

# Love Australia or Leave Party

## Party constitution for the Commonwealth of Australia

### NAME

1. The name of the Party is Love Australia or Leave Party
- .2. The Executive means National Executive or Federal executive of the party, the latter with higher powers than the Federal Management Committee. The National Executive has final veto on every matter unless delegated by them to the management committee.
3. The Division for each State and Territory shall bear the name Love Australia or Leave Party.

### OBJECTIVES

3. The objectives of the Party are as follows:
- 4 To endorse candidates to contest the House of Representatives and Senate elections for the Commonwealth of Australia.
5. All party members, including Members of Parliament, shall, in making decisions, vote in the interests of their electorate and the whole populace of Australia's best interests, with the following values and principles.

### PRINCIPALS

6. Human moral values and allegiance to Australia and to ones fellow man/woman/children, and defines the culture of the nation. The ideals for Australian society and government should be based upon these principles.
7. The party is accountable to the Australian people for the management to protect and enhance both the social and economic & national security matters of the Australian people, and likewise, the sovereignty and independence of the Australian nation.
8. Government is to develop and promote policies which maintain and advance a modern up to date economic system that will ensure economic growth, employment, equitable distribution of income, prosperity, opportunity and equality of access to such opportunity for all "**Australian citizens**", to ensure:
  - a).freedom of speech and expression, and not to be controlled by the media.
  - b).equality., not segregations of such
  - c).equality before the law to the extent of citizenship and allegiance.

- d).social cohesion, with no tolerance to social or religious divides in accordance with section 116 of the Australian constitution
- e).acceptance of personal responsibility and accountability with no exemptions on race or gender,
- f).support for those in genuine need where deemed appropriate.
- g).encourage individual initiative.

### **Sovereignty**

9. Australia's sovereignty and independence as a nation requires Australia to:

- a) .have a sufficient Defence Force to deter invasion and to prevent any territorial intrusion or threat,
- b) .maintain strategic defence force capabilities to ensure Australia is independent in its Defence requirements,
- c) .establish relationships and alliances to secure support in times of need,
- d) .exercise appropriate policy and development of our resources,
- e) .ensure a strong economy,
- f) Maintain an independent balance in the production of food and to ensure security of food supply and sufficient land space, and, prevent dominations of internal Australian markets from entities or monopolies from outside Australia
- g).ensure that Australia's food is produced in a disease-free environment and that the importing of diseases which threaten our food are protected
- h) .ensure security of strategic resources, including mining resources,
- i) . a sustainable population and planning policy in regards to our land, water and other resources and essential services, and place Australia's interests first, in regards to ownership of agricultural land, corporations, utilities, resources, and the means of production, and, ensure that foreign ownership or control of resources and agricultural production only occurs when it is in the national interest and does not undermine or threaten Australia's independence and sovereignty..

### **Workplace and Production**

10. Government must ensure that every Australian has consumer and business protections available.

11. Private monopoly power should limited.

12. Government must protect its people and businesses from abuse of market power

### **Essential Services**

13. Government should maintain and protect essential services such as airports, water, electricity, gas, health services, