause 20.2.1** only if each member of State Executive and that Branch or Conference is given at least 28 days' notice in writing that a motion to suspend the Branch or Conference will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in **Appendix E**.

### 20.2.3 Effect of Suspension

During any period of suspension of any Branch or Conference, no member of the Branch or Conference may act as a State Council delegate or participate in the meeting of a Selection Committee.

### 20.2.4 State Executive May Refer Questions of Fact to the Disputes Panel

State Executive may refer to the Disputes Panel for determination any question of fact with respect to a proposed motion to suspend a Branch or Conference.

### 20.2.5 Right of Appeal

- (1) A Branch or Conference suspended by State Executive has a right of appeal to State Council at its next meeting.
- (2) State Council may confirm or quash the suspension.

- (3) Notice of appeal must be in writing and given to the State Director within seven days after the passing of the motion by State Executive.
- (4) Any motion at State Council to quash the suspension must be carried by 60% majority of its members present and voting.

**20.2.6 Effect of Appeal and Expiration of Period of Suspension**

On the expiration of a period of suspension or the passing of a motion by State Council to quash the suspension by State Executive of a Branch or Conference, the rights of the Branch are deemed to have continued without interruption from the time it was suspended until the expiration of the suspension or the passing of the motion by State Council (as the case may be), but with respect only to things to be done or to be determined after that later time.

**20.3 VOLUNTARY DISSOLUTION OF A BRANCH**

**20.3.1 How A Branch May Dissolve Itself**

- (1) A Branch may dissolve itself by motion to that effect carried by a 75% majority of the members of the Branch present and voting at a special meeting called for that purpose. The quorum for any such special meeting is the same as for a Branch AGM.
- (2) At least 28 days' notice of the meeting and its purpose must be given to:
  - (a) Branch Members; and
  - (b) the State Director.

**20.3.2 Action After Dissolution Motion is Passed**

- (1) If a Branch passes a motion to dissolve itself under **clause 20.3.1(1)**, the Secretary of the Branch must immediately give notice to the State Director.
- (2) Within 7 days after receipt of that notice, the State Director must give notice to each Branch Member of the Branch advising them of the dissolution of the Branch.

**20.3.3 When Dissolution Takes Effect**

Dissolution takes effect on the giving by the State Director of a notice under **subclause 20.3.2(2)**.

**20.3.4 Consequences of Dissolution**

On the dissolution of a Branch under this **clause 20.3**, each member of the Branch ceases to be a Branch Member and becomes a General Member.

## 20.4 DISSOLUTION OF A BRANCH OR CONFERENCE BY STATE EXECUTIVE

- 20.4.1 State Executive May Require Branch or Conference to Show Cause** State Executive may call a meeting of a Branch or Conference that in the opinion of State Executive is not functioning satisfactorily to show cause why the Branch or Conference should not be dissolved.
- 20.4.2 State Executive May Dissolve Branch or Conference** State Executive may by motion dissolve a Branch or Conference if all members of the Branch or Conference are given at least 28 days' notice in writing that a motion to dissolve the Branch or Conference will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in **Appendix E**. State Executive may act under this **clause 20.4.2** despite no meeting having been called under **clause 20.4.1**.
- 20.4.3 Action After Dissolution Motion is Passed** If State Executive passes a motion to dissolve a Branch or Conference, the State Director must give notice to each Branch Member in that Branch or Conference advising them of the dissolution of the Branch or Conference.
- 20.4.4 When Dissolution Takes Effect** Dissolution takes effect on the giving by the State Director of a notice under **clause 20.4.3**.
- 20.4.5 Consequences of Dissolution** On the dissolution of a Branch under this **clause 20.4**, all members of the Branch cease to be Branch Members and become General Members, and if the Branch was a Young Liberal Branch, the Members also become General Young Liberal Members.
- 20.4.6 Right of Appeal**
- (1) Within 30 days after a motion by State Executive to dissolve a Branch under **clause 20.4.2**, a majority of the former members of the Branch entitled to vote as at the date of its dissolution may, by giving notice to the State Director, require that a motion overruling the motion of State Executive be placed on the agenda for the next meeting of State Council.
  - (2) If State Council affirms the decision of State Executive, all members of the relevant Branch will continue to be General Members.
  - (3) If State Council by 60% majority overrules the decision of State Executive, all former members of the relevant

Branch who have become and remain General Members will cease to be General Members and will revert to their previous membership status.

- (4) As soon as practicable after the decision of State Council, the State Director must give notice to all former members of the Branch of the decision taken by State Council and its effect on their membership status.

## **20.5 DISSOLUTION OF A POLICY BRANCH OR PROFESSIONAL BRANCH**

**20.5.1 Dissolution of a Policy Branch or Professional Branch** State Executive may resolve to dissolve a Policy Branch or a Professional Branch.

**20.5.2 Reasons for Dissolution** State Executive need not give any reason for dissolving a Policy Branch or a Professional Branch and need not afford anyone any procedural fairness in considering such a dissolution.

## **20.6 BOOKS AND PROPERTY ON DISSOLUTION**

**20.6.1 Books and Property on Dissolution** If a Branch is dissolved or ceases to function, all books, records, funds, documents, correspondence, papers and property of the Branch must be delivered to the State Director within three days after demand.

# **21. SELECTION AND ENDORSEMENT OF LIBERAL CANDIDATES GENERALLY**

## **21.1 WHEN THE DIVISION SELECTS AND ENDORSES CANDIDATES**

- 21.1.1 State Executive to Decide Whether Division is to Contest an Election for Office**
- (1) In every Federal, State or local government election State Executive must decide which offices the Division will contest.
  - (2) State Council may reverse a decision of State Executive not to contest a particular office if:
    - (a) the Conference representing that Federal or State electorate or local government area, by motion

carried at the Conference, requests State Council to reverse that decision; and

- (b) the motion is carried at State Council by not less than 60% of State Council members present and voting.

**21.1.2 State Executive to set targets for the number of female candidates**

- (1) For every general election for federal parliament, state parliament or local government, the State Executive will determine a target for the proportion of candidates who shall be female. The target shall be determined at least 18 months prior to the expected date for such elections and before the commencement of selections, following consultation with the relevant state or federal leader or, in the case of local government, the President of the Liberal Local Government Assembly.
- (2) State Executive shall report to State Council the target determined by State Executive, and following the conclusion of selections for a particular general election, whether the target has been achieved.

**21.1.3 Fixing of key dates for selections by State Executive**

- (1) If State Executive decides to contest an office in Federal, State or local government, the State Executive, acting on the recommendation of the State Director, must determine:
  - (a) the dates on which nominations open and close;
  - (b) the date as at which the eligibility of a person to be a member of a Selection Committee is to be determined;
  - (c) the close of rolls date,
  - (d) the date of close of challenges to the roll;
  - (e) the earliest and the latest dates upon which the meeting of the relevant Selection Committee is to be held; and
  - (f) whether the Selection Committee is to be held in-person, or by audio-visual means.
- (2) For each office in Federal, State or local government that the State Executive decides to contest, the State Executive must:
  - (a) prescribe the manner by which a person wishing to nominate for endorsement as the Liberal candidate

for election to that office must do so, including prescribing the nomination fee (if any);

- (b) in the case of offices in the Senate, the Legislative Council for candidates 'At Large', and local government offices, acting on the written recommendation of the State Director, determine which positions are Winnable Positions and which are Unwinnable Positions; and
  - (c) determine whether or not to impose a cap on the expenditure that each candidate for selection may incur to promote their candidacy (being the same for each candidate) and if so how much.
- (3) Wherever practicable, the State Executive must decide which offices the Division will contest and publish the dates adopted under clause 21.1.3(1) (to the extent they are available) at least:
- (a) 24 months after the date of the last Federal election; or
  - (b) 12 months before the date of the next State election; or
  - (c) 12 months before the date of the next Local Government election.
- (4) If State Executive fails to exercise its powers under clauses 21.1.1 and 21.1.3(1)-(2), including but not limited to determining offices the Division will contest in a Federal, State or local government election, then:
- (a) the State Director may exercise those powers; or
  - (b) State Council may, by a simple majority of those present and voting, resolve to instruct the State Director to exercise those powers.
- (5) In the event that the outcome of a Federal or State or Local Government redistribution of NSW electorates or Council areas or wards is not gazetted three months before the deadline stipulated in clauses 21.1.3(3), the affected deadline is extended to a date three months after the gazettal of the new boundaries.

#### **21.1.4 State Director to Call for Nominations**

- (1) If State Executive decides to contest an office in Federal, State or local government, the State Director must notify Members of the dates adopted by the State



Executive under clause 21.1.3(1)(a), and seek from Members of the Organisation nominations for endorsement as the Liberal candidate for that office.

- (2) A person wishing to nominate for endorsement as the Liberal candidate for election to office in Federal, State or local government must do so in the manner prescribed by State Executive otherwise the nomination is of no effect.
- (3) If no candidate is selected by a Selection Committee, or no candidate proceeds to selection or endorsement by State Executive, the State Director must as soon as practicable again seek nominations for endorsement as the Liberal candidate for the relevant office.

## 21.2 NOMINATING FOR ENDORSEMENT AS A LIBERAL CANDIDATE

### 21.2.1 Who May Nominate for Endorsement as a Liberal Candidate

- (1) A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:
  - (a) is a financial member of the Organisation; and
  - (b) has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations,otherwise the nomination is of no effect.
- (2) Despite **subclause 21.2.1(1)** if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in **subclause 21.2.1(1)(b)** with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.
- (3) A Member may not nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government if:

- (a) State Executive has resolved that the Member has breached a mandatory code of practice relating to the conduct of endorsed Liberal councillors, and
- (b) State Executive has also resolved that because of that breach, the Member is prohibited from nominating at:
  - (i) the next round of selections after that breach for candidates for a federal general election and any selection for a candidate for any casual vacancy in a federal office occurring before that next federal general election,
  - (ii) the next round of selections after that breach for candidates for a State general election and any selection for a candidate for any casual vacancy in a State office occurring before that next State general election, and
  - (iii) the next round of selections after that breach for candidates for a local government general election and any selection for a candidate for any casual vacancy in a local government office occurring before that next local government general election.

### 21.3 REVIEW OF NOMINATIONS

#### 21.3.1 Nomination Review Committee to be Formed

- (1) At the close of nominations for endorsement as the Liberal candidate for election to a particular office in Federal, State or local government, a nomination review committee must be formed.
- (2) Each nomination review committee will be comprised as follows.

	A	B
	RELEVANT OFFICE	COMPOSITION OF NOMINATION REVIEW COMMITTEE
1	Legislative Assembly	<ul style="list-style-type: none"> <li>• The President of the Division or (except where <b>clause 21.3.2</b> applies to the President) the President's nominee who must be a Vice-President of the Division.</li> <li>• The State Parliamentary Leader or the State Parliamentary Leader's nominee who must be a member of State Parliament</li> </ul>

		<ul style="list-style-type: none"> <li>Where there is an SEC in the relevant State electorate: the President of the SEC.</li> <li>The State Director or the State Director's nominee who must be an employee of the Division.</li> </ul>
2	Legislative Council	<ul style="list-style-type: none"> <li>The President of the Division or (except where <b>clause 21.3.2</b> applies to the President) the President's nominee who must be a Vice-President of the Division.</li> <li>The State Parliamentary Leader or the State Parliamentary Leader's nominee who must be a member of State Parliament</li> <li>The State Director or the State Director's nominee who must be an employee of the Division.</li> </ul>
3	House of Representatives	<ul style="list-style-type: none"> <li>The President of the Division or (except where <b>clause 21.3.2</b> applies to the President) the President's nominee who must be a Vice-President of the Division.</li> <li>The Federal Parliamentary Leader or the Federal Parliamentary Leader's nominee who must be a member of Federal Parliament</li> <li>Where there is an FEC in the relevant State electorate: the President of the FEC</li> <li>The State Director or the State Director's nominee who must be an employee of the Division.</li> </ul>
4	Senate	<ul style="list-style-type: none"> <li>The President of the Division or (except where <b>clause 21.3.2</b> applies to the President) the President's nominee who must be a Vice-President of the Division.</li> <li>The Federal Parliamentary Leader or the Federal Parliamentary Leader's nominee who must be a member of Federal Parliament</li> <li>The State Director or the State Director's nominee who must be an employee of the Division.</li> </ul>
5	Local Government	<ul style="list-style-type: none"> <li>The President of the Division or (except where <b>clause 21.3.2</b> applies to the President) the President's nominee who must be any member of the State Executive or the Local Government Oversight Committee.</li> <li>The President of the LGC.</li> <li>The State Director or the State Director's nominee who must be an employee of the Division.</li> </ul>

		<ul style="list-style-type: none"> <li>The Chairperson of the Local Government Oversight Committee or his/her nominee.</li> </ul>
--	--	---

**21.3.2 Disqualification from Membership of a Nomination Review Committee**

- (1) Despite **subclause 21.3.1(2)**, a person referred to in that subclause must not be a member of a nomination review committee if that person:
- (a) has lodged a nomination for endorsement as the Liberal candidate for election to the particular office; or
  - (b) is related to a person who has lodged a nomination for endorsement to be the Liberal candidate for election to the particular office in a way referred to in **Appendix F**; or
  - (c) in the case of the President of the Liberal Local Government Assembly, where the nomination review committee is considering nominations relating to a council on which they are a serving councillor or are seeking endorsement. If such circumstances arise the President of the Division may appoint a nominee to that nomination review committee from a member of the Liberal Local Government Assembly.
- (2) Despite subclause 21.3.1, if clause 21.3.2(1)(a)-(b) applies in respect of the Leader of the State Parliamentary Party or the Federal Parliamentary Party, or their alternates appointed from time to time, that person:
- (a) is not permitted to participate in the nomination review committee meeting; and
  - (b) must appoint an alternate to attend that nomination review committee meeting by the close of nominates.
- (3) If the Leader of the State Parliamentary Party or the Federal Parliamentary Party, or their appointed alternates, do not comply with subclause 21.3.2(2), the State Executive must promptly appoint an alternate to the nomination review committee meeting by passing a motion at State Executive by a simple majority of those present and voting.

- (4) If the President of the Division or the President of the relevant FEC, SEC or LGC (as the case may be) loses his or her entitlement to be a member of a nomination review committee under **subclause 21.3.2(1)**:
- (a) in the case of the President of the Division: an alternate must be selected by lot by the State Director from among the Vice-Presidents of the Division; or
  - (b) in the case of the President of the relevant FEC, SEC, or LGC the State Director must appoint an alternate being:
    - (i) in the first instance, the Development Vice-President of the relevant FEC, SEC, or LGC;
    - (ii) in the second instance, the Policy Vice-President of the relevant FEC, SEC, or LGC;
    - (iii) in the third instance, the Secretary of the relevant FEC, SEC, or LGC; or
    - (iv) in the fourth instance, the Treasurer of the relevant FEC, SEC, or LGC,
- but in both cases being an alternate who has not lodged a nomination for endorsement as the Liberal candidate for election to the particular office and who is not related to a person who has lodged a nomination for endorsement to be the Liberal candidate for election to the particular office in a way referred to in **Appendix F**.

### **21.3.3 Duties of Each Nomination Review Committee**

- (1) Each nomination review committee must as soon as practicable after the close of nominations for endorsement as the Liberal candidate for election to a particular office in Federal, State or local government:
  - (a) interview or otherwise consider all candidates, to satisfy itself that those candidates are fit and proper persons for presentation to a Selection Committee or for endorsement by State Executive; and
  - (b) having regard to those interviews and/or considerations, with respect to each nomination, decide whether to accept or reject that nomination.
- (2) Each nomination review committee may, subject to the recommendations of the State Director and subclause 21.3.3(3) below, consider each candidate in whatever

manner the nomination review committee deems necessary and appropriate in the circumstances of each candidate.

- (3) A nomination review committee may not resolve to reject a nomination for an office in state or federal parliament, unless it has provided the candidate with a reasonable opportunity to participate in an interview with the nomination review committee provided always that each nomination review committee provides a reasonable opportunity for a nominee to be interviewed prior to any vote being undertaken by the nomination review committee to reject a particular nominee.

#### **21.3.4 Dealing With Nominations**

- (1) A nomination review committee for candidates for the Legislative Assembly and House of Representatives may only reject a nomination by a majority of at least 75% of all members of the nomination review committee present and voting.
- (2) A nomination review committee for candidates for the Legislative Council, Senate and Local Government may only reject a nomination by a majority of at least two-thirds of all members of the nomination review committee present and voting.
- (3) A nomination for endorsement as the Liberal candidate for election to a particular office in Federal, State or local government:
  - (a) is accepted on the passing of a motion by the relevant nomination review committee or State Executive to accept that nomination; or
  - (b) in the case of a by-election, is deemed accepted two weeks after the date of close of nominations for the relevant office, if no motion to reject the nomination has been carried by that time; or
  - (c) in all other cases, is deemed accepted two months after the date of closing of nominations for the relevant office, if no motion to reject the nomination has been carried by that time.
- (4) A nomination review committee is not required to state any reasons for accepting or rejecting a nomination.
- (5) If a nomination review committee rejects a nomination under **clause 21.3.3**, the person whose nomination has been rejected may, within 7 days after being notified of

that decision, request in writing the State Director to refer the decision of that nomination review committee to State Executive to be reviewed as soon as practicable.

- (6) The State Executive may accept a nomination rejected by a nomination review committee provided that the State Executive follows the procedural fairness provisions of **Appendix E** (including that the majority in favour of acceptance must be at least 60%).

**21.3.5 When  
Nominations are  
Taken to be  
Received**

Despite any other provision in this Constitution, for the purposes of this Constitution and the Regulations a nomination for endorsement as the Liberal candidate for election to a particular office in Federal, State or local government is taken to be received only when it is accepted or deemed accepted in accordance with clause 21.3.4(3).

**21.3.6 Prohibition on  
Disclosure**

- (1) A member of a nomination review committee must not disclose or cause to be disclosed to any person, the identity of a person who lodged a nomination for endorsement as the Liberal candidate until that member's nomination is accepted by the relevant nomination review committee or State Executive.
- (2) The members of the relevant nomination review committee, State Executive and the State Director must not disclose or cause to be disclosed to any person, the identity of any person who lodged a nomination for endorsement as the Liberal candidate and whose nomination was rejected by that nomination review committee.
- (3) A member of nomination review committee:
- (a) must not, and
- (b) before participating in the processes of a nomination review committee must sign a written undertaking that he or she will not
- disclose or cause to be disclosed to any person:
- (c) any information acquired by that person about a person who lodged a nomination for endorsement, or

- (d) the contents of any communications between members of that nomination review committee or at meetings of that nomination review committee,

except:

- (e) to the extent that information is otherwise in the public domain,
- (f) to provide information to State Executive (to the extent that the nomination review committee decides to do so) when State Executive is considering under clause 21.3.4(4) whether to accept a nomination rejected by that nomination review committee, or
- (g) as required by law.

## **21.4 PROCEDURE WHERE A SINGLE NOMINATION IS RECEIVED**

### **21.4.1 Selection of a Candidate**

- (1) If State Executive calls for nominations for endorsement to be the Liberal candidate for election to a particular Legislative Assembly or House of Representatives office, or office as a Provincial Candidate for the Legislative Council, and only one nomination is received, the person nominating must appear before a Selection Committee which:
  - (a) in the case of a Legislative Assembly electorate consists of:
    - (i) the members of the relevant SEC; and
    - (ii) the President of the Division or the President's nominee; or
  - (b) in the case of a House of Representatives electorate consists of:
    - (i) the members of the relevant FEC; and
    - (ii) the President of the Division or the President's nominee; or
  - (c) in the case of office as a Provincial Candidate in the Legislative Council consists of:
    - (i) all members of State Executive except the Federal Parliamentary Leader, the Treasurer, the President of the Liberal Local Government



Assembly and the Federal President if not a Member; and

- (ii) all members of State Council who are Branch Members of Branches within the relevant Province,

and the Selection Committee rules and procedures in **Appendix F** apply as far as practicable (except that there shall only be one ballot, namely whether to select the person nominating as the candidate).

- (2) If State Executive calls for nominations for endorsement to be the Liberal candidate for election to a particular local government office, and only one nomination is received, State Executive must by motion resolve whether or not to endorse that person as the Liberal candidate for election to that office.

## 21.5 SELECTION COMMITTEES

**21.5.1 When Selection Committees Are Formed** If more than one person nominates for endorsement to be the Liberal candidate for election to a particular office in Federal, State or local government, a selection must be made by a Selection Committee formed for that purpose.

**21.5.2 Selection Committee Series** State Executive may determine that two or more Selection Committees form part of the same series.

**21.5.3 Effect of Declaring Selection Committees to Form a Series** If State Executive determines that two or more Selection Committees form part of the same series:

- (1) no person who has nominated for endorsement may participate in a Selection Committee held in the same series as the selection for which that person is a candidate;
- (2) despite any other provision in this Constitution, a person who has nominated for endorsement which forms part of a series is eligible to be included as a candidate for any other later selection within the same series; and
- (3) to the extent practicable, the State Director must ensure that members of State Council do not serve more than once as State Council delegates to Selection Committees that form part of the same series.

- 21.5.4 Selection Committee Rules** Selection Committee rules are in **Appendix F**.
- 21.5.5 Procedures Applicable to Meetings of Selection Committees** The procedures that must be followed at each meeting of a Selection Committee are set out in the Regulations.
- 21.5.6 Where More Than One Candidate is to Be Selected** If a Selection Committee is to select more than one candidate, it must select each candidate one at a time.
- 21.5.7 Election of Local Selectors**
- (1) This clause applies to a Selection Committee for selection of a candidate for a seat in the House of Representatives or Legislative Assembly.
  - (2) Local Branch Presidents, Vice-Presidents, Secretaries, Treasurers and State Council Delegates are entitled to participate in Selection Committees formed with respect to electorates to which their Local Branches are assigned.
  - (3) All Local Branch Members eligible in accordance with clause 22.1.2 who wish to participate in a Selection Committee must register their interest in this regard with the State Director.
- 21.5.8 Selection Committee for House of Representatives or Legislative Assembly selections**
- (1) Where the Selection Committee is for selection of a candidate for a House of Representatives or Legislative Assembly electorate, the State Director must, as soon as reasonably practicable after the receipt of more than one nomination for endorsement, give notice to members of Local Branches allocated to the FEC or SEC for that electorate:
    - (a) as to the forming of a Selection Committee;
    - (b) as to the criteria of eligibility for “Local Component” selectors under clause 22.1.2;
    - (c) as to the date that the rolls close; and
    - (d) inviting eligible persons to register as “Local Component” selectors; and
    - (e) specifying the manner of registration and the date by which registration must be effected.

- (2) Upon the closing of the rolls, the State Director or their nominee must, as soon as reasonably practicable:
  - (a) Determine the eligibility of persons who applied to be registered.
  - (b) Determine the number of “Local Component” Selectors in accordance with clause 22.1.3.
  - (c) Determine the date, time and venue of the Selection Committee meeting, such venue being a venue in the Electorate.
  - (d) Give notice to registered “Local Component” Selectors and “Central Component” Selectors and candidates of:
    - (i) the date, time and venue of the Selection Committee meeting; and
    - (ii) the number of “Local Component” and “Central Component” Selectors as determined under clause 22.1.3
- (2) If no candidate is selected by a Selection Committee, the State Executive must as soon as is practicable seek nominations again for endorsement as the Liberal candidate for the relevant office.

## 21.6 ENDORSEMENT OF CANDIDATES

### 21.6.1 State Executive May Endorse Candidates

- (1) As soon as practicable after a Selection Committee has selected a person to be the Liberal candidate for election to office in Federal, State or local government, State Executive must by motion resolve whether or not to endorse that person as the Liberal candidate for election to that office.
- (2) If State Executive by motion resolves not to endorse a person selected to be the Liberal candidate for election to office in Federal, State or local government, it may, by public advertisement, re-open nominations.

### 21.6.2 Cancellation of Selection or Endorsement

- (1) State Executive may cancel any selection or endorsement of a Liberal candidate for election to office in Federal, State or local government, without giving reasons and call for nominations either on its own motion or if:

- 
- (a) it is requested to do so by the members or the Committee of the relevant FEC, SEC or LGC or the Committee of the relevant FEC;
    - (b) time or circumstance, in the opinion of State Executive, make it impracticable to hold a meeting of the members or Committee of the relevant FEC, SEC or LGC to consider the matter; or
    - (c) there is no relevant FEC, SEC, or LGC.
  - (2) State Executive may cancel a selection or endorsement only if each member of State Executive is given notice in writing that a motion to cancel the selection or endorsement will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in **Appendix E**.
- 21.6.3 Urgent Endorsement Procedures for Legislative Assembly and House of Representatives**
- (1) If, with respect to:
    - (a) vacancies in parliamentary office for the House of Representatives or Legislative Assembly at a general election; or
    - (b) a casual vacancy in a parliamentary office for the House of Representatives or Legislative Assembly,
 there are seven days or less from the date of the creation of the vacancy until the close of nominations for the election or by-election to fill that parliamentary office (as the case may be), State Executive may by motion modify the procedures for selection and endorsement of candidates or dispense altogether with those procedures and endorse a member of the Organisation as the Division's candidate for the parliamentary office, but before exercising this power it must consult and, as far as practicable seek agreement with, office holders of the relevant FEC or SEC.
  - (2) If, with respect to a vacancy in a parliamentary office for the House of Representatives or Legislative Assembly, there are more than seven days but less than 28 days from the date of the creation of the vacancy until the close of nominations for the election or by-election to fill that parliamentary office, State Executive may by motion modify the procedures for selection and endorsement of candidates for that parliamentary office, but in any such case:

- (a) the Selection Committee must as far as practicable comprise the same proportion of Local Component and Central Component selectors as would have been the case if the Selection Committee was formed under clause 22.1.2 of this Constitution; and
  - (b) State Executive must consult and, as far as practicable seek agreement with, the office holders of the relevant FEC or SEC before exercising the powers under this clause.
- (3) State Executive may not modify the procedures for selection or endorsement of candidates or dispense with those procedures otherwise than:
  - (a) on the written recommendation of the State Director; and
  - (b) with the written concurrence of the State President, in consultation with the relevant State or Federal Parliamentary leader; and
  - (c) by the State Executive by motion of at least 90% of those present and voting, to waive the requirement and substitute any other mechanism or formal or procedural requirement it thinks fit.

The State President shall report to the next meeting of State Council the text of the recommendation and of the motion carried under this clause.

- (4) For the purposes of this clause, a casual vacancy is deemed to be created on:
  - (a) the creation of a casual vacancy in the relevant parliamentary office; and
  - (b) the resignation, or cancellation of selection or endorsement, of a previously selected or endorsed Liberal candidate for the relevant parliamentary office,

whichever is the later to occur.

#### **21.6.4 Urgent Endorsement Procedures for Senate, Legislative Council and**

- (1) If, with respect to:
  - (a) vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and

<b>Local Government</b>	<p>(b) vacancies in elected office for local government at a general election or casual vacancies,</p> <p>State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.</p> <p>(2) In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.</p>
<b>21.6.5 Local Bodies not functioning</b>	<p>If in any Federal or State electorate:</p> <p>(1) there is no FEC or SEC (as the case may be); or</p> <p>(2) all the Branches that are allocated to the FEC or SEC fail to elect members of a Selection Committee within a reasonable time after request by State Executive,</p> <p>State Executive may endorse a member of the Organisation as the Division's candidate, but State Executive must:</p> <p>(3) confer with the Committee or the members of the FEC or SEC (if any); and</p> <p>(4) in selecting the candidate, must as far as practicable comply with the Selection Committee rules and procedures in <b>Appendix F</b>.</p>
<b>21.6.6 End of endorsement</b>	<p>The endorsement of a defeated candidate for office in Federal, State or local government ceases upon the declaration of the poll.</p>

## 22. SELECTION OF LIBERAL CANDIDATES FOR THE LEGISLATIVE ASSEMBLY AND THE HOUSE OF REPRESENTATIVES

### 22.1 SELECTION COMMITTEES

***Note:** This section 22.1 has been amended and will cease to operate in its current form subject to the transitional provisions in clause 30.1.2(3). The section in its amended form is contained in the Explanatory Notes at the end of this Constitution.*

#### 22.1.1 Formation

If more than one person nominates for endorsement as the Liberal candidate for election to:

- (1) any New South Wales House of Representatives Metropolitan Electorate; or
- (2) any New South Wales Legislative Assembly Metropolitan Electorate,

a Selection Committee must be formed to select the Liberal candidate for that Electorate.

#### 22.1.2 Composition

A Selection Committee formed under **clause 22.1.1** comprises the following:

	A	B
	COMPONENT	SELECTION COMMITTEE MEMBERS
1	Central Component (State Executive and State Council)	<p><b>(1) In Metropolitan Electorates:</b></p> <p>(a) The President of the Division or the President's nominee.</p> <p>(b) In the case of House of Representatives Electorates, the Federal Parliamentary Leader or their nominee who must be a Member and a member of Federal Parliament.</p> <p>(c) In the case of Legislative Assembly Electorates, the State Parliamentary Leader or their nominee who must be a Member and a member of State Parliament.</p> <p>(d) Each member of State Executive, or their nominee, up to the number prescribed for the Central component under <b>clause 22.1.3</b> but excluding:</p>

		<p>(i) in the case of House of Representatives Electorates, the State Parliamentary Leader;</p> <p>(ii) in the case of Legislative Assembly Electorates, the Federal Parliamentary Leader;</p> <p>(iii) the Treasurer; and</p> <p>(iv) President of the Liberal Local Government Assembly;</p> <p>provided any nominee is notified to the State Director no later than 7 days before the relevant Selection Committee is held.</p> <p>(e) To the extent that the maximum number of selectors for the Central Component determined under clause 22.1.3 is not made up under (1) to (4) above, those Members of State Council drawn by the State Director by lot (excluding any State or Federal Member of Parliament) up to the maximum number for the Central Component determined under clause 22.1.3.</p> <p><b>(2) In Country Electorates and Regional Electorates:</b></p> <p>(a) The President of the Division or the President's nominee.</p> <p>(b) In the case of House of Representatives Electorates, the Federal Parliamentary Leader or their nominee who must be a Member and a member of Federal Parliament.</p> <p>(c) In the case of Legislative Assembly Electorates, the State Parliamentary Leader or their nominee who must be a Member and a member of State Parliament.</p> <p>(d) Country and Regional Vice Presidents of the Division or their nominees.</p> <p>(e) Country and Regional State Executive Representatives of the Division or their nominees.</p>
2	Local Component in Metropolitan, Country and Regional Electorates	<p>(1) Each financial Member of a Local Branch allocated to the FEC or SEC for the Electorate who has registered before the close of the rolls in the manner prescribed by the State Director and who has either been:</p> <p>(a) a financial Member of that particular Local Branch for a continuous period of 2 years as at the close of rolls; or</p> <p>(b) a financial Member of that particular Local Branch for a continuous period of 6 months, and a financial Member of</p>



		the Division for a continuous period 2 years, as at the close of rolls.
	(2)	A Member will be deemed to be a continuous financial Member of the Local Branch and Division for a period of 2 years where that period includes: <ul style="list-style-type: none"> <li>(a) the 2 month period set out in clause 3.5.4, and the Member has paid their membership fees within that period; or</li> <li>(b) the months of July 2018, August 2018, September 2018 and October 2018, and they have paid their membership fees within that 4 month period.</li> </ul>
	(3)	Each office bearer (President, Vice President Development, Vice President Policy, Secretary, Treasurer and State Council Delegate) of a Local Branch allocated to the FEC or SEC for the Electorate (as the case may be) who has registered before the close of the rolls in the manner prescribed by the State Director.

### 22.1.3 Determining the Number of Selection Committee Members

A selection committee formed under clause 22.1.1 with respect to a metropolitan electorate will be constituted by all of the registered “Local Component” selectors and the number of “Central Component” selectors being 25% of the total number of all selectors.

The total number of Selection Committee Members for a selection committee formed under **clause 22.1.1** with respect to a metropolitan electorate is determined by reference to the following formula:

$$SC = LC + CC$$

Where:

SC = the total number of Selection Committee Members;

LC = the total number of Members eligible to be Local Component Selectors pursuant to clause 22.1.2; and

CC = the total number of Members eligible to be Central Component Selectors pursuant to clause 22.1.2, which number shall be determined by reference to the following formula:  $CC = (LC/75) \times 25$ .

## 23. REMOVED

## 24. SELECTION OF LIBERAL CANDIDATES FOR THE NEW SOUTH WALES LEGISLATIVE COUNCIL

### 24.1 PROVINCES

- 24.1.1 Creation**
- (1) The Division will be divided into provinces containing State electorates.
  - (2) Provinces must be determined by State Executive and ratified by State Council.
  - (3) As far as practicable Provinces must as far as practicable contain an equal number of State electorates but in any case a minimum of 11 State electorates.
- 24.1.2 Liberal Members of the Legislative Council to Represent Provinces**
- Where a Selection Committee formed under **clause 24.2.1** selects a person for office to the New South Wales Legislative Council and that person is endorsed by State Executive and subsequently elected to office in the Legislative Council, that person is taken for the purposes of this **Part 24** to be the representative of that Province.

### 24.2 SELECTION COMMITTEES FOR PROVINCIAL CANDIDATES

- 24.2.1 Formation**
- At any State general election where:
- (1) the term of office of a Legislative Council member who at the time of his or her election to the Legislative Council was an endorsed Liberal is to expire;
  - (2) that Liberal member represents or represented a Province; and
  - (3) more than one person nominates for endorsement as the Liberal candidate for that office,
- a Selection Committee must be formed to select the Liberal candidate. In this **Part 24**, each of the candidates is referred to as a “Provincial Candidate”.
- 24.2.2 Composition**
- A Selection Committee formed under **clause 24.2.1** comprises:
- (1) all members of State Executive except:
    - (a) the Federal Parliamentary Leader;
    - (b) the Treasurer;
    - (c) The President of the Liberal Local Government Assembly;

- (d) the Federal President if not a member of the Division;  
and
- (2) all delegates to State Council from SEC's and Branches within the Province.
- (3) A State Executive member may appoint a non-parliamentary State Council Delegate as their nominee to attend the Selection Committee. The State Director must be notified of the appointment of a nominee not later than 7 days before the relevant Selection Committee is held.

### 24.3 SELECTION COMMITTEES FOR CANDIDATES AT LARGE

- 24.3.1 Formation** (1) If more than one person nominates for endorsement as the Liberal candidate for election to a Winnable Position for an office in the New South Wales Legislative Council, other than an office referred to in **clause 24.2.1**, a Selection Committee must be formed to select the Liberal candidate/s.
- 24.3.2 Composition** A Selection Committee formed under **clause 24.3.1** comprises all members of State Executive and all members of State Council, with the exception of Members of Parliament other than the State Parliamentary Leader or nominee.
- 24.3.3 Unwinnable Positions** If more than one person nominates for endorsement as the Liberal candidate for election to an Unwinnable Position for an office in the New South Wales Legislative Council, other than an office referred to in **clause 24.2.1**, the candidates will be selected by State Executive by a motion of 60% of those present and voting.
- 24.3.4 Candidates at Large** In this **Part 24**, each of the candidates is referred to as a "Candidate at Large".

### 24.4 DETERMINING THE ORDER OF LEGISLATIVE COUNCIL CANDIDATES

- 24.4.1 Limits on Order of Candidates** Liberal endorsed candidates for office in the New South Wales Legislative Council must be presented to the electorate in the following order:
- (1) the number of Provincial Candidates must be allocated positions one through to the number of Provincial Candidates; and
  - (2) Candidates at Large must be allocated positions from one more than the number of Provincial Candidates until the last position on the Liberal ticket.

**24.4.2 How Order is Determined**

- (1) The President of the Division, after consultation with the State Parliamentary Leader, must nominate to State Executive a proposed order for the Provincial Candidates.
- (2) State Executive must by motion carried at State Executive approve that order, with or without amendment.
- (3) State Executive must then submit to a Selection Committee formed under **clause 24.3.1** the proposed order for the Provincial Candidates.
- (4) That Selection Committee must by motion approve the proposed order for the Provincial Candidates with or without amendment. The Standing Orders apply in this regard.
- (5) Candidates at Large for Winnable Positions are to be presented to the electorate in the order in which they are selected by the same Selection Committee.
- (6) Candidates at Large for Unwinnable Positions are to be presented to the electorate in the order in which they are selected by State Executive and will be allocated positions after Candidates at Large for Winnable Positions.

**24.4.3 Casual Vacancies**

In the case of a casual vacancy in the office of a Legislative Council member who at the time of his or her election to the Legislative Council was an endorsed Liberal:

- (1) if that Member was a Provincial Candidate, a Selection Committee formed under **clause 24.2.1** for the Province represented by that person must select the Division's candidate for election to that office; or
- (2) if that person was a Candidate at Large, a Selection Committee formed under **clause 24.3.1** must select the Division's candidate for election to that office.

**25. SELECTION OF LIBERAL CANDIDATES FOR THE SENATE****25.1 SELECTION COMMITTEES****25.1.1 Formation**

If more than one person nominates for endorsement as the Liberal candidate for election to a Winnable Position to an office in the Senate, a Selection Committee must be formed to select the Liberal candidate.

- 25.1.2 Composition** A Selection Committee formed under **clause 25.1.1** comprises all members of State Executive and all members of State Council, with the exception of Members of Parliament other than the Federal Parliamentary Leader or nominee.
- 25.1.3 Unwinnable Positions** If more than one person nominates for endorsement as the Liberal candidate for election to an Unwinnable Position for an office in the Senate, the candidates will be selected by State Executive by a motion of 60% of those present and voting.
- 25.1.4 Determining the order for Senate candidates** Liberal endorsed candidates for office in the Senate must be presented to the electorate in the following order:
- (1) Candidates for Winnable Positions are to be presented to the electorate in the order in which they are selected; and
  - (2) Candidates for Unwinnable Positions are to be presented to the electorate in the order in which they are selected by State Executive and will be allocated positions after Candidates for Winnable Positions.

## **26. SELECTION OF LIBERAL CANDIDATES FOR OFFICE IN LOCAL GOVERNMENT**

### **26.1 SELECTION COMMITTEES**

- 26.1.1 Formation**
- (1) If more than one person nominates for endorsement as the Liberal candidate for election to a Winnable Position, for an office in local government, a Selection Committee must be formed to select the Liberal candidate for each Winnable Position.
  - (2) A Selection Committee formed under this clause for the selection of candidates for Winnable Positions in a local government area, shall be the same Committee for the selection of all Winnable Positions within that local government area, irrespective of whether there are wards.
- 26.1.2 Composition**
- (1) In Metropolitan local government areas, a Selection Committee formed under **clause 26.1.1** comprises
    - (a) The following members of State Executive:
      - (i) President;

- (ii) Local Government Assembly Chair;
  - (iii) Urban Vice Presidents;
  - (iv) Urban Representatives;
  - (v) Young Liberal President;
  - (vi) Women's Council President; and
  - (vii) Policy Director and Convention Chair,
- or their nominee.
- (b) Each financial Member of a Local Branch allocated to the LGC for the Council who has registered before the close of the rolls in the manner prescribed by the State Director and who has either been:
- (i) a financial Member of that particular Local Branch for a continuous period of 2 years as at the close of rolls; or
  - (ii) a financial Member of that particular Local Branch for a continuous period of 6 months, and a financial Member of the Division for a continuous period 2 years, as at the close of rolls.
- (c) For the purpose of **subclause 26.1.2(1)(b)**, a Member will be deemed to be a continuous financial Member of the Local Branch and Division for a period of 2 years where that period includes:
- (i) the 2 month period set out in clause 3.5.4, and the Member has paid their membership fees within that period; or
  - (ii) the months of July 2018, August 2018, September 2018 and October 2018, and they have paid their membership fees within that 4 month period.
- (2) In Country and Regional local government areas, a Selection Committee formed under **clause 26.1.1** comprises
- (a) The following members of State Executive:
- (i) President;
  - (ii) Local Government Assembly Chair;

- (iii) Country and Regional Vice Presidents;
- (iv) Country and Regional Representatives,
- or their nominee.
- (b) Each financial Member of a Local Branch allocated to the LGC for the Council who has registered before the close of the rolls in the manner prescribed by the State Director and who has either been:
  - (i) a financial Member of that particular Local Branch for a continuous period of 2 years as at the close of rolls; or
  - (ii) a financial Member of that particular Local Branch for a continuous period of 6 months, and a financial Member of the Division for a continuous period of 2 years, as at the close of rolls.
- (c) For the purpose of **subclause 26.1.2(2)(b)**, a Member will be deemed to be a continuous financial Member of the Local Branch and Division for a period of 2 years where that period includes:
  - (i) the 2 month period set out in clause 3.5.4, and the Member has paid their membership fees within that period; or
  - (ii) the months of July 2018, August 2018, September 2018 and October 2018, and they have paid their membership fees within that 4 month period.

#### **26.1.3 Unwinnable Positions**

Candidates for Unwinnable Positions for an office in Local Government will be selected by State Executive, by a motion of 60% of those present and voting. In this respect, State Executive must consult with the lead candidate selected in each respective ward or council (as the case may be).

#### **26.1.4 Selecting candidates where there is no Local Government Conference**

For the purposes only of the local government elections to be held in 2020, if there is no LGC in a local government area which State Executive has resolved the Party will contest, then State Executive may endorse, by a motion of 60% of those present and voting, a Member/s to be the candidate/s to contest the election in that local government area.

#### **26.1.5 Order of submission of**

- (1) A person who nominates for endorsement as a Liberal candidate for election to multiple Winnable Positions of councillor representing a ward or (where there are no

**Liberal  
candidates**

wards) an entire local government area may at any time between:

- (a) the time of nomination, and
- (b) the commencement of the meeting of the Selection Committee

elect by notice in writing to the State Director or the returning officer for the conduct of the selection that his or her nomination is only for those one or more Winnable Positions on the Division's ticket for submission to the ward or local government area (as the case may be) which is or are specified in that notice.

- (2) For so long as a person who nominates for endorsement as a Liberal candidate for election to a Winnable Position of councillor representing a ward or (where there are no wards) an entire local government area makes no such election, he or she is deemed to have nominated for each Winnable Position on the Division's ticket for submission to the ward or local government area (as the case may be).
- (3) Subject to **clause 26.1.5(4)**, the order of candidates for Winnable Positions on the Division's ticket for submission to a ward or entire local government area (as the case may be) is the order in which they are selected by the Selection Committee. Candidates for Unwinnable Positions on the Division's ticket for submission to a ward or entire local government area (as the case may be) appear on the ticket after candidates for Winnable Positions, in the order determined by State Executive pursuant to **clause 26.1.3**.
- (4) If:
  - (a) the number of candidates who have nominated for endorsement as a Liberal candidate for election to Winnable Positions of councillors representing a particular ward or (where there are no wards) a particular entire local government area is equal to the number of Winnable Positions on the Division's ticket for submission to a ward or entire local government area (as the case may be), and
  - (b) all those candidates agree in writing prior to the commencement of the meeting of the Selection Committee the order of candidates for Winnable Positions on the Division's ticket for submission to



that ward or that entire local government area (as the case may be),

the Selection Committee may vote to select those candidates in that order, for those Winnable Positions, on a single ballot.

## 27. FINANCIAL AFFAIRS

### 27.1 THE INCOME AND PROPERTY OF THE DIVISION

#### 27.1.1 Application of Income and Property

- (1) All payments received for the benefit or purposes of the Division must be promptly credited to a bank account or other authorised trustee investment in the name of the Division or otherwise controlled by the Division.
- (2) The Division and all Bodies within the Division must apply their income and property solely towards the objectives of the Division.
- (3) None of the income or property of the Division or Bodies of the Division may be paid or transferred directly or indirectly to Members by way of profit.
- (4) This **clause 27.1** does not prevent:
  - (a) the payment in good faith of remuneration for services rendered by any officer or employee; or
  - (b) the payment or reimbursement of expenses incurred by a Member on behalf of the Division.

### 27.2 FUND RAISING

#### 27.2.1 Fund Raising

- (1) The State Finance Committee is responsible for the management of the income and expenditure of the Division.
- (2) Fund raising activities may only be carried on by Branches, FECs, SECs, LGCs, the State Finance Committee, Young Liberal Council, Women's Council and the other bodies authorised by motion carried at a meeting of State Executive.

## **27.3 DONATIONS**

- 27.3.1 Donations**
- (1) A Body of the Division referred to in **subclause 27.2.1(2)** may accept donations from individuals or organisations.
  - (2) A donation must not be accepted if it is subject to any condition.
  - (3) No member of the State Parliamentary Party or the Federal Parliamentary Party nor any endorsed candidate may receive any donation on behalf of the Division.

## **27.4 BANK ACCOUNTS**

- 27.4.1 Bank Accounts** All bank accounts opened by Bodies of the Division must:
- (1) be opened with the bank nominated by and in accordance with the directions of, the Treasurer;
  - (2) be named “Liberal Party of Australia, New South Wales Division [Body of the Division]”;
  - (3) have as signatories any three or more of the President, Vice-Presidents, Secretary, Treasurer and the other Committee members of the Body of the Division; and
  - (4) require at least two signatories to operate the account.
- 27.4.2 Accounting Procedures**
- (1) All donations made to a Branch, FEC, SEC or LGC must be received and banked by the Treasurer or a person appointed as party agent.
  - (2) All Bodies of the Division must keep proper books of all income and expenditure.
  - (3) All Bodies of the Division must disclose all moneys received and expended in accordance with the provisions of the relevant electoral and funding legislation.
- 27.4.3 Policy Branches and Professional Branches** A Policy Branch or a Professional Branch must not operate a bank account or hold any funds in any account with any institution.

## **27.5 FINANCIAL YEAR OF BODIES OF THE DIVISION**

- 27.5.1 Financial Year**      The financial year of each Body of the Division commences on 1 July and concludes on 30 June.

## **27.6 BOOKS, RECORDS AND MATERIALS OF BODIES OF THE DIVISION**

- 27.6.1 Production of Books and Records**
- (1)      The State Director may by notice require a Body of the Division or any Member to deliver up to the State Director or the State Director's nominee any or all books, records, documents, correspondence, papers, funds and property owned by or relating to the Body in the possession or control of the Body of the Division or the Member.
  - (2)      Any Body of the Division or Member who is given a notice under **subclause 27.6.1(1)** must comply with the notice within three days.
- 27.6.2 Inspection of Material**      Any person authorised by motion carried at a meeting of State Executive, confirmed in writing by the State Director, may inspect all books, records, documents, correspondence and papers of a Body of the Division.

## **27.7 CAMPAIGN EXPENDITURE**

- 27.7.1 Campaign expenditure**      No member of the State Parliamentary Party or Federal Parliamentary Party nor endorsed candidate may establish or maintain any electoral fund or account.

## **27.8 RETENTION OF MEMBERSHIP FEES BY BRANCHES**

- 27.8.1 Retention of Fees**
- (1)      Subject to **subclause 27.8.1(2)**, State Executive may by motion carried at a meeting of State Executive authorise Branches to retain all or some of their membership fees for local expenditure.
  - (2)      State Executive may not give an authority unless the State Finance Committee has by motion previously approved the giving of that authority.

## **28. MACHINERY PROVISIONS**

### **28.1 PROVISIONS EMPOWERING A BODY OF THE DIVISION TO ACT**

#### **28.1.1 Empowering Provisions**

If a provision of this Constitution permits a Body of the Division to do any thing, that Body may:

- (1) do that thing at any time and from time to time; and
- (2) set any conditions with respect to that thing as it decides.

### **28.2 RETURNING OFFICER**

#### **28.2.1 State Director to be Returning Officer**

The State Director (or nominee, who must be a staff member of the Division) is the returning officer for:

- (1) the election of State Council office-bearers;
- (2) the election of Young Liberal Council office-bearers;
- (3) the election of Women's Council office-bearers;
- (4) the election of Liberal Local Government Assembly office-bearers; and
- (5) the selection of Liberal candidates for elected office in Federal, State or local government.

### **28.3 RECORDS OF THE STATE DIRECTOR**

#### **28.3.1 State Director to Maintain Records**

The State Director must keep by electronic or other system the names and addresses of financial Members eligible to:

- (1) vote for the elections of office-bearers under this Constitution; and
- (2) attend and vote at meetings of Selection Committees,

to enable the Returning Officer or person chairing the election or Selection Committee meeting to conveniently determine the Members eligible to vote at those elections or meetings.

#### **28.3.2 Records of the State Director**

For the purposes of this Constitution the status of a Member or body at any time including in the case of a Member their eligibility to vote, stand for office and be elected to office and in the case of a body its size and the eligibility of its delegates to participate in other bodies within the Division, is prima facie to

be determined by reference to the records maintained by the State Director as at that time.

**28.3.3 Time limit on challenges to rolls**

In the case of each election and selection referred to in **clause 28.2.1**:

- (1) After the date which State Executive has set (or which is set by any regulations) for the close of rolls, the State Director must promptly make available a provisional roll to each candidate in the election or selection (as the case may be), upon request by that candidate and upon payment of any fee set by State Executive.
- (2) A candidate in that election or selection (as the case may be) may challenge that provisional roll by notice in writing to the State Director received on or before the date which State Executive has set (or which is set by any regulations) for the close of challenge to rolls.
- (3) After the close of challenge to rolls, the provisional roll becomes the final roll except to the extent of challenges notified in writing to the State Director prior to the date which State Executive has set (or which is set by any regulations) for the close of challenge to rolls.

**28.4 DEFECT IN THE APPOINTMENT OF A MEMBER TO A BODY OF THE DIVISION**

**28.4.1 Defect in Appointment**

If it is discovered that there was a defect in the appointment or election or qualification of a person to be a member of a Body of the Division, all acts done by any meeting of that Body are as valid as the act would have been if the person had been duly appointed or elected and was qualified to be a member of that Body.

**28.5 AMENDMENTS TO THIS CONSTITUTION**

**28.5.1 How to Amend This Constitution**

This Constitution may be amended by motion passed at a meeting of State Council by 60% of the members of State Council present and voting.

**28.5.2 Who may propose Amendments to this Constitution**

Amendments to this Constitution may be proposed by:

- (1) State Executive;
- (2) a Standing Committee of State Council;
- (3) Young Liberal Council;
- (4) Women's Council;

- 
- (5) a Branch; or
- (6) an FEC or SEC.
- 28.5.3 Role of the Constitution Standing Committee**
- (1) A body proposing an amendment to this Constitution must give notice of the amendment to the Constitution Standing Committee which must, unless the proposal is contrary to the provisions of the Federal Constitution of the Liberal Party of Australia:
- (a) draft an amendment to this Constitution to give effect to the proposal; and
- (b) send the draft to the body from which the proposal was received with any comments that the Constitution Standing Committee may wish to make.
- (2) The body proposing the amendment may, after considering the comments of the Constitution Standing Committee, submit to State Council the amendment drafted by the Constitution Standing Committee.
- 28.5.4 Amendments to be moved at State Council**
- A body proposing an amendment to the Constitution may move that amendment only in accordance with the draft prepared by the Constitution Standing Committee (unless the Constitution Standing Committee has failed to provide that body with its comments within 90 days after that body gave the notice to the Constitution Standing Committee referred to in **sub-clause 28.5.3(1)** above).
- 28.5.5 State Council Meetings at which Amendments may be Moved**
- A motion for amendment to this Constitution:
- (1) moved by State Executive may be dealt with at any meeting of State Council; and
- (2) moved by any other body may only be dealt with at the AGM of State Council. Notwithstanding, effective from 5 August 2022, a motion by any other body for amendment to this Constitution which is provided to each member of State Council on at least 21 days' notice before the holding of the AGM of State Council may be deferred by State Council to the next General Meeting of State Council, by a simple majority of those present and voting at the AGM of State Council.
- 28.5.6 Precondition to moving an Amendment**
- A motion to amend this Constitution must not be moved unless:
- (1) each member of State Council is given at least 21 days' notice that the amendment will be put at a meeting of State Council; and

- (2) at least 60% of the members of State Council present and voting agree without debate that the motion should be discussed.

**28.5.7 Amendments to Motions**

In the course of debate upon a motion to amend this Constitution, no amendment of substance to the motion is allowed unless the amendment has been drafted and reported upon by the Constitution Standing Committee.

**28.5.8 Chairperson of the Constitution Standing Committee to speak**

The chairperson of the Constitution Standing Committee or the chairperson's nominee has the right to speak upon any motion for the amendment of this Constitution.

## **28.6 REVIEW OF THIS CONSTITUTION**

**28.6.1 Periodic Review**

Prior to the second anniversary of the adoption of this Constitution by State Council and every third anniversary after that, the Constitution Standing Committee must conduct a review of this Constitution.

**28.6.2 Constitution Standing Committee Must Consult**

As part of any review the Constitution Standing Committee must convene meetings of Members to give them the opportunity to give to the Committee their suggestions.

**28.6.3 Constitution Standing Committee Must Report to State Council**

At the conclusion of each review the Constitution Standing Committee must report in writing to State Council. Each report must contain:

- (1) a summary of the findings of the Constitution Standing Committee; and
- (2) the amendments (if any) to this Constitution recommended by the Constitution Standing Committee following those findings.

## **28.7 DISSOLUTION OF THE DIVISION**

**28.7.1 Motion to Dissolve Division**

The Division may be dissolved by motion passed by a meeting of State Council by two thirds of the members of State Council present and voting.

**28.7.2 Transfer of Property**

If the Division is dissolved and all its debts are paid, any property remaining must not be paid or distributed amongst the Members but must be given to a body chosen by State Council that has objects similar or partly similar to the objects of the

Division and which prohibits the distribution of property to its members at least to the same extent as this Constitution.

**28.7.3 Determination of Appropriate Body**

If State Council does not choose a body to receive the property of the Division under **clause 28.7.2**, the matter must be referred to a Judge of the Supreme Court of New South Wales who may determine the matter.

## 29. REGULATIONS

### 29.1 REGULATIONS

**29.1.1 Power to Make Regulations**

- (1) State Council may amend or make regulations consistent with this Constitution by motion passed at a meeting of State Council by a majority of the members of State Council present and voting.
- (2) Regulations made under **subclause 29.1.1(1)** do not form part of this Constitution.

**29.1.2 Role of the Constitution Standing Committee**

- (1) A body proposing the adoption of a new regulation or an amendment to an existing regulation must give notice of the proposal to the Constitution Standing Committee which must, unless the proposal is contrary to the provisions of this Constitution:
  - (a) draft the appropriate regulation to give effect to the proposal; and
  - (b) send the draft to the body from which the proposal is received with any comments the Constitution Standing Committee may wish to make.
- (2) The body proposing the regulation or amendment may, after considering the comments of the Constitution Standing Committee, submit to State Council the proposal drafted by the Committee.

**29.1.3 Amendments to Regulations must be on Notice**

- (1) Notice of a new regulation or the amendment of an existing regulation must be given to members of State Council in the notice convening the meeting of State Council at which the new regulation or amendment is to be moved.
- (2) A member of State Council may move the adoption of a new regulation or the amendment of an existing regulation in accordance with the draft prepared by the Constitution Standing Committee (and may move the adoption of a new regulation or the amendment of



existing regulation other than in accordance with such a draft, if the Constitution Standing Committee has not, within 90 days after the notice referred to in **clause 29.1.2(1)**, provided its comments on the proposed new regulation or the proposed amendment to an existing regulation).

**29.1.4 Amendments to Motions**

In the course of debate upon a motion to amend or make regulations, no amendment of substance to the motion is allowed unless the amendment has been drafted and reported upon by the Constitution Standing Committee.

**29.1.5 Chairperson of the Constitution Standing Committee to speak**

The chairperson of the Constitution Standing Committee or the chairperson's nominee has the right to speak upon any motion for the amendment or making of regulations.

## **30. TRANSITIONAL PROVISIONS**

### **30.1 COMMENCEMENT OF THIS CONSTITUTION**

**30.1.1 Commencement**

This Constitution has force and effect as and from the time that it is passed by State Council and it is in substitution for the existing Constitution ("**Repealed Constitution**").

**30.1.2 Commencement of Proposed Amendments to Constitution**

The commencement provisions contained in clause 30.1.2 apply to amendments to the Constitution adopted by the AGM of State Council held on 10 February 2018.

- (1) Any amendments proposed to this constitution that relate to the conduct of any election or selection will not apply to the conduct of any election or selection where the timetable for that election has already been determined by State Executive.
- (2) The mandatory requirements of Branches to submit reports regarding their activities and hold a minimum number of branch meetings will apply from 1 January 2018.
- (3) Changes to the composition or procedures for the selection of candidates for the Legislative Assembly and the House of Representatives will apply to any Selection Committee formed for the selection of a candidate after the later of the date of the declaration of the poll for the Legislative Council at the 2019 State election and the date of the declaration of the poll for the Senate for the first Federal election after the AGM

of State Council at which this amendment is passed. For the avoidance of doubt, any Selection Committee formed for the selection of a candidate for the Legislative Assembly at the 2019 State election and House of Representatives for the first Federal election after the AGM of State Council at which this amendment is passed will be conducted in accordance with the Repealed Constitution.

- (4) Changes to the eligibility of members to nominate and be elected to State Executive and restrictions on Elected Members of State Executive set out in clause 13.1.2 will only apply from the date of the first State Council election held after 1 July 2019.

## **30.2 CONTINUITY OF STATUS**

### **30.2.1 Continuity of Status**

Except as is expressly provided in this Constitution or is necessarily implied by it:

- (1) all persons, things and circumstances appointed or created by or under the Repealed Constitution continue to have the same status operation and effect under and subject to this Constitution as they respectively would have had if the Repealed Constitution had not been repealed;
- (2) that repeal does not disturb the continuity of status, operation or effect of any person, body, committee, regulation, decision, direction, approval, appointment, delegation, condition, endorsement or any other thing made, effected, issued, granted, given, presented, passed, fixed, accrued, incurred or acquired or existing or continuing by or under the Repealed Constitution;
- (3) the repeal of the Repealed Constitution does not affect or disturb any validation effected or any transfer or powers or duties; and
- (4) until and subject to the exercise of the powers contained in this Constitution, all powers continue to be managed exercised or otherwise dealt with by the persons holding the appropriate offices and those persons continue in office under this Constitution until their successors are elected appointed or otherwise fixed under the terms of this Constitution.

### **30.2.2 Continuity of Office**

The persons who held offices or positions as prescribed by the repealed Constitution:

- (1) as and from the commencement of this Constitution continue to hold such offices or positions for the

remainder of the term of such offices or positions as prescribed in the Repealed Constitution, and

- (2) are deemed for that purpose to have been elected or appointed under the provisions of this Constitution.

### 30.2.3 State Convention

The State Convention to be held next after this Constitution has effect must be held in conjunction with the AGM of State Council held next after this Constitution has effect.

### 30.2.4 Branches That Do Not Comply with Residency Requirement

Despite any other provision in this **Part 30** if on the date that this Constitution has force and effect a Branch does not comply with the residential requirement under **clause 3.5** of the Repealed Constitution:

- (1) the State Director must give notice to the President and Secretary of the Branch that it is in breach of that residency requirement and if that breach is not rectified prior to the date in September 2000 determined by State Executive as the date by which Branches must hold their AGMs, the Branch will be automatically dissolved;
- (2) a Branch may meet and transact business during the period referred to in **subclause 30.2.4(1)**;
- (3) if, on the date in September 2000 determined by State Executive as the date by which Branches must hold their AGMs, the Branch still does not comply with the residency requirement under **clause 3.5** of the Repealed Constitution, the Branch is dissolved and the State Director must give notice of the dissolution to each Branch Member of that Branch;
- (4) if a Branch is dissolved under **subclause 30.2.4(3)**, the members of that Branch as at the date of its dissolution become General Members; and
- (5) as soon as practicable after the date of dissolution, the State Director must give notice to all members of the relevant Branch that they have ceased to be Branch Members and have become General Members.

## 30.3 CORRECTION OF TYPOGRAPHICAL ERRORS

### 30.3.1 Constitutional Standing Committee may amend

The Constitutional Standing Committee, subject to the ratification of State Executive, is authorised by virtue of this clause, to re-number or correct any typographical errors that are not consequential to the interpretation of the Constitution.

## APPENDIX A: OBJECTIVES OF THE DIVISION

### (Clause 1.1.3)

"To have an Australian nation:

- A.1 dedicated to political liberty and the freedom and dignity of man;
- A.2 safe from external aggression and living in the closest communion with fellow members of the Commonwealth, playing its part in a world security order which maintains the necessary force to defend the peace;
- A.3 in which national defence is a matter of universal duty, and in which the spirit of patriotism is fostered and all Australians united in the common service of their country;
- A.4 in which an intelligent, free and liberal Australian democracy shall be maintained by:
  - (a) a Parliament controlling the Executive and the Law controlling all;
  - (b) independence of the Judiciary;
  - (c) freedom of speech, religion and association;
  - (d) freedom of citizens to choose their own way of living and of life, subject to the rights of others;
  - (e) protecting the people against exploitation;
  - (f) looking primarily to the encouragement of individual initiative and enterprise as the dynamic force of progress; and
  - (g) developing to the fullest extent a national spirit in Australia;
- A.5 in which men and women who have been members of the fighting services and their dependants shall enjoy honour and security, and where preference and generous repatriation benefits are recognised;
- A.6 in which primary, secondary and tertiary industries are promoted, new and adequate markets developed, the lot of country people improved, rural amenities increased and decentralisation of industries encouraged;
- A.7 in which there shall be no nationalisation of any Australian industry without the approval of the people;
- A.8 in which constant employment at good wages is available to all willing and able to work;
- A.9 in which employer and employee have a sense of common interest and duty, and share as co-operators in all advances of prosperity, and in which living standards rise steadily as physical resources expand and ingenuity grows;

- A.10 in which social provision is made for the aged, the invalid, the widowed, the sick, the unemployed and the children;
- A.11 in which adequate medical services are within the reach of all;
- A.12 in which a comprehensive system of child and adult education is designed to develop the spirit of true citizenship, and in which no consideration of wealth or privilege shall be a determining factor;
- A.13 in which the youth of the nation is given every encouragement to develop its talent to the full, recognising that from its ranks will come the leaders of tomorrow; and
- A.14 in which family life is seen as fundamental to the well-being of society, and in which every family is enabled to live in and preferably to own a comfortable home at reasonable cost, and with adequate community amenities."

**APPENDIX B: REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS**

**B.1 REQUIREMENTS FOR CONSTITUTIONALLY VALID BRANCH MEETINGS**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	General and AGM	<p>(1) The Branch President or in the case of the office of President being vacant, the Development Vice-President or in the case of the office of Development Vice-President being vacant, the Policy Vice-President.</p> <p>(2) The later of a motion of a meeting of the Branch Committee or a motion of a general meeting of the Branch.</p> <p>(3) Where requisitioned, the President of the FEC or SEC to which the Branch is allocated or the State Director.</p> <p>(4) The State Director</p>

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		Committee	<p>(5) The Branch President;</p> <p>(6) In the absence of the Branch President, a Vice-President;</p> <p>(7) In the absence of a Vice-President, the Branch Secretary;</p> <p>(8) The requisitionists where <b>clause 4.3.2</b> applies; or</p> <p>(9) The State Director</p>
2	NOTICE	General	At least 7 days' notice to all Branch Members and, in the case of a Young Liberal Branch, to the President of Young Liberal Council.
		AGM	At least 14 days' notice to all Branch Members, the Secretary of the FEC and SEC to which the Branch is allocated, the State Director and in the case of a Young Liberal Branch to the President of Young Liberal Council.
		Committee	<p>(1) Wherever practicable at least 3 days' notice to all members of the Committee.</p> <p>(2) If an urgent matter arises that precludes the giving of at least 3 days' written notice, the Committee may meet without notice but must report in writing to the Branch on the action of the Committee agreed to at the meeting. The report must be sent to each member of the Branch with the notice convening the next general meeting of the Branch.</p>

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
3	QUORUM	General	5 Branch Members entitled to vote (except in the case of a Sub-Branch: 3 Branch Members entitled to vote).
		Committee	3 Committee Members.
		AGM	8 Branch Members entitled to vote (except in the case of a Sub-Branch: 4 Branch Members entitled to vote).
4	WHO MAY CHAIR A MEETING	General	<p>(1) The President of the Branch.</p> <p>(2) If the President of the Branch is absent or unwilling to chair the meeting, the Development Vice-President of the Branch is entitled to chair the meeting.</p> <p>(3) If the Development Vice-President of the Branch is absent or unwilling to chair the meeting, the Policy Vice-President of the Branch is entitled to chair the meeting.</p> <p>(4) If the Policy Vice-President of the Branch is absent or unwilling to chair the meeting, the Secretary of the Branch is entitled to chair the meeting.</p> <p>(5) If the Secretary of the Branch is absent or unwilling to chair the meeting, the Treasurer of the Branch is entitled to chair the meeting.</p> <p>(6) If, 20 minutes after the scheduled time for commencement of the meeting, the President, the Development Vice-President, the Policy Vice-President, the Secretary and the Treasurer are absent or unwilling to chair the meeting, the Branch may elect one of its members then present to open and chair the meeting.</p>



	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
5		Elections at AGM	<p>The election of office-bearers by an Ordinary Branch and a Young Liberal Branch at its AGM must be chaired by a Member who:</p> <ul style="list-style-type: none"> <li>(1) is not a member of the Branch; but</li> <li>(2) who is the President of the FEC or SEC to which the Branch is allocated or an adjoining FEC or SEC;</li> <li>(3) a President of another Branch within the FEC or SEC to which the Branch is allocated;</li> <li>(4) a member of State Executive; or</li> <li>(5) the nominee of the State Director.</li> </ul> <p>The election of office-bearers by a Special Branch at its AGM must be chaired by a Member who:</p> <ul style="list-style-type: none"> <li>(6) is not a member of the Branch; but</li> <li>(7) who is a member of State Executive.</li> </ul> <p>In the case of a dispute, the nominee of the President of the Branch is entitled to chair the meeting.</p>
6	BUSINESS AT MEETINGS	General	At each general meeting delegates from the Branch to other Bodies in the Division must be given the opportunity to report on the activities of that other Body.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
7		AGM	<ul style="list-style-type: none"> <li>(1) Confirmation of minutes of the previous AGM.</li> <li>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</li> <li>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</li> <li>(4) A report of the Branch Committee.</li> <li>(5) Election of Branch office-bearers and delegates.</li> <li>(6) Motions of which notice has been given.</li> <li>(7) General business.</li> </ul>
8		Requisitioned meetings	Only the business specified in the requisition.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
9	CANCELLING A MEETING	General or Committee or AGM which has not been requisitioned	A Branch meeting for which notice has been given may be cancelled only by:  (1) a motion carried at a meeting of the Branch Committee; or  (2) a motion carried at a meeting of the Branch  but only if at least three business days' notice of the cancellation is given to all persons who were entitled to receive notice of the meeting.
10		General or Committee or AGM which has been requisitioned	A Branch meeting for which notice has been given may be cancelled only by the person who called the meeting, but only if at least three business days' notice of the cancellation is given to all persons who were entitled to receive notice of the meeting.

**B.2 REQUIREMENTS FOR CONSTITUTIONALLY VALID FEC, SEC and LGC MEETINGS**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	Inaugural (LGC only)	The State Director.
		General and AGM	(1) The FEC, SEC or LGC President. (2) The later of a motion of a meeting of the FEC, SEC or LGC Committee or a motion of a general meeting of the FEC, SEC or LGC. (3) The State Director.
		Committee	(4) The FEC, SEC or LGC President. (5) In the absence of the FEC, SEC or LGC President, a Vice-President. (6) In the absence of an FEC, SEC or LGC Vice-President, the respective FEC, SEC or LGC Secretary or requisitionists where <b>clause 4.3.1</b> applies. (7) The State Director
2	NOTICE	General	At least 7 days' notice to all Local Branch Members of the Local Branches allocated to the respective FEC, SEC or LGC.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		AGM	At least 14 days' notice to all Local Branch Members of the Local Branches allocated to the respective FEC, SEC and LGC and the State Director.
		Committee	<p>(1) Wherever practicable at least 3 days' notice to all members of the Committee.</p> <p>(2) If an urgent matter arises that precludes the giving of at least 3 days' written notice, the Committee may meet without notice but must report in writing to the FEC, SEC or LGC on the action of the Committee agreed to at the meeting. The report must be sent to each member of the FEC, SEC or LGC with the notice convening the next general meeting of the FEC, SEC or LGC.</p>
3	QUORUM	Inaugural (LGC only)	The lesser of 20 or 25% of the Branch Members of Branches within the local government area.
		General and AGM	25% of the members of the FEC, SEC or LGC.
		Committee	3 Committee Members.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
4	WHO MAY CHAIR A MEETING	General	<p>(1) The President of the FEC, SEC or LGC.</p> <p>(2) If the President of the FEC, SEC or LGC is absent or unwilling to chair the meeting, the Development Vice-President of the FEC, SEC or LGC is entitled to chair the meeting.</p> <p>(3) If the Development Vice-President of the FEC, SEC or LGC is absent or unwilling to chair the meeting, the Policy Vice-President of the FEC, SEC or LGC is entitled to chair the meeting.</p> <p>(4) If the Policy Vice-President of the FEC, SEC or LGC is absent or unwilling to chair the meeting, the Secretary of the FEC, SEC or LGC is entitled to chair the meeting.</p> <p>(5) If the Secretary of the FEC, SEC or LGC is absent or unwilling to chair the meeting, the Treasurer of the FEC, SEC or LGC is entitled to chair the meeting.</p> <p>(6) If, 20 minutes after the scheduled time for commencement of the meeting, the President, the Development Vice-President, the Policy Vice-President, the Secretary and the Treasurer are absent or unwilling to chair the meeting, the FEC, SEC or LGC may elect one of its members then present to open and chair the meeting.</p>

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
5		Elections at AGM	<p>The election of office-bearers by an FEC, SEC or LGC at its AGM must be chaired by a Member who:</p> <ul style="list-style-type: none"> <li>(1) is not a member of the FEC, SEC or LGC; but</li> <li>(2) who is the President of an adjoining FEC, SEC or LGC;</li> <li>(3) a member of State Executive; or</li> <li>(4) the nominee of the State Director.</li> </ul> <p>In the case of a dispute, the nominee of the President of the FEC, SEC or LGC is entitled to chair the meeting.</p>
6	BUSINESS AT MEETINGS	General	At each general meeting delegates from the FEC, SEC or LGC to other Bodies in the Division must be given the opportunity to report on the activities of that other Body.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
7		AGM	<ul style="list-style-type: none"> <li>(1) Confirmation of minutes of the previous AGM.</li> <li>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</li> <li>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</li> <li>(4) A report of the Conference Committee.</li> <li>(5) Election of Conference office-bearers and delegates.</li> <li>(6) Motions of which notice has been given.</li> <li>(7) General business.</li> </ul>
8		Requisition ed meetings	Only the business specified in the requisition.



	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
9	CANCELLING A MEETING	General or AGM which has not been requisitioned	An FEC, SEC or LGC meeting for which notice has been given may be cancelled only by:  (1) a motion carried at a meeting of the FEC, SEC or LGC Committee; or  (2) a motion carried at a meeting of the FEC, SEC or LGC  but only if at least three business days' notice of the cancellation is given to all persons who were entitled to receive notice of the meeting.
		General or AGM which has been requisitioned	An FEC, SEC or LGC meeting for which notice has been given may be cancelled only by the person who called the meeting, but only if at least three business days' notice of the cancellation is given to all persons who were entitled to receive notice of the meeting.

**B.3 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF YOUNG LIBERAL COUNCIL AND YOUNG LIBERAL EXECUTIVE**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	General meeting and AGM of Young Liberal Council	(1) The President of Young Liberal Council. (2) The later of a motion of a meeting of Young Liberal Executive or a motion of a general meeting of Young Liberal Council. (3) The State Director.
		Young Liberal Executive	(4) The President of Young Liberal Council. (5) In the absence of the President, any three Vice-Presidents. (6) Requisitionists where clause 4.3.1 applies. (7) The State Director.
2	NOTICE	General meeting and AGM of Young Liberal Council	At least 7 days' notice to all members of Young Liberal Council.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		Young Liberal Executive	At least 7 days' notice to all members of Young Liberal Executive.
3	QUORUM	General meeting of Young Liberal Council	20% of the members of Young Liberal Council.
		Young Liberal Executive	5 members of Young Liberal Executive.
		AGM of Young Liberal Council	20% of the members of Young Liberal Council.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
4	WHO MAY CHAIR A MEETING	General meeting of Young Liberal Council and meeting of Young Liberal Executive	<p>(1) The President of Young Liberal Council.</p> <p>(2) If the President of Young Liberal Council is absent or unwilling to chair the meeting, one of the Vice-Presidents of Young Liberal Council.</p>
5	BUSINESS AT MEETINGS	AGM of Young Liberal Council	<p>(1) Confirmation of minutes of the previous AGM.</p> <p>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</p> <p>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</p> <p>(4) A report of Young Liberal Executive.</p> <p>(5) Election of Young Liberal Council office-bearers and delegates.</p> <p>(6) Motions of which notice has been given.</p> <p>(7) General business.</p>

**B.4 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF WOMEN'S COUNCIL AND THE GENERAL COMMITTEE OF WOMEN'S COUNCIL**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	General meeting and AGM of Women's Council	(1) The President of Women's Council. (2) The later of a motion of a meeting of the General Committee of Women's Council or a motion of a general meeting of Women's Council. (3) The State Director.
		The General Committee of Women's Council	(4) The President of Women's Council. (5) In the absence of the President, a Vice-President of Women's Council. (6) Requisitionists where <b>clause 4.3.1(1)</b> applies. (7) The State Director.
2	NOTICE	General meeting and AGM of Women's Council	At least 7 days' notice to all members of Women's Council.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		The General Committee of Women's Council	At least 7 days' notice to all members of the General Committee of Women's Council.
3	QUORUM	General meeting of Women's Council	The lesser of 30 or 50% of the members of Women's Council.
		The General Committee of Women's Council	5 members of the General Committee of Women's Council.
		AGM of Women's Council	20% of the members of Women's Council.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
4	WHO MAY CHAIR A MEETING	General meeting of Women's Council and meeting of The General Committee of Women's Council	<p>(1) The President of Women's Council.</p> <p>(2) If the President of Women's Council is absent or unwilling to chair the meeting, one of the Vice-Presidents of Women's Council.</p>
5		Elections at Women's Council AGM	<p>The election of office-bearers by Women's Council at its AGM must be chaired by a Member who:</p> <p>(1) is not a member of Women's Council; but</p> <p>(2) who is a member of State Executive.</p> <p>In the case of a dispute, the nominee of the President of Women's Council is entitled to chair the meeting.</p>

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
6	BUSINESS AT MEETINGS	AGM of Women's Council	<ul style="list-style-type: none"><li>(1) Confirmation of minutes of the previous AGM.</li><li>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</li><li>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</li><li>(4) A report of the General Committee of Women's Council.</li><li>(5) Election of Women's Council office-bearers and delegates.</li><li>(6) Motions of which notice has been given.</li><li>(7) General business.</li></ul>



**B.5 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF STATE COUNCIL AND STATE EXECUTIVE**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	General meeting and AGM of State Council	(1) The President of the Division. (2) State Executive by motion carried at a meeting of State Executive. (3) Where requisitioned, the President of the Division or in default the State Director. (4) The State Director.
		State Executive	(5) The President of the Division. (6) State Executive by motion carried at a meeting of State Executive. (7) The State Director.
2	NOTICE	General meeting and AGM of State Council	At least 21 days' notice to all members of State Council.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		State Executive	At least 7 days' notice to all members of State Executive.
3	QUORUM	General meeting of State Council	20% of the members of State Council entitled to vote.
		State Executive	50% of those members of State Executive who count for the purpose of determining whether or not a quorum is present (see <b>clause 13.1.3</b> ).
		AGM of State Council	20% of the members of State Council entitled to vote.
4	WHO MAY CHAIR MEETINGS	General meeting and AGM of State Council	The President of the Division or, if the President is absent or unwilling to chair the meeting, one of the Vice-Presidents of the Division.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
5	BUSINESS AT MEETINGS	General meeting of State Council	<p>(1) State Council may only consider motions submitted by State Executive, committees of State Council, FECs, SECs, Young Liberal Council, Women's Council, the State and Federal Parliamentary Parties, Branches and members of State Council.</p> <p>(2) Where practicable motions submitted by Ordinary Branches and Young Liberal Branches must first be considered by the FEC or SEC to which the Branch is allocated.</p> <p>(3) Each motion submitted by a member of State Council must be accompanied by a statement of the reasons why the motion is being submitted directly to State Council.</p>
6		AGM	<p>(1) Confirmation of minutes of the previous AGM.</p> <p>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</p> <p>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</p> <p>(4) A report of State Executive.</p> <p>(5) Motions of which notice has been given.</p> <p>(6) General business.</p>

**B.6 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF STATE CONVENTION, THE JOINT STANDING COMMITTEE ON STATE POLICY, THE STATE PLATFORM COMMITTEE, THE CONSTITUTION STANDING COMMITTEE, THE NOMINATION REVIEW COMMITTEE, ALL STANDING COMMITTEES OF STATE EXECUTIVE, ALL COMMITTEES OF THE YOUNG LIBERAL MOVEMENT AND ALL COMMITTEES OF WOMEN'S COUNCIL**

	A	B
	SUBJECT MATTER	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	<p>(1) The chairperson of the Committee (and, in the case a nomination review committee will be the State President).</p> <p>(2) The State Director</p> <p>(3) Where requisitioned, the chairperson of the Committee or in default the State Director.</p>
2	NOTICE	<p>(1) At least two months' notice of State Convention must be given to all Members.</p> <p>(2) At least 7 days' notice to all members of the committee for all committees other than the Nomination Review Committee.</p> <p>(3) At least 2 days' notice to all members of the Nomination Review Committee and the relevant candidate unless otherwise waived by the members of the Nomination Review Committee and the relevant candidate except where there are less than seven days until the close of nominations with the relevant electoral commission.</p>
3	QUORUM	50% of the members of the committee.

	A	B
	SUBJECT MATTER	REQUIREMENT FOR VALID MEETING
4	WHO MAY CHAIR MEETINGS	(1) The chairperson of the committee.  (2) If, 20 minutes after the scheduled time for commencement of the meeting, the chairperson of the committee is absent or unwilling to chair the meeting, the committee may elect one of its members then present to open and chair the meeting.
5	BUSINESS AT REQUISITIONED MEETINGS	Only the business specified in the requisition.

**A.1 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF POLICY BRANCHES AND PROFESSIONAL BRANCHES**

	<b>A</b>	<b>B</b>
	<b>SUBJECT MATTER</b>	<b>REQUIREMENT FOR VALID MEETING</b>
1	WHO MAY CALL A MEETING	(1) The Chairman or Deputy Chairman.  (2) The State Director.
2	NOTICE	At least 7 days' notice to all Members of the Branch
3	QUORUM	Three Members of the Branch
4	WHO MAY CHAIR MEETINGS	(1) The Chairman of the Branch.  (2) If, ten minutes after the scheduled time for commencement of a meeting, the Chairman of the Branch is absent or unwilling to chair the meeting, the Deputy Chairman or, failing the Deputy Chairman, a member of the Branch elected by those present.

**A.2 REQUIREMENTS FOR CONSTITUTIONALLY VALID MEETINGS OF LIBERAL LOCAL GOVERNMENT ASSEMBLY AND ASSEMBLY EXECUTIVE**

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
1	WHO MAY CALL A MEETING	General meeting and AGM	(1) The President of the Liberal Local Government Assembly. (2) The later of a motion of a meeting of Assembly Executive or a motion of a general meeting of Liberal Local Government Assembly. (3) The State Director.
		Assembly Executive	(1) The President of the Liberal Local Government Assembly. (2) In the absence of the President, the Vice-President. (3) The State Executive. (4) The State Director.
2	NOTICE	General meeting and AGM	At least 7 days' notice to all members of Liberal Local Government Assembly.

	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
		Assembly Executive	At least 7 days' notice to all members of Assembly Executive.
3	QUORUM	General meeting	20% of the members of Liberal Local Government Assembly.
		Assembly Executive	5 members of Assembly Executive.
		AGM	20% of the members of Liberal Local Government Assembly.
4	WHO MAY CHAIR MEETINGS	General meeting of Liberal Local Governmen t Assembly and meeting of Assembly Executive	<p>(1) The President of Liberal Local Government Assembly</p> <p>(2) If the President is absent or unwilling to chair the meeting, the Vice-President of Liberal Local Government Assembly.</p>



	A	B	C
	SUBJECT MATTER	TYPE OF MEETING	REQUIREMENT FOR VALID MEETING
5	BUSINESS AT MEETINGS	AGM	<p>(1) Confirmation of minutes of the previous AGM.</p> <p>(2) Consideration of an audited income and expenditure statement for the previous Financial Year and balance sheet as at the last day of the previous Financial Year.</p> <p>(3) Consideration of an (unaudited) income and expenditure statement for the period from the end of the previous Financial Year until the date of the AGM.</p> <p>(4) A report of Assembly Executive.</p> <p>(5) Election of Liberal Local Government Assembly office-bearers.</p> <p>(6) Motions of which notice has been given.</p> <p>(7) General business.</p>

## APPENDIX C: REQUIREMENTS RELATING TO NOTICE

### C.1 THE GIVING OF NOTICE

- C.1.1 Requirement for Effective Notice** A notice has no effect under this Constitution unless it is in writing.
- C.1.2 Types of Notice** Notice may be:
- (1) sent by prepaid post to the address of the addressee as shown in the records maintained by the State Director;
  - (2) sent by facsimile to the facsimile number of the addressee as shown in the records maintained by the State Director; or
  - (3) sent by electronic mail to the electronic mail address of the addressee as shown in the records maintained by the State Director.
- C.1.3 What Must be Set out in A Notice of Meeting** A notice of meeting must set out the date, time and place of the meeting or the adjourned meeting and the business to be transacted at that meeting.
- C.1.4 Casual Non-Receipt of Notice** Despite any other provision in this Constitution, accidental non-dispatch to a Member of a notice that the State Director or Disputes Panel considers could not have affected the outcome of a meeting does not affect the validity of the relevant meeting.
- C.1.5 Notice to Joint Members** Notice given to one of two joint Members is deemed to be notice given to both joint Members.
- C.1.6 Definition of a day** For the purpose of giving notice a day shall be a period of 24 hours measured from the date and time of the meeting or event in relation to which notice is required.
- C.1.7 Sending of notice** A notice must be sent no later than 6.00 pm the day before the applicable notice period.

### C.2 NOTICE BY MAIL

- C.2.1 Notice By Mail** In the case of notice required to be given to the Division, Executive or any officer of the Division Notice is sufficient if posted by prepaid post addressed to the State Director at the address for the time being of the Secretariat of the Division or delivered personally to the State Director or to some person nominated by the State Director to receive notice
- C.2.2 State Director to Accept Notice**
- (1) If the State Director is satisfied that any notice, document or payment required to be given, delivered or made to the State Director was in fact posted by pre-paid post to the State Director prior to the day on which the notice, document or payment was required to be received, the State Director must accept that posting as satisfactory compliance with the relevant requirement.
  - (2) This clause does not apply to applications for endorsement. Those applications and accompanying payment must be received by the State Director within the period fixed for their submission.
- C.2.3 Time of Giving Notice** If notice is sent by prepaid post, the time of giving notice is the date of posting.

### **C.3 NOTICE BY FACSIMILE**

- C.3.1 Time of Giving Notice**
- (1) If notice is sent by facsimile, the time of giving notice is the date of sending the facsimile.
  - (2) Despite **subclause C.3.1(1)**, a notice sent by facsimile is not treated as given unless at the end of the transmission the sender's facsimile machine issues a report confirming the transmission of the number of pages in the notice.

### **C.4 NOTICE BY ELECTRONIC MAIL MESSAGE**

- C.4.1 Time of Giving Notice**
- (1) If notice is sent by electronic mail message, the time of giving notice is the date of sending the electronic mail message even if the electronic mail message is not delivered or opened.
  - (2) Despite **subclause C.4.1(1)**, an electronic mail message is not treated as given or received if the sender's computer reports that the message has not been delivered.

### **C.5 POWERS OF STATE EXECUTIVE WITH RESPECT TO NOTICE**

- C.5.1 Power of State Executive to Fix Times**      The powers of Executive or the State Director to fix any times for the doing of any act or delivery of any notice or document under this Constitution will be deemed to include a power to fix or delimit any time on any such day for this purpose.

## **C.6 WAIVER OF NOTICE**

- C.6.1 Waiver of Notice Requirements**
- (1) Despite any other provision of this Constitution, a period of notice required to be given by this Constitution can be reduced or waived and /or a failure to give adequate notice shall be forgiven if not less than 95% of those persons entitled to receive the notice agree.
  - (2) A decision under **clause C.6.1(1)** must be made no later than one month after the meeting or event requiring notice under this Constitution.

## APPENDIX D: PROVISIONS RELATING TO OFFICE-BEARERS

### D.1 TERM OF OFFICE-BEARERS AND DELEGATES

	A	B	C
	BODY IN THE DIVISION	OFFICE-BEARERS	TERM
1	Local Branch	President, Development Vice-President, Policy Vice-President, Secretary and Treasurer	From the time of their election until their positions are declared vacant at the next Branch AGM unless they cease to hold office as otherwise provided in this Constitution.
2		Delegates elected by a Branch at its AGM to State Council except in circumstances referred to in row 3A	<p>(1) For the purposes of membership of an FEC, SEC, or LGC, from the time of their election until their positions are declared vacant at the next Branch AGM.</p> <p>(4) For the purpose of membership of State Council for the 24 month period following the Branch AGM commencing on 1 November and concluding on 31 October.</p> <p>In each case, unless they cease to hold office as otherwise provided in this Constitution.</p>
3		Delegates elected by a Branch at its AGM to Young Liberal Council or Women's Council except in circumstances referred to in row 3A	For the 24 month period following the Branch AGM commencing on 1 October and concluding on 30 September unless they cease to hold office as otherwise provided in this Constitution.

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>OFFICE-BEARERS</b>	<b>TERM</b>
3 A		Delegates elected by a Branch to State Council, Young Liberal Council or Women's Council at the formation meeting of a Branch, or to fill a casual vacancy, or where State Executive has given permission for a branch to hold its AGM after 1 October	<p>(1) In the case of a casual vacancy, from the time of their election until the conclusion of the term of the delegate being replaced.</p> <p>(2) In the case of a new Branch, from the time of the formation of the Branch until the conclusion of their term in accordance with either row 2 or 3.</p> <p>(3) In the case of a Branch that has been granted permission to hold its AGM after 1 November, from the time of their election until the following 31 October.</p> <p>In each case unless they otherwise cease to hold office as otherwise provided in this Constitution.</p>
4	FEC, SEC or LGC	President, Development Vice-President, Policy Vice-President, Secretary and Treasurer	From the time of their election until their positions are declared vacant at the next AGM unless they cease to hold office as otherwise provided in this Constitution
5	FEC or SEC	Delegates elected by an FEC or SEC at its AGM to State Council except in circumstances referred to in row 6.	<p>For the purposes of membership of an FEC or SEC, from the time of their election by the SEC or FEC until their positions are declared vacant at the next AGM.</p> <p>For the purpose of membership of State Council, for the 12 month period following the FEC or SEC AGM commencing on 1 November and concluding on 31 October.</p> <p>In each case, unless they cease to hold office as otherwise provided in this Constitution.</p>
6	FEC or SEC	Delegates elected by an FEC or SEC to State Council to fill a casual vacancy or where State Executive has given permission to an FEC or	<p>In the case of a casual vacancy, from the time of their election until the conclusion of the term of the delegate being replaced.</p> <p>In the case of an FEC or SEC that has been granted permission to hold an AGM</p>

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>OFFICE-BEARERS</b>	<b>TERM</b>
		SEC to hold its AGM after 1 October.	after 1 November, from the time of their election until the following 31 October.  In each case, unless they cease to hold office as otherwise provided in this Constitution.
7	Young Liberal Council, Women's Council and State Council	Office-bearers	From the declaration of the poll.
8	Policy Branch or Professional Branch	Chairman, Deputy Chairman and secretary	From the time of their appointment by State Executive until State Executive resolves to appoint the Chairman, Deputy Chairman and Secretary for the next year, unless they cease to hold offices otherwise provided in this Constitution.
9	Liberal Local Government Assembly	Office-bearers	From the time of their election until their positions are declared vacant at the next AGM of the Assembly unless they cease to hold office as otherwise provided in this Constitution.

**D.2 WHEN THE TERM OF DELEGATES EXPIRES**

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>DELEGATES</b>	<b>WHEN THEIR TERM EXPIRES</b>
1	Branch	Delegates to FEC, SEC, LGC, Young Liberal Council, Women's Council or State Council	If the Branch has not held its AGM by 30 November in any year or before another date determined by State Executive, the delegate ceases from that date to be a delegate.
2	Liberal Local Government Assembly	Endorsed Liberal Local Government Councillors	If the person ceases to be a Local Government Councillors.



**D.3 WHEN CASUAL VACANCIES OCCUR**

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>POSITION</b>	<b>WHEN CASUAL VACANCY OCCURS</b>
1	Branch	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of the Branch.</p> <p>(4) The person ceases to be a member of the Branch Committee.</p> <p>(5) Each member of the Branch is given at least 7 days' written notice that a motion to declare the position vacant will be put at a general meeting of the Branch and the motion is carried by not less than two thirds of the Branch Members present and voting at that general meeting.</p> <p>(6) The person is suspended from the Division for a period of 3 months or more.</p>
2	FEC, SEC or LGC	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of a Branch allocated to the FEC, SEC or LGC.</p> <p>(4) The person ceases to be a member of the FEC, SEC or LGC Committee.</p> <p>(5) Each member of <b>the FEC, SEC or LGC</b> is given at least 7 days' written notice that a motion to declare the position vacant will be put at a general meeting of the FEC, SEC or LGC and the motion is carried by not less than two thirds of the members of the FEC, SEC or LGC present and voting at that general meeting.</p> <p>(6) The person is suspended from the Division for a period of 3 months or more.</p>

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>POSITION</b>	<b>WHEN CASUAL VACANCY OCCURS</b>
3	Young Liberal Council	Office-bearers	<p>(1) The person ceases to be a Member or a Young Liberal.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of Young Liberal Executive.</p> <p>(4) Each member of Young Liberal Council is given at least 7 days' written notice that a motion to declare the position vacant will be put at a meeting of Young Liberal Council and the motion is carried by not less than two thirds of the members of Young Liberal Council present and voting at that meeting.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>
4	Women's Council	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of The General Committee of Women's Council.</p> <p>(4) Each member of Women's Council is given at least 7 days' written notice that a motion to declare the position vacant will be put at a meeting of Women's Council and the motion is carried by not less than two thirds of the members of Women's Council present and voting at that meeting.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>
5	State Council	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of State Executive.</p>

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>POSITION</b>	<b>WHEN CASUAL VACANCY OCCURS</b>
			<p>(4) Each member of State Council is given at least 7 days' written notice that a motion to declare the position vacant will be put at a meeting of State Council and the motion is carried by not less than two thirds of the members of State Council present and voting at that meeting.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>
6	Branch Committee, Committee of an FEC, SEC or LGC, Young Liberal Executive, the General Committee of Women's Council, Convention Committee, any committee or Standing Committee of State Council, Young Liberal Council, Women's Council, State Executive, Young Liberal Executive or the General Committee of Women's Council	Committee member	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of the relevant FEC, SEC, LGC, Committee or Council.</p> <p>(4) The person is absent without leave from 3 consecutive Committee meetings unless the relevant FEC, SEC, LGC, Committee or Council determines otherwise by motion carried at a general meeting of the relevant FEC, SEC, LGC, Committee or Council by not less than 60% of the members present and voting at the meeting.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>
7	Policy Branch or Professional Branch	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person ceases to be a member of the Branch.</p> <p>(4) State Executive resolves by not less than 75% of the members present and voting to remove that person from office.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>

	<b>A</b>	<b>B</b>	<b>C</b>
	<b>BODY IN THE DIVISION</b>	<b>POSITION</b>	<b>WHEN CASUAL VACANCY OCCURS</b>
8	Liberal Local Government Assembly Executive.	Office-bearers	<p>(1) The person ceases to be a Member.</p> <p>(2) The person resigns from office.</p> <p>(3) The person is no longer a local government councillor</p> <p>(4) State Executive resolves by not less than 75% of the members present and voting to remove that person from office.</p> <p>(5) The person is suspended from the Division for a period of 3 months or more.</p>

**D.4 HOW CASUAL VACANCIES MAY BE FILLED**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>BODY IN THE DIVISION</b>	<b>CASUAL VACANCY</b>	<b>HOW CASUAL VACANCY MAY BE FILLED</b>	<b>WHAT MUST BE DONE AFTER VACANCY IS FILLED</b>	<b>WHEN DOES CHANGE TAKE EFFECT</b>
1	Branch, FEC, SEC or LGC	Any office not filled at the AGM or a casual vacancy	At any general meeting after its AGM a Branch, FEC, SEC or LGC may elect a person from among in the case of a Branch its members or in the case of an FEC, SEC or LGC the members of Branches allocated to the FEC, SEC or LGC, to fill the office provided that notice of the election is given in the notice of meeting.	After the meeting the Branch, FEC, SEC or LGC Secretary must promptly give notice of the person's election to the State Director and, in the case of a Branch, the Secretaries of the FEC, SEC and LGC to which the Branch is allocated.	The person becomes a Branch, FEC, SEC or LGC office bearer with effect from the date that notice of the election is received by the State Director.
2	State Council	The President of the Division	<p>If the vacancy occurs within nine months of the last AGM of State Council, an election must be held as soon as practicable to fill the vacancy.</p> <p>If the vacancy occurs more than nine months after the last AGM of State Council, State Executive must by motion elect one of the Vice-Presidents as acting President and</p>		On the passing of the motion by State Executive.

	A	B	C	D	E
	BODY IN THE DIVISION	CASUAL VACANCY	HOW CASUAL VACANCY MAY BE FILLED	WHAT MUST BE DONE AFTER VACANCY IS FILLED	WHEN DOES CHANGE TAKE EFFECT
			that person must assume the ex-officio offices and responsibilities of the President until the vacancy is filled by State Council.		
3		An Urban Vice-President  A Country Vice-President	If the vacancy occurs within nine months of the last AGM of State Council, an election must be held as soon as practicable to fill the vacancy.  If the vacancy occurs more than nine months after the last AGM of State Council, no election will be held.		
4		An Urban Representative  A Country Representative  A delegate to Federal Council elected by State Council  A member of the Joint Standing Committee on	The vacancy must be filled by the next available highest polling candidate at the last elections held or, if no other candidate is available, by appointment by the President of the Division.		

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>BODY IN THE DIVISION</b>	<b>CASUAL VACANCY</b>	<b>HOW CASUAL VACANCY MAY BE FILLED</b>	<b>WHAT MUST BE DONE AFTER VACANCY IS FILLED</b>	<b>WHEN DOES CHANGE TAKE EFFECT</b>
		<p>State Policy elected by State Council</p> <p>A member of the State Platform Committee elected by State Council</p> <p>A member of the Constitution Standing Committee</p> <p>A member of the Convention Committee elected by State Council</p>			
5	Young Liberal Council	The President of Young Liberal Council	<p>If the vacancy occurs within nine months of the last AGM of Young Liberal Council, an election must be held as soon as practicable to fill the vacancy.</p> <p>If the vacancy occurs more than nine months after the last AGM of Young Liberal Council, Young Liberal</p>		

	A	B	C	D	E
	BODY IN THE DIVISION	CASUAL VACANCY	HOW CASUAL VACANCY MAY BE FILLED	WHAT MUST BE DONE AFTER VACANCY IS FILLED	WHEN DOES CHANGE TAKE EFFECT
			Executive must by motion elect one of the Vice-Presidents as acting President and that person must assume the ex-officio offices and responsibilities of the President until the vacancy is filled by Young Liberal Council.		
6	Young Liberal Council	A member of Young Liberal Executive	<p>If the vacancy occurs within nine months of the last AGM of Young Liberal Council, an election must be held as soon as practicable to fill the vacancy.</p> <p>If the vacancy occurs more than nine months after the last AGM of Young Liberal Council, no election will be held.</p>		
7	Women's Council	The President of Women's Council	If the vacancy occurs within nine months of the last AGM of Women's Council, an election must be held as soon as practicable to fill the vacancy.		



	A	B	C	D	E
	BODY IN THE DIVISION	CASUAL VACANCY	HOW CASUAL VACANCY MAY BE FILLED	WHAT MUST BE DONE AFTER VACANCY IS FILLED	WHEN DOES CHANGE TAKE EFFECT
			If the vacancy occurs more than nine months after the last AGM of Women's Council, the General Committee of Women's Council must by motion elect one of the Vice-Presidents as acting President and that person must assume the ex-officio offices and responsibilities of the President until the vacancy is filled by Women's Council.		
8	Women's Council	A member of the General Committee of Women's Council	<p>If the vacancy occurs within nine months of the last AGM of Women's Council, an election must be held as soon as practicable to fill the vacancy.</p> <p>If the vacancy occurs more than nine months after the last AGM of Women's Council, no election will be held.</p>		
9	Liberal Local Government Assembly Executive	Office-Bearer	If the office of President is vacant then the Vice-President will become acting President subject to the other		

	A	B	C	D	E
	BODY IN THE DIVISION	CASUAL VACANCY	HOW CASUAL VACANCY MAY BE FILLED	WHAT MUST BE DONE AFTER VACANCY IS FILLED	WHEN DOES CHANGE TAKE EFFECT
			<p>provisions applying to fill a casual vacancy.</p> <p>If the vacancy occurs within nine months of the last AGM of Liberal Local Government Assembly, an election must be held as soon as practicable to fill the vacancy.</p> <p>If the vacancy occurs more than nine months after the last AGM of Liberal Local Government Assembly no election will be held.</p>		
10	Policy Branch or Professional Branch	Office-bearers	By resolution of State Executive		

---

## APPENDIX E: PROCEDURAL FAIRNESS

### E.1 PROCEDURAL FAIRNESS

- E.1.1 Procedural Fairness** If this Constitution requires a Body of the Division to follow procedural fairness with respect to a complaint or motion, that Body must:
- (1) give each of its members notice in writing that the complaint or motion will be put at a general meeting of the Body;
  - (2) give the Member who is the subject of the complaint or motion the particulars of any complaint against that Member.
  - (3) give the Member who is the subject of the complaint or motion an opportunity to address the general meeting of the Body at which the complaint or motion is put; and
  - (4) carry any motion by not less than 60% of the members of the Body present and voting at the general meeting.

## APPENDIX F: SELECTION COMMITTEE RULES AND PROCEDURES

	A	B
	SUBJECT	RULE/ PROCEDURE
1	NOTICE	<p>(1) The State Director must set the date, time and location for each Selection Committee meeting.</p> <p>(2) The State Director must give at least 7 days' notice to members of a Selection Committee and all candidates for selection of the time, date and place of meetings of the Selection Committee.</p> <p>(3) To the extent practicable the State Director must give particulars of candidates to members of the Selection Committee at least 7 days prior to a meeting of the Selection Committee.</p>
2	MEMBERS WHO MAY NOT BE MEMBERS OF A SELECTION COMMITTEE	<p>(1) A Member may not be a selector if the Member is related to a candidate as:</p> <ul style="list-style-type: none"> <li>(a) spouse or de facto spouse;</li> <li>(b) child, grandchild, parent, grandparent, brother, sister, uncle, aunt, nephew, niece or first cousin;</li> <li>(c) half brother, half sister, step brother or step sister; or</li> <li>(d) current brother-in-law, sister-in-law, parent-in-law, daughter-in-law or son-in-law.</li> </ul> <p>(2) In the case of a local government Selection Committee, a councillor from the relevant local government area.</p>
3	PARLIAMENTARIANS MAY NOT BE SELECTORS	Except in the case of the relevant Parliamentary Leader, no member of the State Parliamentary Party or the Federal Parliamentary Party may participate in a Selection Committee. The nominee to attend a Selection Committee in substitution of the relevant Parliamentary Leader must be a Parliamentary Member.
4	WHO MAY CHAIR MEETINGS OF SELECTION COMMITTEES	The President of the Division or the President's nominee must chair the meetings of every Selection Committee.

	A	B
	SUBJECT	RULE/ PROCEDURE
5	CANDIDATES' RIGHTS AND OBLIGATIONS	<p>(1) Before a selection is made, each candidate must be given an opportunity to:</p> <p>(a) in the case of a Selection Committee being held in-person or by a combination of in-person meeting and audio-visual means, address and be questioned by the Selection Committee before a selection is made; or</p> <p>(b) in the case of a Selection Committee being held by audio-visual means only, an opportunity to provide a live or recorded address to the Selection Committee.</p> <p>(2) Each candidate shall be entitled to receive a list of all of the selectors from the State Director or their nominee at the first available opportunity.</p> <p>(3) Where State Executive resolves, prior to calling for nominations under clause 21.1.2, that a limit be imposed on the amount that a candidate may spend on their candidature for selection, each candidate must limit their expenditure in accordance with that resolution and, if requested by the State Director, provide evidence in that regard.</p>
6	ORDER OF APPEARANCE OF CANDIDATES	The order in which candidates address a Selection Committee must be determined by lot.
7	VOTING OF SELECTION COMMITTEE TO BE BY SECRET BALLOT	(1) A Selection Committee must make its selection by secret ballot.
8		
9	QUORUM	(1) The quorum for a Selection Committee shall be twenty members of the Selection Committee.
10	WITHDRAWAL OF A CANDIDATE OR SELECTOR	A meeting of a Selection Committee may proceed despite the withdrawal of any candidate or selector.

---

	<b>A</b>	<b>B</b>
	<b>SUBJECT</b>	<b>RULE/ PROCEDURE</b>
11	DURATION OF SELECTION COMMITTEE	A Selection Committee continues to exist from the date of the first meeting of the Selection Committee until the declaration of the polls.

# **1. REGULATIONS: STANDING ORDERS FOR STATE COUNCIL, YOUNG LIBERAL COUNCIL, WOMEN'S COUNCIL, LIBERAL LOCAL GOVERNMENT ASSEMBLY AND CONFERENCES**

## **1.1 APPLICATION OF THESE STANDING ORDERS**

- 1.1.1 Mandatory Application** Meetings of State Council, Young Liberal Council, Women's Council, Liberal Local Government Assembly and Conferences must be conducted in accordance with these Standing Orders.
- 1.1.2 Application to Branches** Meetings of Branches must be conducted in accordance with these Standing Orders if the Branch resolves accordingly by motion carried at a meeting of the Branch.

## **1.2 TERMS USED IN THESE STANDING ORDERS**

- 1.2.1 Terms Used** In these Standing Orders a reference:
- (1) to "Body" means a reference to State Council, Young Liberal Council, Women's Council, Liberal Local Government Assembly, a Conference or a Branch as the case may be; and
  - (2) to "member" means a reference to a member of that Body.

## **1.3 ADMINISTRATIVE MATTERS**

- 1.3.1 Registration** Members of a Body must sign the roll of attendance upon arrival at a meeting of the Body.
- 1.3.2 Name Tags** In the case only of State Council, each member of State Council must wear the name tag issued by the Secretariat at the commencement of a State Council meeting for the duration of the meeting.
- 1.3.3 Duration of meetings** Meetings of Bodies must commence promptly at the time set out on the notice paper and must continue until all business shown on the agenda has been dealt with unless the meeting resolves otherwise.
- 1.3.4 Distribution of Material** No written, printed or copied material may be distributed in the place of any meeting of any Body or at the entrance to any such place without the prior consent of the President of the relevant Body.

## 1.4 BUSINESS AT MEETINGS

- 1.4.1 Business in accordance with the Agenda** Each meeting must deal with the items of business set down for the meeting in the order in which they appear on the agenda unless the meeting carries a motion:
- (1) to change the order of business. Such a motion is only carried if 60% of the members of the Body present and voting vote in favour of it; or
  - (2) to allow debate on a motion of urgency under **Standing Order 1.7.21**; or
  - (3) to suspend Standing Orders under **Standing Order 1.8.7**.
- 1.4.2 Questions to Executive** Questions from members of a Body to the relevant Executive following the giving of the Executive's reports must not last for longer than 20 minutes at any meeting of the Body.

## 1.5 ORDER

- 1.5.1 Members of a Body to be heard in Silence** A member of a Body addressing a meeting of the Body must be heard in silence.
- 1.5.2 Members of Body to be Seated While Chairperson Speaks** If the chairperson of a Body rises to speak, a member addressing the meeting must sit down.
- 1.5.3 Chairperson to Maintain Order**
- (1) If the chairperson rules upon a point of order, the ruling determines the matter unless a motion of dissent from the chairperson's ruling is put to the meeting and carried.
  - (2) The chairperson may call upon a member who is responsible for noise or disturbance to withdraw from the meeting until the matter under discussion has been disposed of.
- 1.5.4 Points of order**
- (1) A member of a Body may take a point of order at any time during a meeting of the Body.
  - (2) On the taking of a point of order, debate must be suspended and any member speaking must resume his or her seat subject to the ruling of the chairperson on the point of order.



- (3) A point of order:
  - (a) must be clearly and succinctly stated in less than one minute;
  - (b) must not contain irrelevancy; and
  - (c) must not seek to debate any motion before the chair.
- (4) A point of order must show that the speaker was:
  - (a) using unseemly language;
  - (b) not speaking on the question (whether it is a motion or an amendment); or
  - (c) infringing the provisions of the Constitution, Regulations or these Standing Orders.

- 1.5.5 Chairperson not to enter debate from the Chair**      The chairperson must vacate the chair before entering any debate.

## 1.6 RULES OF DEBATE

- 1.6.1 Members must address the chair**      A member wishing to speak must address the chairperson
- 1.6.2 Duty to State Name and Branch**      Before addressing a meeting of a Body, members of the Body must state clearly their names and the Branch that they represent.
- 1.6.3 Speeches Must be in Relation to Motions Before the Meeting**      No speech, other than the report of an office-bearer or the address of an invited guest, will be permitted except to a motion submitted to the meeting for deliberation or by way of an amendment of a substantive motion.
- 1.6.4 Speaking to a Motion After it has Been Put**      A member must not speak to any motion after it has been put.

## 1.7 MOTIONS

- 1.7.1 Moving A Motion on Notice**      If:
- (1) a motion is reached at a meeting; and
  - (2) there is no member from the sponsoring body present and willing to move the motion,

		the motion may be moved on behalf of the sponsoring body by any member of the Body.
<b>1.7.2 Limit on the Recommittal of Motions</b>		A motion that is similar to or opposite in intention from, a previous motion debated and carried at a meeting of a Body may not be moved at a subsequent meeting of that Body within four months of the earlier motion having been debated and carried.
<b>1.7.3 Motions That Lapse</b>	(1)	Subject to <b>Standing Order 1.7.3(2)</b> , if: <ul style="list-style-type: none"> <li>(a) a motion is reached; and</li> <li>(b) there is no delegate present and willing to move the motion,</li> </ul> the motion lapses.
	(2)	Motions must be called twice only at any meeting.
	(3)	A motion lapses if there is no seconder.
<b>1.7.4 Motions (Except Urgency and Procedural Motions) Must be on Notice</b>	(1)	A delegate must not move a motion other than a procedural or urgency motion unless it is included on the notice of the meeting.
	(2)	Notice of an intention to move a motion at a meeting must be given: <ul style="list-style-type: none"> <li>(a) in the case of State Council: to the State Director not less than 28 days before the meeting at which it is intended to move the motion; or</li> <li>(b) in the case of any other Body: to the President of the Body not less than 14 days before the meeting at which it is intended to move the motion.</li> </ul>
<b>1.7.5 Procedural Versus Substantive Motions</b>		The chairperson is the sole judge of whether a motion is procedural or substantive.
<b>1.7.6 Matters Already Dealt With</b>		No substantive motion or amendment may be proposed at a meeting which is in substance the same as a motion or amendment previously proposed and disposed of at the same meeting.
<b>1.7.7 One speech per member per motion</b>		No member of a Body other than the mover of a motion exercising a right of reply, may speak more than once: <ul style="list-style-type: none"> <li>(1) to any motion;</li> </ul>

- 
- (2) to any amendment; or
- (3) to any procedural motion,
- without the permission of the meeting by motion.
- 1.7.8 No Right of Reply to Procedural Motions** There is no right of reply to a procedural motion.
- 1.7.9 Motions Carried if no Objection** If, before calling upon the mover of a motion to speak:
- (1) the chairperson asks if there is any objection to the motion; and
- (2) no member of the Body objects,
- the motion must be declared carried.
- 1.7.10 Where No Member Speaks Against the Motion** If:
- (1) the mover of a motion has spoken;
- (2) the motion has been seconded; and
- (3) no member of the Body speaks against the motion,
- the chairperson must put the motion without further debate or right of reply.
- 1.7.11 Order of Speech**
- (1) Subject to **Standing Order 1.7.11(2)**, after the mover has spoken the seconder may speak or reserve his or her right to speak and then the chairperson must call upon speakers against the motion and for the motion alternately.
- (2) Subject to **Standing Order 1.8.8**, if it is the turn to speak of a speaker for the motion and only speakers against the motion offer to speak or it is the turn to speak of a speaker against the motion and only speakers for the motion offer to speak, the chairperson may call upon a speaker offering to speak or call upon the mover of the motion to reply.
- (3) If two or more members of a Body wish to speak, the chairperson must call upon the member who, in the chairperson's opinion, first indicated a wish to speak.
- 1.7.12 Secunder May Reserve Right to Speak**
- (1) The seconder of a motion or an amendment may speak after the mover or may reserve his or her right to speak until later in any debate.

- (2) If there is no opposition to a motion or the mover has exercised his or her right of reply, the reserved right of a seconder of the motion lapses.

**1.7.13 Speaking Times**

- (1) The mover of a motion must be allowed five minutes to move a motion.
- (2) Subsequent speakers must be allowed three minutes to speak.
- (3) The mover of a motion may speak for three minutes in his or her right of reply.
- (4) A meeting may by motion give any speaker an extension of time but only one extension may be given to any one speaker.

**1.7.14 Right of Reply**

The mover of a motion has a right of reply except:

- (1) to an amendment; or
  - (2) to a procedural motion,
- after which the motion must be put.

**1.7.15 Amendments**

- (1) An amendment may be proposed to any substantive motion by addition to and/or deletion from the motion.
- (2) An amendment must not oppose the intention of the original motion.
- (3) The mover of an amendment must hand the amendment in writing to the chairperson.
- (4) Where the mover of a substantive motion accepts any proposed amendment, the amendment becomes the motion and the mover of the original motion is deemed the mover of the new motion.
- (5) Where the mover of a substantive motion does not accept a proposed amendment, the amendment must be debated and put and, if carried, becomes the new substantive motion.
- (6) If a proposed amendment is put and lost and no further amendment is proposed, the original motion is again be open to debate.
- (7) A subsequent proposed amendment must not be submitted until the first received proposed amendment is disposed of although any speaker may foreshadow further proposals for amendment.

- (8) Debate on all amendments must take place:
- (a) during the discussion on the original motion; and
  - (b) before the mover of the original motion replies.
- 1.7.16 Withdrawal of Motions**
- (1) The mover of a motion may amend or withdraw his or her motion with the consent of the seconder.
- (2) If the consent of the seconder to an amendment to a motion is not obtained by the mover of the motion:
- (a) the seconder may propose the original motion provided he or she obtains another seconder; and
  - (b) the mover may move the proposed amendment.
- 1.7.17 Duration of Debate**
- (1) Not more than half an hour may be allowed for the discussion of any subject unless the time is extended by motion of the meeting.
- (2) When a discussion has taken place for half an hour and the duration of any extension of time granted by motion of the meeting, the motion must be put.
- 1.7.18 Method of voting**
- (1) Subject to **Standing Orders 1.7.18(2)** and **1.7.18(3)**, all motions must be decided on the voices.
- (2) If a count is called for, the motion must be decided on a show of hands.
- (3) If after a show of hands a recount is called for, persons entitled to vote will stand and remain standing until their vote for or against the motion has been counted.
- 1.7.19 Secret Ballot**
- Voting must be by secret ballot where at least a simple majority of delegates present and voting request a secret ballot.
- 1.7.20 Cognate Debate**
- (1) A second substantive motion must not be accepted until the motion under debate has been disposed of provided that, despite anything in these Standing Orders, two or more motions dealing with the same subject matter may be considered in cognate form. In a cognate debate one motion must be declared to be substantive and the other foreshadowed.
- (2) The order of debate of cognate motions is:
- (a) mover of the substantive motion;
  - (b) seconder of the substantive motion;

- (c) mover of the foreshadowed motion;
- (d) seconder of the foreshadowed motion;
- (e) speakers against both, for the substantive and for the foreshadowed motion, one after the other;
- (f) right of reply for the substantive motion; and then
- (g) right of reply for the foreshadowed motion.

- (3) After the right of reply for the foreshadowed motion, the substantive motion must be put and, if carried, the foreshadowed motions lapse.
- (4) If the substantive motion is lost, any foreshadowed motion must be put without further debate.

#### **1.7.21 Motions of Urgency**

- (1) Notice of motions of urgency must be given:
  - (a) in the case of State Council: to the State Director no later than 5pm on the business day before the meeting of State Council; and
  - (b) in the case of any other Body: to the chairperson of the meeting of the Body no later than the time scheduled for the commencement of the meeting of the Body,otherwise the motion is of no effect.
- (2) The mover of a motion of urgency must be allowed one minute to explain the urgency. The President of the Body or the President's nominee must then be allowed one minute to respond to the explanation. On the conclusion of that second speech, the meeting must vote on the question of whether urgency has been established.
- (3) A motion to establish urgency is not be carried unless 60% of the members of the Body present and voting vote in favour of it.
- (4) If a motion to establish urgency is carried the substantive motion of urgency must be dealt with as if it were a motion on notice immediately after the conclusion of the Executive reports.
- (5) If a motion to establish urgency is not carried, the meeting must move to the next item of business.

## 1.8 PROCEDURAL MOTIONS

- 1.8.1 Procedural Motions to Take Precedence** A procedural motion takes precedence over any substantive motion or proposed amendment to a substantive motion.
- 1.8.2 Procedural Motions to be Put Without Debate**
- (1) The chairperson must put the following procedural motions to the meeting without debate:
    - (a) That a person should or should not be heard;
    - (b) That a person should not be further heard;
    - (c) That strict order of debate be followed; and
    - (d) That the motion be put.
  - (2) The chairperson may, in his or her discretion, allow debate in relation to the following procedural motions:
    - (a) That the motion be not put;
    - (b) That the meeting be adjourned;
    - (c) That the motion lie on the table;
    - (d) That the debate be adjourned; and
    - (e) the meeting proceed to the next item of business.
- 1.8.3 Chairperson's Discretion** The chairperson need not accept any procedural motion if, in his or her opinion, there has not been sufficient debate on the question before the meeting.
- 1.8.4 The Procedural Motion That the Motion be Put**
- (1) It is not in order to move "That the motion be put" until at least two members of the Body, in addition to the mover and seconder, have had an opportunity to speak on the question. The seconder will be taken to have had an opportunity to speak on the motion if the seconder reserves his or her right to speak.
  - (2) Debate on a motion must be closed on the passing of the motion "That the motion be put". At that time the substantive motion must be put without further debate or amendment but allowing the mover his or her right of reply.
- 1.8.5 The Procedural Motion That the Motion be not now put**
- (1) On the passing of the motion "That the motion be not put", the meeting must proceed to the next item of business.

- 
- |  |     |  |
|--|-----|--|
|  | (2) | On the negative motion of the motion “That the motion be not put”, the debate of the motion must continue.   |
| <b>1.8.6 Postponement motions</b>  | (1) | A motion must be set aside on the carrying of the procedural motion “That the meeting proceed to the next item of business”. At that time no further debate is allowed on the item during the meeting. |
|  | (2) | Debate on a motion must be stood over at least until the next meeting on the carrying of the procedural motion “That the motion lie on the table”.   |
| <b>1.8.7 Motions to Suspend Standing Orders</b>                            | (1) | A motion to suspend these Standing Orders must take the form “That so much of these Standing Orders be suspended as would prevent...”  |
|  | (2) | A motion to suspend Standing Orders must be put to the meeting without speeches from the mover or seconder or other debate.  |
|  | (3) | A motion to suspend Standing Orders is not carried unless two thirds of the members of the Body present and voting vote in favour of it.   |
| <b>1.8.8 The Procedural Motion That Strict Order of Debate be Followed</b> |     | If the procedural motion “That strict order of debate be followed” is put and carried the chairperson must:  |
|  | (1) | permit only one speech per member of the Body, except to allow the mover to give his or her right of reply; and  |
|  | (2) | not permit consecutive speeches either in favour of, or opposing, the motion.  |
| <b>1.8.9 That the Meeting Dissents from the Chairperson’s Ruling</b>       | (1) | A motion of dissent in the chairperson’s ruling must be in the form “That the meeting dissents from the chairperson’s ruling”.   |
|  | (2) | When the dissent motion is proposed the chairperson must vacate the chair.   |
|  | (3) | The proposer of the motion of dissent and the chairperson in whose ruling the dissent was moved must speak, after which the motion must be put.  |
|  | (4) | A motion of dissent in the chairperson’s ruling is not carried unless two thirds of the members of the Body present and voting vote in favour of it.   |
|  | (5) | If a motion of dissent in the chairperson’s ruling is carried, the chairperson’s ruling is of no effect.   |



## 1.9 RESCISSION MOTIONS

- 1.9.1 Requirements as to Notice**
- (1) A member of a Body wishing to move a rescission motion must give notice:
- (a) in the case of State Council: to the State Director; or
  - (b) in the case of any other Body: to the President of that Body,
- of his or her intention to move a rescission motion not more than 7 days after the passing by the Body of the original motion.
- (2) Notice of a rescission motion must be:
- (a) signed by not less than 10% of the members of the Body; and
  - (b) given not more than 21 days after the passing by the Body of the original motion.
- 1.9.2 Rescission Motions Must be Included on Agenda**
- A rescission motion must be included on the agenda for the meeting of the relevant Body next occurring after notice of the rescission motion is given under **Standing Order 1.9.1(2)**.

## 1.10 CLOSE OF MEETINGS

- 1.10.1 Close of Young Liberal Council Meetings**
- A meeting of Young Liberal Council only must close at a time that is not more than three hours after the commencement of the meeting.

## 1.11 AMENDMENTS TO STANDING ORDERS

- 1.11.1 Amendments to Standing Orders**
- (1) These Standing Orders may be amended only by State Council.
- (2) Amendments to these Standing Orders may be made only by motion of which proper notice has been given.
- (3) A motion to amend these Standing Orders is not carried unless two thirds of the members of State Council present and voting vote in favour of it.

## 2. REGULATIONS: CONDUCT OF ELECTIONS

### 2.1 THE ELECTIONS TO WHICH THESE REGULATIONS APPLY

- 2.1.1 Application of These Regulations** These Regulations must be used for the election of State Council office-bearers, Young Liberal Council office-bearers, Women's Council office-bearers and Liberal Local Government Assembly office-bearers.

### 2.2 CONDUCT OF ELECTIONS

- 2.2.1 Conduct of Elections** This is the way that elections must be conducted.

	A	B	C	D
	ACTION	TIMING FOR STATE COUNCIL ELECTIONS	TIMING FOR YOUNG LIBERAL COUNCIL ELECTIONS	TIMING FOR WOMEN'S COUNCIL ELECTIONS
1	Nominations open	The date determined by motion carried by State Executive that must be at least 28 days prior to the AGM of State Council.	The date determined by motion carried by Young Liberal Executive that must be at least 14 days prior to the meeting of Young Liberal Council preceding its AGM. The meeting of Young Liberal Council preceding its AGM must be at least 21 days before the AGM.	The date determined by motion carried by The General Committee of Women's Council that must be at least 35 days prior to the AGM of Women's Council.
2	Nominations close and rolls close	Close of business 14 days before the AGM of State Council.	5pm on the day of the meeting of Young Liberal Council preceding its AGM.	5pm on the day that is 21 days prior to the AGM of Women's Council.
3	Balloting commences	Immediately after the Presidential speeches at the AGM of State Council	Not later than two weeks before the AGM of Young Liberal Council	Not less than 14 days prior to the AGM of Women's Council.

4				
5	Ballot closes	12 noon on the second Friday after the AGM of State Council.	One hour after the commencement of the AGM of Young Liberal Council.	At a time no later than the conclusion of the AGM of Women's Council.
6	Declaration of the poll	Not later than 5pm on the business day after the completion of counting.	Not later than 5pm on the business day after the completion of counting.	Not later than 5pm on the business day after the completion of counting.

	<b>A</b>	<b>E</b>
	<b>ACTION</b>	<b>TIMING FOR LIBERAL LOCAL GOVERNMENT ASSEMBLY</b>
1	Nominations open	On a date determined by the Assembly Executive that must be at least 28 days prior to the AGM of Liberal Local Government Assembly.
2	Nominations close and rolls close	5pm on the day that is 14 days prior to the AGM of Liberal Local Government Assembly.
3	Balloting	One hour prior to the commencement of the AGM.
4		
5	Ballot closes	30 minutes after the conclusion of the AGM of Liberal Local Government Assembly
6	Declaration of the poll	Not later than 5pm on the business day after the completion of counting.

## 2.3 SCRUTINEERS

- 2.3.1 Appointment of Scrutineers**
- (1) The Returning Officer must provide each member of State Council, Young Liberal Council, Women's Council or Liberal Local Government Assembly selected with a statement of duties on or before they accept appointment as a scrutineer.
  - (2) The Returning Officer must give each person selected as a scrutineer notice in writing of their selection.
  - (3) If the person does not accept appointment as a scrutineer or if the person selected as a scrutineer does not respond within seven days of the giving of the notice, the Returning Officer must ask a person on the relevant scrutineer reserve list.
  - (4) The Returning Officer must ask those persons in order of their selection by lot.
- 2.3.2 Rights of Scrutineers**
- A scrutineer has the right to observe the actions of the Returning Officer in the conduct of the relevant elections.
- 2.3.3 Giving Notice to Scrutineers**
- (1) The Returning Officer must give seven days' notice to each scrutineer of the day, time and place when the Returning Officer intends to carry out any action in the conduct of the relevant elections.
  - (2) If it is not reasonably practicable for the Returning Officer to give notice as required in **Regulation 2.3.3(1)**, the Returning Officer may give the scrutineers less than seven days' notice of the Returning Officer's intention to carry out an action in the conduct of the relevant elections.
  - (3) At least two scrutineers must be present for the scrutiny of actions carried out by the Returning Officer in the conduct of elections otherwise those actions are of no effect.

## 2.4 NOMINATIONS

- 2.4.1 Lodging Nominations**
- (1) Candidates for election must lodge a nomination with the Returning Officer:
    - (a) in the case of election to State Council office: on the form prescribed by State Executive;
    - (b) in the case of election to Young Liberal Council office: on the form prescribed by Young Liberal Executive;

- 
- (c) in the case of election to Women's Council: on the form prescribed by The General Committee of Women's Council; or
    - (d) in the case of election to Liberal Local Government Assembly office: on the form prescribed by Liberal Local Government Assembly Executive.
  - (2) A nomination form must be lodged in a sealed envelope at the Division's Secretariat by the close of nominations.
  - (3) The Returning Officer must provide a sealed container into which candidates may place their nomination.
  - (4) A nomination form must be placed into a sealed container provided by the Returning Officer. Nominations received by the Division must be placed into the sealed container by the Returning Officer.
  - (5) At the same time as lodging a nomination a candidate for election may also lodge with the Returning Officer a statement of their biographical data:
    - (a) in the case of election to State Council office: on the form prescribed by State Executive;
    - (b) in the case of election to Young Liberal Council office: on the form prescribed by Young Liberal Executive;
    - (c) in the case of election to Women's Council office: on the form prescribed by The General Committee of Women's Council; or
    - (d) in the case of election to Liberal Local Government Assembly office: on the form prescribed by Liberal Local Government Assembly Executive.
- 2.4.2 Confidentiality of nominations**
- (1) The Returning Officer must not release or cause to be released to any person until after the close of nominations, the identity or the biographical data of any Member who has nominated for election.
  - (2) The container must not be opened until after nominations have closed. Scrutineers must be present when the container and the envelopes are opened.
- 2.4.3 Biographical data**
- (1) Each candidate's statement of biographical data must conform to the following rules:

- (a) the statement must contain the candidate's full name (including decorations and degrees), occupation and Branch; and
  - (b) each candidate may fill the space provided on the form for biographical data prescribed by State Executive, Young Liberal Executive, The General Committee of Women's Council or the Liberal Local Government Assembly Executive (as the case may be) with additional information but all the information must be within the space provided.
- (2) If a candidate's statement of biographical data breaches **Regulation 2.4.3(1)** the Returning Officer must enclose a copy of that part of the statement of biographical data that complies with **Regulation 2.4.3(1)**.

## 2.5 ELIGIBILITY OF CANDIDATES

### 2.5.1 Preparation of the rolls

- (1) The Returning Officer must prepare a roll of those eligible to vote in the elections.
- (2) The rolls must be prepared using the membership records maintained by the State Director.
- (3) The Returning Officer must only rely upon the information submitted to the Division by a Body of the Division.

### 2.5.2 Certification of eligibility of candidates

- (1) After the close of nominations, the Returning Officer and the scrutineers must certify if each candidate is eligible to stand for election according to the records maintained by the State Director.
- (2) Any candidate who is not eligible must be excluded from the ballot.
- (3) A candidate must be excluded from the ballot if, as at the close of nominations, the candidate is not a financial Member.
- (4) A candidate must not be excluded from the ballot if:
  - (a) there are omissions or errors on the nomination form provided that the candidate's intention is clear; and/or
  - (b) the candidate's statement of biographical data is not in accordance with these Regulations.

## 2.6 BALLOT PAPERS

### 2.6.1 Preparation of Ballot Papers

Ballot papers for all elections must be prepared according to the following rules:

- (1) names of candidates on the Ballot paper must be in order as drawn by lot. The draw must be carried out in the presence of scrutineers;
- (2) names of candidates must be listed in one column only;
- (3) there must be no separation of women and men on the Ballot paper. If applicable, each Ballot paper must contain an instruction on the bottom of the Ballot paper stating the number of women who must be elected in accordance with the Constitution;
- (4) each Ballot paper must contain an instruction as to the minimum number of preferences or votes that must be cast to constitute a formal Ballot and whether the voter must use numbers or some other mark;
- (5) each Ballot paper must bear the signature of the Returning Officer or a facsimile of the signature. The Returning Officer must retain a facsimile sample copy of any mark or signature placed on a Ballot paper;
- (6) the number of Ballot papers must equal the number of voters according to the records maintained by the State Director. The Returning Officer and at least two scrutineers must certify the number of Ballot papers; and
- (7) the Returning Officer may produce additional Ballot papers for use in the election. The Returning Officer and at least two scrutineers must certify the number of additional Ballot papers.

## 2.7 ELECTION PROCEDURES FOR ELECTIONS OF STATE COUNCIL OFFICE-BEARERS, YOUNG LIBERAL COUNCIL OFFICE-BEARERS AND WOMEN'S COUNCIL OFFICE-BEARERS

### 2.7.1 Application of this Regulation

This **Regulation 2.7** applies only to elections of State Council office-bearers, Women's Council office-bearers and Young Liberal Council office-bearers. Delegates entitled to vote in elections to which this regulation applies must do so in person unless from a branch or conference allocated to a Country or Regional Electorate. The State Director will provide polling facilities for delegates from metropolitan Branches to cast their Ballot in person during normal business hours during a

period of at least 13 days. Balloting shall occur at the Secretariat or such other place appointed for this purpose by the State Director. The State Director shall ensure that balloting is available during normal business hours, on one Saturday from 9.00am to 5.00pm and at least one weekday evening until 9.00pm.

**2.7.2 Returning Officer to Send Ballot Papers**

- (1) The Returning Officer will only send ballot papers by pre-paid post to voters from Branches and Conferences allocated to Country or Regional Electorates at the address shown in the records maintained by the State Director.
- (2) The ballot paper must be sent no earlier than four business day before the opening of the ballot and not later than the day of the opening of the ballot.

**2.7.3 Enclosures with Ballot Papers**

Each set of ballot papers sent to a delegate from a Branch or Conference allocated to a Country or Regional Electorate will be sent with the following items:

- (1) an envelope addressed to the Returning Officer with pre-paid post for the return of the completed ballot papers ("return envelope");
- (2) an envelope with an identification slip attached on the outside for the voter to sign ("ballot paper envelope"). The envelope must be marked "Ballot Papers";
- (3) an instruction slip informing the voter that:
- (4) when the voter has marked their ballot papers, the ballot papers must be placed inside the ballot paper envelope;
- (5) the ballot paper envelope must then be sealed, the identification slip must be signed by the voter and the ballot paper envelope must be placed inside the return envelope with the identification slip remaining on the outside of the ballot paper envelope; and
- (6) the return envelope containing the ballot paper envelope and ballot paper must then be sent to the Returning Officer; and
- (7) a copy of a statement of each candidate's biographical data.

**2.7.4 Receiving Ballot Papers**

- (1) The Returning Officer must provide a sealed container into which voters may place their return envelopes and Ballot papers.



- (2) Return envelopes and Ballot papers received by the Division must be placed into the sealed container by the Returning Officer.

2.7.5 Procedure After the Close of the Ballot

- The Returning Officer must carry out the following procedures after the close of the Ballot in the presence of at least two scrutineers:
- (1) the return envelopes must be opened and discarded;
  - (2) the name of each person whose return envelope has been received by the close of the Ballot must be recorded;
  - (3) the Returning Officer and at least two Scrutineers must certify the accuracy of the list of names of those voters from whom a return envelope has been received;
  - (4) the identification slips must then be separated from the Ballot paper envelopes; and
  - (5) the envelopes marked "Ballot Papers" must then be opened and the Ballot papers counted in accordance with these Regulations.

2.8 RESERVED FOR FUTURE USE

2.9 METHODS OF ELECTION

- 2.9.1 Methods of Election
- Members must be elected to office in the manner prescribed in the following table.

	A	B	C
	BODY OF THE DIVISION	OFFICE	METHOD OF ELECTION
1	State Executive	President of the Division	President of the Division: The Compulsory Preferential system as used for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i> , or another system in the Regulations as determined by State Council.

2		2 Urban Vice-Presidents of the Division	Proportional Representation System in accordance with these regulations.
3		2 Country and Regional Vice-Presidents of the Division	Proportional Representation System in accordance with these regulations.
4		10 Urban Representatives 6 Country and Regional Representatives	Proportional Representation System in accordance with these regulations.
5		6 members of the Joint Standing Committee on State Policy  8 members of the State Platform Committee  7 members of the Constitution Standing Committee  7 members of the Rural and Regional Committee  7 members of the Local Government Oversight Committee	Proportional Representation System in accordance with these regulations.
6		10 delegates to the Federal Council	Proportional Representation System in accordance with these regulations.
7	Women's Council	President of Women's Council  Secretary of Women's Council  Treasurer of Women's Council  Membership Secretary	The Compulsory Preferential system as used for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i> , or another system in the Regulations as determined by State Council.

8		2 Urban Vice-Presidents of Women's Council	Proportional Representation System in accordance with these regulations.
9		Country Vice-President of Women's Council	The Compulsory Preferential system as used for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i> , or another system in the Regulations as determined by State Council.
10		10 At Large members of the General Committee of the Women's Council	Proportional Representation System in accordance with these regulations.
11	Young Liberal Council	The President of Young Liberal Council Country and Regional Vice-President of Young Liberal Council Young Liberal Secretary Tertiary Institutions Liaison Officer	The Compulsory Preferential system as used for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i> , or another system in the Regulations as determined by State Council.
12		2 Urban Vice-Presidents of Young Liberal Council	Proportional Representation System in accordance with these regulations.
13		3 Directors of Young Liberal Council	Proportional Representation System in accordance with these regulations.
14		3 Officers of Young Liberal Council	Proportional Representation System in accordance with these regulations.

15		7 members of Young Liberal Policy Committee	Proportional Representation System in accordance with these regulations.
16		5 delegates to Federal Young Liberal Council	Proportional Representation System in accordance with these regulations.
17	Liberal Local Government Assembly	President of Liberal Local Government Assembly Vice-President of Liberal Local Government Assembly Secretary of Liberal Local Government Assembly Treasurer of Liberal Local Government Assembly	The Compulsory Preferential system as used for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i> , or another system in the Regulations as determined by State Council.
18		3 general members of Liberal Local Government Assembly Executive	Proportional Representation System in accordance with these regulations.

### 2.9.2 Formality of ballot papers

For each method of election referred to in **Regulation 2.9.1**, a Ballot paper is informal in the circumstances set out in the following table.

	A	B
	METHOD OF ELECTION	WHEN BALLOT PAPER IS INFORMAL
1	Compulsory preferential system	<p>(1) It is not prepared in accordance with <b>Regulation 2.6.1</b>.</p> <p>(2) It would be informal as a ballot paper for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i>.</p> <p>(3) The voter can be identified from any mark on the Ballot paper.</p>
2	Proportional Representation System	<p>(1) It is not prepared in accordance with <b>Regulation 2.6.1</b>.</p>

		<p>(2) It would be informal as a ballot paper for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i>.</p> <p>(3) The number of preferences recorded are less than the number of positions being filled.</p> <p>(4) The voter can be identified from any mark on the Ballot paper</p>
--	--	---

### 2.9.3 Interpretation of Ballot papers and conduct of elections

- (1) Subject to these Regulations, the Returning Officer must give effect to the voter's intention.
- (2) In any dispute regarding the interpretation of these Regulations or the conduct of any election under these Regulations the decision of the Returning Officer is final.

### 2.9.4 Counting of Votes

For each method of election referred to in **Regulation 2.9.1**, votes are to be counted as set out in the following table.

	A	B
	METHOD OF ELECTION	HOW VOTES ARE COUNTED
1	Compulsory preferential system	<ul style="list-style-type: none"> <li>A candidate is elected if the candidate receives an absolute majority of primary votes.</li> <li>If no candidate receives an absolute majority of primary votes, preferences must be counted as a ballot paper for the House of Representatives under the <i>Commonwealth Electoral Act 1918 (Cth)</i>. A candidate is elected once the candidate obtains an absolute majority of non-exhausted votes.</li> </ul>

## 2.10 THE PROPORTIONAL REPRESENTATION SYSTEM

### 2.10.1 How the Proportional Representation System Works

- (1) **Formality of Ballot papers**  
Each voter numbers all squares, or at least 20 squares if there are more than 20 candidates, with the voter's first preference as 1 and second preference as 2, etc. Any Ballot paper which fails to show preferences in sequential order up to at least one less than the full number of candidates, or 20, whichever is the lesser, is deemed informal.
- (2) **The total number of formal votes**  
The Returning Officer tallies formal first preference

votes for each candidate, producing the total number of formal votes.

(3) **The quota**

The quota is established by dividing the total number of formal votes by the number of vacancies plus one. If the result of this calculation is a whole number, the quota is that number plus one. If the result of the calculation is not a whole number, the result is rounded up to the next whole number and that number is the quota.

(4) **Election on first preferences**

Any candidate who achieves the quota via the tally of first preference votes is declared elected.

(5) **If all vacancies are filled**

If all vacancies are filled via the first preference count, no further counting or allocation is required to determine the candidates who have been elected, but will be undertaken for the purposes of Step 11.

(6) **Distribution of surplus votes**

If one or more vacancies is filled via the first preference count, but more vacancies remain unfilled, the “surplus” of the candidate(s) declared elected is distributed, beginning with the candidate with the highest tally.

The surplus Ballots are drawn by lot, with all the Ballot papers for that candidate being placed in a container and the returning officer drawing out Ballot papers one at a time until the number in excess of the quota is reached. These Ballot papers so drawn out are then re-allocated according to the preferences marked on them.

If this process results in any other candidate reaching the quota, that candidate is declared elected and any resulting surplus votes are subsequently re-allocated.

(7) **Exclusion of candidate with fewest votes**

If vacancies remain unfilled after the tally of first preference votes and the distribution of any surplus from elected candidates then the candidate with the lowest number of votes is excluded and that candidate’s votes are re-allocated according to the preferences marked on them.

(a) If two (or more) candidates have the equal lowest totals and together tally fewer votes than the candidate with the next lowest total, both (all) are eliminated at the same count, unless to do so

would leave a vacancy unfilled, in which case (b) is followed. The Ballot papers of those candidates are re-allocated according to their next preference for a candidate remaining in the count.

- (b) If two (or more) candidates have the equal lowest totals and together tally more votes than the candidate with the next lowest total, the name of one of those candidates is drawn by lot and the candidate whose name is drawn is the one eliminated at that count.
- (8) The processes in steps 6 and 7 are repeated until all vacancies are filled.
- (9) If exhaustion of votes results in one or more positions remaining unfilled when it is no longer possible for any candidate to reach a full quota, the processes in steps 6 and 7 are repeated until the number of candidates remaining equals the number of vacancies remaining to be filled. Those remaining candidates are then declared elected, although not having achieved a full quota.
- (10) **Special provision for gender / geographical requirements.**  
In relation to elections for multiple vacancy positions to which gender or geographical requirements apply, namely Urban Representative and Country and Regional Representative, the Returning Officer is not to exclude any candidate, nor declare any other candidate elected, if to do so would prevent the relevant gender or geographical requirement from being satisfied.

At the point in the scrutiny at which the number of female candidate(s) elected or remaining in the count equals the minimum number of female candidates who must be elected, the Returning Officer must declare those female candidates to be elected.

If at any point in the scrutiny the situation is reached where all remaining positions must be filled by female candidates and there are more female candidates remaining in the count than positions to be filled, the Returning Officer is to declare the female candidate(s) with the highest number(s) of votes at that point elected.

If at any point in the scrutiny for the position of Country and Regional Representative there are only three candidates remaining in the count who are

members of Branches allocated to electorates designated as Country electorates, the Returning Officer must declare those members elected.

If at any point in the scrutiny for the position of Country and Regional Representative three members have been declared elected but no member who is a member of a Branch allocated to an electorate designated as Country electorate has been elected, and there are more than three such “Country” members remaining in the count, the Returning Officer must continue the processes in Steps 6 and 7 but may not declare any further “non-Country” candidate elected. Once only three “Country” candidates remain in the count, those three “Country” candidates must be declared elected.

(11) **Casual vacancies**

In respect of State Executive only, for the purpose of filling casual vacancies, the candidate who was not elected but had the highest total vote tally of those remaining in the count when the positions were declared filled is deemed the first to fill any casual vacancy, followed by the candidate remaining in the count with the next highest tally or who was most recently eliminated from the count if no other remained.

## **2.11 DECLARING THE BALLOT**

### **2.11.1 Declaring the Ballot**

- (1) When the count is completed, the result must be certified by the Returning Officer and those scrutineers who attended the count.
- (2) When the Ballot is declared, the Returning Officer must, upon request by any candidate in that series of elections, disclose to that candidate the number of votes (or Points Total as the case may be) received by each candidate for each position in that series of elections (whether or not the same position stood for by the candidate who is seeking that disclosure).



### **3. REGULATIONS: CONDUCT OF SELECTIONS**

#### **3.1 APPLICATION OF THESE REGULATIONS**

- 3.1.1 Application** These Regulations must be used for the selection of Liberal candidates for election for Winnable Positions to office in Federal, State or local government under the Constitution.

#### **3.2 POWERS OF THE RETURNING OFFICER**

- 3.2.1 Returning Officer May Delegate** The Returning Officer may delegate tasks under these Regulations to any person.

#### **3.3 SCRUTINEERS**

- 3.3.1 Appoint of State Council Scrutineers**
- (1) The Returning Officer must select by lot from the members of State Council on the register kept under the Constitution:
    - (a) two scrutineers for each Selection Committee; and
    - (b) an additional number of scrutineers for each Selection Committee forming the Scrutineer Reserve List for the Selection Committee.
  - (2) No member of State Council may be a scrutineer to any Selection Committee more than once in any series of selections.
  - (3) The Returning Officer must give each person selected as a scrutineer notice in writing of his or her selection.
  - (4) If the person does not accept appointment as a scrutineer or if the person selected as a scrutineer does not respond within seven days after the giving of the notice, the Returning Officer must ask a person on the Scrutineer Reserve List.
  - (5) The Returning Officer must ask those persons in order of their selection by lot.
- 3.3.2 Candidate May Appoint Scrutineer** A person who lodges a nomination for endorsement as the Liberal candidate for election to an office in Federal, State or local government may by notice to the State Director appoint a Member as the candidate's scrutineer.
- 3.3.3 Rights of Scrutineers** A scrutineer has the right to observe the actions of the Returning Officer in the conduct of the selection including the

---

	counting of the Ballot and recording of the results during a selection.
<b>3.3.4 Giving Notice to Scrutineers</b>	<p>(1) The Returning Officer must give seven days' notice to each scrutineer of the day, time and place when the Returning Officer intends to carry out any action in the conduct of the selection.</p> <p>(2) If it is not reasonably practicable for the Returning Officer to give notice as required in <b>Regulation 3.3.4(1)</b>, the Returning Officer may give the scrutineers less than seven days' notice of the Returning Officer's intention to carry out an action in the conduct of the selection.</p>
<b>3.3.5 Conduct of the Selection and Attendance by Scrutineers</b>	If fewer than two scrutineers attend on the day or days of the Selection Committee meeting the Returning Officer must appoint one or two replacement scrutineers to bring the number of scrutineers to two. Those replacement scrutineers must be employees of the Division or observers to the Selection Committee meeting.
<b>3.3.6 What Scrutineers Must Not Do</b>	<p>(1) The Returning Officer and any scrutineer must not disclose to any person prior to the meeting of the Selection Committee the names of scrutineers selected under these Regulations.</p> <p>(2) A scrutineer must not during the course of a Selection Committee meeting:</p> <p class="margin-left: 40px;">(a) communicate with any member of the Selection Committee for which they are a scrutineer; or</p> <p class="margin-left: 40px;">(b) communicate with any other person unless authorised by the Returning Officer.</p> <p>(3) A scrutineer must not disclose to any person the particulars of any Ballot cast or the result of any Ballot of the Selection Committee for which they are a scrutineer.</p>
<b>3.3.7 Obligations of the Returning Officer with respect to Scrutineers</b>	The Returning Officer must take all reasonable steps to ensure that for a reasonable period before the start of the Selection Committee and during the Selection Committee meeting scrutineers remain in a separate room to the Selection Committee.
<b>3.3.8 Scrutineers Generally</b>	<p>(1) The scrutineers and the Returning Officer must certify the result of each Ballot conducted under these Regulations.</p>

- (2) The Returning Officer must, at the end of the Selection Committee meeting, announce to the members of each Selection Committee the names of the persons who carried out duty as scrutineers for that Selection Committee.

### **3.4 RECEIVING NOMINATIONS AND CONFIDENTIALITY**

#### **3.4.1 Receiving Nominations**

- (1) Candidates for selection must lodge a nomination with the Returning Officer on the form and in the manner prescribed by State Executive.
- (2) A candidate may annex to their nomination additional information including references, again in the manner prescribed by State Executive.
- (3) The Returning Officer must not release or cause to be released to any person until after acceptance of a nomination by the relevant nomination review committee or State Executive, the identity or particulars of any person who has nominated for selection.

### **3.5 PARTICULARS OF CANDIDATES FOR SELECTION**

#### **3.5.1 Returning Officer to Send Particulars**

- The Returning Officer must send to each member of a Selection Committee a copy of each candidate's nomination form together with a copy of any annexure to the nomination form as permitted by **Regulation 3.4.1**.

### **3.6 STATE EXECUTIVE AND STATE COUNCIL SELECTORS**

#### **3.6.1 Returning Officer to Select State Executive and State Council Members**

- (1) The Returning Officer must select by lot sufficient State Executive and State Council members to fill the required number of selectors for a particular Selection Committee plus additional State Executive and State Council members at the Returning Officer's discretion to form a "State Executive Selection Committee Pool" and a "State Council Selection Committee Pool".
- (2) The Returning Officer must rank the persons comprising each Selection Committee Pool in order of their selection by lot.
- (3) The Returning Officer must, wherever practicable, give each person listed on the Selection Committee Pool at least seven days' notice in writing of their selection by lot.
- (4) If a person selected to be part of a Selection Committee Pool declines to be available to be part of the Selection Committee or fails to respond by the date and time and

in the manner set out on the written notification of their selection by lot, the Returning Officer must delete that person from the relevant Selection Committee Pool.

- (5) On or after the date and time set for responding to the written notification, the Returning Officer must:
  - (a) from the remaining members of each Selection Committee Pool appoint the required number of persons to form the Selection Committee; and
  - (b) appoint those persons in order of their ranking commencing from the first name.
- (6) Subject to the Constitution, if a selector appointed under this regulation declines to continue being a member of a Selection Committee the Returning Officer must appoint the next available person to be a selector from the relevant Selection Committee Pool.

### **3.7 SELECTION COMMITTEE MEETINGS FOR HOUSE OF REPRESENTATIVES, LEGISLATIVE ASSEMBLY HALF-SENATE, SENATE CASUAL VACANCIES AND LEGISLATIVE COUNCIL CASUAL VACANCIES**

- |  |  |
|--|--|
| <b>3.7.1 Selection Committees to Meet on One Day</b>     | Selection Committee meetings for the House of Representatives, Legislative Assembly, half-Senate elections, Senate casual vacancies and Legislative Council casual vacancies must take place on one meeting day unless State Executive by motion carried decides otherwise.  |
| <b>3.7.2 Times Where There Are Up to 19 Candidates</b>   | <p>If there are no more than 19 candidates nominate for selection (not including candidates who flow on from another selection in the series):</p> <ul style="list-style-type: none"> <li>(1) each candidate must be given the opportunity to address the Selection Committee for not more than 8 minutes and answer questions for not more than 12 minutes; and</li> <li>(2) the selection Ballot must be conducted in accordance with the procedure for exhaustive balloting.</li> </ul> |
| <b>3.7.3 Times Where There Are 20 Candidates or More</b> | <p>If 20 or more candidates nominate for selection (not including candidates who flow on from another selection in the series):</p> <ul style="list-style-type: none"> <li>(1) each candidate must be given the opportunity to address the Selection Committee for not more than 8 minutes and answer questions for not more than 12 minutes;</li> </ul>   |

- (2) the field of candidates must then be reduced to 6 in accordance with the procedure for exhaustive balloting;
- (3) the 6 remaining candidates must be given the opportunity to again address the Selection Committee for not more than 3 minutes and answer questions for not more than 2 minutes;
- (4) the candidates must appear in the same order as already determined by lot; and
- (5) after the 6 remaining candidates have been given the opportunity of being heard by the Selection Committee the selection Ballot must be conducted in accordance with the procedures for exhaustive balloting.

### **3.8 SELECTION COMMITTEE MEETINGS FOR FULL SENATE, HALF-SENATE OR SENATE CASUAL VACANCY**

#### **3.8.1 Selection Committees**

- (1) Selection Committee meetings for winnable positions in a full or half Senate election or casual vacancy must take place on one meeting day unless State Executive decides otherwise.
- (2) Each candidate must be given the opportunity to address the Selection Committee for not more than 8 minutes and answer questions for not more than 12 minutes.
- (3) The returning officer must determine the order of candidates by lot and the candidates must appear in the same order as determined by lot.
- (4) After the candidates have been given the opportunity of being heard by the Selection Committee the selection Ballot must be conducted in accordance with the system of voting as described in (5) or (6), whichever is applicable.
- (5) Where there is **only one position** to be selected:
  - (a) A candidate is elected if they receive an absolute majority of primary votes.
  - (b) Where no candidate receives an absolute majority of primary votes, preference must be counted as per a ballot paper for the House of Representatives under the *Commonwealth Electoral Act 1918* (Cth). A candidate would then be elected once the candidate obtains an absolute majority of non-exhausted votes.

- (c) Where two candidates receive the same number of votes the candidate with the lowest number of first preference votes shall be eliminated first. Where two candidates have the same number of votes and first preference votes, the successful candidate will be determined by a further secret Ballot in which members of the Selection Committee must nominate in writing the candidate they wish to select. Where this further secret Ballot also results in a tied vote, the successful candidate will be determined by a method of random selection that is chosen by the State Director (at his discretion).
- (6) Where there is **more than one position** to be selected (e.g. on a ticket), the Proportional Representation System will be used.

### 3.9 SELECTION COMMITTEE MEETINGS FOR LEGISLATIVE COUNCIL (OTHER THAN CASUAL VACANCIES)

#### 3.9.1 If up to 19 candidates

If the number of candidates for selection to a Winnable Position exceeds the number of candidates required but is 19 or less:

- (1) the Selection Committee must meet on one meeting day;
- (2) each candidate must be given the opportunity to address the Selection Committee for not more than 7 minutes and answer questions for not more than 5 minutes.
- (3) the Selection Committee must then select a candidate to fill each vacancy in accordance with the following procedures:
  - (a) Where there is only one position to be selected:
    - (i) A candidate is elected if they receive an absolute majority of primary votes.
    - (ii) Where no candidate receives an absolute majority of primary votes, preference must be counted as per a ballot paper for the House of Representatives under the *Commonwealth Electoral Act 1918* (Cth). A candidate would then be elected once the candidate obtains an absolute majority of non-exhausted votes.
    - (iii) Where two candidates receive the same number of votes the candidate with the lowest number of first preference votes shall be eliminated first. Where two candidates have the same number of votes and first preference votes, the

successful candidate will be determined by a further secret Ballot in which members of the Selection Committee must nominate in writing the candidate they wish to select. Where this further secret Ballot also results in a tied vote, the successful candidate will be determined by a method of random selection that is chosen by the State Director (at his discretion).

- (b) Where there is **more than one position** to be selected (e.g. on a ticket), the Proportional Representation System will be used.

### 3.9.2 If 20 or more candidates

If the number of candidates for selection is 20 or more:

- (1) the Selection Committee must meet on one meeting day;
- (2) each candidate must be given the opportunity to address the Selection Committee for not more than 6 minutes and answer questions for not more than 4 minutes;
- (3) if the Selection Committee determines that it wishes to proceed to selection the Selection Committee shall reduce the field of candidates to the number that is one and a half times the number of vacancies (rounded up in the case of a fraction) in accordance with **Regulation 3.11.1**;
- (4) each of the remaining candidates must then be given the opportunity to address the Selection Committee for not more than 7 minutes and answer questions for not more than 5 minutes; and
- (5) the Selection Committee must then select a candidate to fill each vacancy in accordance with the following procedures:
  - (a) Where there is only one position to be selected:
    - (i) A candidate is elected if they receive an absolute majority of primary votes.
    - (ii) Where no candidate receives an absolute majority of primary votes, preference must be counted as per a ballot paper for the House of Representatives under the *Commonwealth Electoral Act 1918* (Cth). A candidate would then be elected once the candidate obtains an absolute majority of non-exhausted votes.
    - (iii) Where two candidates receive the same number of votes the candidate with the lowest number of

first preference votes shall be eliminated first. Where two candidates have the same number of votes and first preference votes, the successful candidate will be determined by a further secret Ballot in which members of the Selection Committee must nominate in writing the candidate they wish to select. Where this further secret Ballot also results in a tied vote, the successful candidate will be determined by a method of random selection that is chosen by the State Director (at his discretion).

- (b) Where there is **more than one position** to be selected (e.g. on a ticket), the Proportional Representation System will be used.

### **3.10 SELECTION COMMITTEE MEETINGS FOR LOCAL GOVERNMENT**

#### **3.10.1 Selection Committees**

- (1) Selection Committee meetings for each Winnable Position in a local government election or casual vacancy must take place on one meeting day unless State Executive decides otherwise.
- (2) If a Selection Committee meeting is held in-person, each candidate must be given the opportunity to address the Selection Committee for not more than 8 minutes and answer questions for not more than 12 minutes, prior to the commencement of Balloting for any of the Winnable Positions.
- (3) If a Selection Committee meeting is held by audio-visual means, each candidate must be given the opportunity to provide an address to the Selection Committee prior to the commencement of Balloting for any of the Winnable Positions.
- (4) The returning officer must determine the order of candidates by lot and the candidates must appear in the same order as determined by lot.
- (5) After the candidates have been given the opportunity of addressing the Selection Committee the selection Ballot must be conducted in accordance with the system of voting as described in (8).
- (6) Ballots must be conducted in order of highest ranked Winnable Position and, if applicable, by ward.
- (7) If applicable, the returning officer must determine, by lot, the order of the wards in which Balloting is to be conducted.



- (8) For each Winnable Position to be selected:
  - (a) A candidate is elected if they receive an absolute majority of primary votes.
  - (b) Where no candidate receives an absolute majority of primary votes, preferences must be counted as per a ballot paper for the House of Representatives under the *Commonwealth Electoral Act 1918* (Cth). A candidate would then be elected once the candidate obtains an absolute majority of non-exhausted votes.
  - (c) Where two candidates receive the same number of votes the candidate with the lowest number of first preference votes shall be eliminated first. Where two candidates have the same number of votes and first preference votes, the successful candidate will be determined by a further secret Ballot in which members of the Selection Committee must nominate in writing the candidate they wish to select. Where this further secret Ballot also results in a tied vote, the successful candidate will be determined by a method of random selection that is chosen by the State Director (at his discretion).
  - (d) Once a candidate is selected in a Winnable Position within the local government area, they are eliminated from any other Ballots for positions they may have nominated for.

### **3.11 PROCEDURE FOR REDUCING THE FIELD**

#### **3.11.1 Procedure**

- (1) Each member of the Selection Committee must be provided with a Ballot on which is listed in one column the names of each candidate.
- (2) Each Ballot must include or be accompanied by, instructions as to how to cast a formal vote.
- (3) The Returning Officer must invite members of the Selection Committee to vote for a number of candidates equal to the number of positions being filled.
- (4) The field of candidates must be reduced using a first past the post system.
- (5) The number of formal votes received for each candidate must be ranked in descending order and commencing with the candidate who has received the

lowest vote, each candidate will be eliminated until there are that number of candidates that is equal to one and a half times the number of vacancies (rounded up in the case of a fraction) remaining.

- (6) If two or more candidates receive an equal number of votes and the number of these candidates plus the number of candidates not yet eliminated is not more than that number of candidates that is equal to one and a half times the number of vacancies (rounded up in the case of a fraction) the following procedure must be followed:
  - (a) the Returning Officer must invite members of the Selection Committee to vote for the candidate the Selection Committee member wishes to eliminate;
  - (b) the Returning Officer must provide each member of the Selection Committee with a Ballot which complies with **Regulation 3.12.1**;
  - (c) if there are two or more groups of candidates who have received an equal number of votes, the elimination Ballot under **Regulation 3.11.1(6)(a)** must commence with the group of candidates who have received the lowest number of votes;
  - (d) the candidate who receives the highest number of votes must be eliminated;
  - (e) this procedure must be repeated until there are that number of candidates that is equal to one and a half times the number of vacancies (rounded up in the case of a fraction) remaining.
- (7) If a Ballot in accordance with **Regulation 3.11.1(6)** results in the candidates receiving an equal number of votes the Returning Officer must draw by lot one of these candidates to be eliminated.
- (8) A Ballot shall be informal if:
  - (a) the Ballot does not comply with **Regulation 3.12.1** ;
  - (b) the physical Ballot paper does not bear the Returning Officer's signature or initials;
  - (c) the number of votes recorded is less than the number of vacancies being filled; or
  - (d) a voter can be identified from any mark on the Ballot.

### 3.12 EXHAUSTIVE BALLOTING PROCEDURE

#### 3.12.1 Preparation of Ballot Papers

Ballots for selections in which the exhaustive balloting procedure is being used must be prepared as follows:

- (1) each Ballot must have sufficient space for a member of the Selection Committee to write the name of their preferred candidate or provide a method for a member of the Selection Committee to select their preferred candidate;
- (2) if being used, physical ballot papers for each Ballot forming part of the exhaustive balloting procedure:
  - (a) must bear a number which is the same on each ballot paper being used for that ballot; and
  - (b) each ballot paper must be marked with either an original or printed copy of the Returning Officer's signature or initials.

#### 3.12.2 Formality of Ballot Papers

A Ballot in this procedure shall be informal if:

- (1) the Ballot does not comply with **Regulation 3.12.1**;
- (2) there is more than one name recorded on a physical ballot paper; or
- (3) a voter can be identified from any mark on a physical ballot paper.

#### 3.12.3 Declaration of Selected Candidate

- (1) A candidate who receives an absolute majority of valid votes cast, not including abstentions, votes not cast and invalid votes, shall be declared selected as the candidate for the vacancy being filled. Under these regulations an absolute majority must be calculated as follows:
  - (a) where the number of votes validly cast is an even number, an absolute majority will be half that number plus one;
  - (b) where the number of the votes validly cast is an odd number, an absolute majority will be half that number plus one half.
- (2) If no candidate receives an absolute majority of valid votes in the first Ballot, then candidates will be eliminated according to the procedures in **Regulation 3.12.4**.

- (3) The Returning Officer must resubmit the remaining candidates to the Selection Committee for the members of the Selection Committee to again vote for their preferred candidate.
- (4) If no candidate receives an absolute majority of valid votes in succeeding Ballots, then further candidates must be eliminated in accordance with the procedures in **Regulation 3.12.4** until such time as one candidate receives an absolute majority of validly cast votes.

#### **3.12.4 Procedures to Eliminate Candidates**

The following candidates will be eliminated from subsequent Ballots:

- (1) the candidates who in the first Ballot receive less than 5% of the total number of votes cast in the Ballot; and
- (2) in the second and subsequent Ballots the candidates for whom, ranked in ascending order commencing from the candidate with the lowest number of votes, the total number of votes is less than the number of votes received by the candidate who received the next highest number of votes.

#### **3.12.5 Tie breaking procedures for exhaustive Ballots**

If 2 or more candidates who have not been eliminated by the procedures in **Regulation 3.12.4** receive an equal number of votes and these candidates have received less votes than any other candidates the following tie breaking procedure must be applied:

- (1) each member of the Selection Committee must vote for the candidate they wish to eliminate;
- (2) the candidate who receives the highest number of votes will be eliminated;
- (3) this procedure must be repeated until all but one of the candidates who received an equal number votes have been eliminated;
- (4) if 2 or more candidates receive an equal number of votes in the tie breaking procedure and 3 attempts to break a tie have failed to eliminate a candidate the Returning Officer must draw by lot one candidate to be eliminated; and
- (5) the remaining candidate or candidates who have not been eliminated by the procedure in **Regulation 3.12.5(4)** must then be submitted to the Selection Committee for a further elimination Ballot in accordance with **Regulation 3.12.4**.

- 3.12.6 Tie breaking procedures for the last 2 candidates in House of Representatives, Senate and Legislative Assembly Selections**
- (1) If the last 2 candidates in a Selection for the House of Representatives, Senate or Legislative Assembly receive an equal number of votes a further Ballot must be held.
  - (2) If the same 2 candidates again receive an equal number of votes the 2 candidates must be given the opportunity of again appearing before the Selection Committee to answer questions for not more than 5 minutes.
  - (3) The Returning Officer must then conduct up to 3 further Ballots until one of the candidates receives more votes than the other candidate.
  - (4) If no candidate receives more votes than the other the Chairperson of the Selection Committee may at their discretion adjourn the Selection Committee for no longer than 30 minutes.
  - (5) The Returning Officer must then continue to conduct Ballots until one candidate receives more votes than the other.

### **3.13 CHANGE OF MEMBERS OF SELECTION COMMITTEES**

- 3.13.1 Change of Members**
- (1) A person must not substitute for another member of a Selection Committee once the Selection Committee has commenced meeting.
  - (2) If a Selection Committee meets on more than one day a member of a Selection Committee who does not attend the first day of meeting must not attend a second or subsequent day of the Selection Committee's meeting.
  - (3) A member of a Selection Committee who leaves an in-person Selection Committee meeting without the leave of the Chairperson of the Selection Committee must not be re-admitted to the meeting.
  - (4) Where a Selection Committee meeting is held by audio-visual means:
    - (a) a member of the Selection Committee who leaves the meeting without the leave of the Chairperson of the Selection Committee must not be re-admitted to the meeting; or
    - (b) a member who temporarily leaves the Selection Committee due to a technological failure in the audio-visual communication system, or a technological failure in the member's telephone line

or internet connection, may be re-admitted to the meeting subject to the discretion of the Returning Officer.

### 3.14 OBSERVERS

- 3.14.1 Members May be Observers** Members of the Organisation other than members referred to in **Regulation 3.14.2** may observe the proceedings of a Selection Committee.
- 3.14.2 Relatives of Candidates May Not be Observers** A member of the Organisation may not observe the proceedings of a Selection Committee if the member is related to a candidate as prescribed in **Appendix F**.
- 3.14.3 Observers Must Not Communicate with Members of Selection Committee** Any person observing the proceedings of a Selection Committee must not communicate with any candidate or member of the Selection Committee once the Selection Committee has commenced meeting until the Chairperson has declared the meeting of the Selection Committee closed.
- 3.14.4 Members of Selection Committee Must Not Communicate with Observers** Any member of a Selection Committee must not communicate with a person observing the proceedings of the Selection Committee once the Selection Committee has commenced meeting until the Chairperson has declared the meeting of the Selection Committee closed.

### 3.15 MISCELLANEOUS PROVISIONS

- 3.15.1 Members of Selection Committee Must Not Communicate with Other Persons** A person attending a meeting of any Selection Committee must not, during the meeting of the Selection Committee including any adjournments, communicate with any person who is not a member of the Selection Committee by any means.
- 3.15.2 Candidates Must Not Communicate with Member of Selection Committee** A candidate must not, except as provided by the Constitution and these regulations, communicate directly or indirectly with a member of a Selection Committee for that candidate.
- 3.15.3 Returning Officer Not to Disclose Votes** After the declaration of candidates for all vacancies to be filled at the meeting of the Selection Committee, but not beforehand, the Returning Officer must declare the result of each Ballot held at that meeting of the Selection Committee.

### **3.16 INTERPRETATION OF BALLOT PAPERS AND CONDUCT OF BALLOTS FOR SELECTION COMMITTEES**

**3.16.1 Voter's Intention** Subject to these regulations, the Returning Officer must give effect to the voter's intention.

**3.16.2 Disputes** In any dispute regarding the interpretation of these regulations in relation to the conduct of Ballots the decision of the Returning Officer will be final.

## **4. REGULATIONS: ACCESS TO MEDIA**

### **General**

No public statements, either oral or written, can be made by Party Members in relation to Party matters unless they are authorised by the State Director.

### **Selections**

No public statements by Candidates, Selectors or Party Members will be issued on the matter of selection or the contesting of seats either before or after a Selection or election unless they are cleared through the office of the State Director. Candidates may confirm to the media candidate details (age, occupation, etc) included in their own dossier.

### **Bodies in the Division**

No public statements, either oral or written, can be made by Party Members on any matter on behalf of any Body of the Division unless they are authorised by the State Director.

Statements made by the Party President on Party matters, the President of the Women's Council on Party matters dealing with women, and the President of the Young Liberals on Party matters dealing with Young Liberals, may be made in consultation with the State Director.

### **Online**

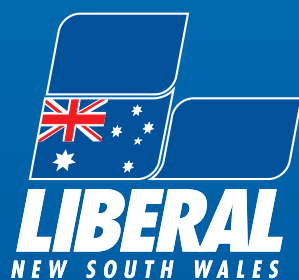
No website, online campaign, blog or social networking site groups, causes or similar, in relation to Party matters, preselections, candidates and political campaigns may be created or established unless they are authorised by the State Director.

Party Members should consider carefully any comments or statements they make on websites, social networking sites or blogs so that those comments do not result in damage or cause embarrassment to the Party or Party Leader, or reduce the Party's prospects of success in any election.

### **Breach**

Any Member who breaches the above Regulations shall be liable for suspension for a period of up to 5 years, providing that the procedural fairness provisions of Appendix E are complied with before any action is taken.





Authorised by Chris Stone Liberal Party of Australia, NSW Division,  
Level 2, 131 Macquarie Street, Sydney NSW 2000.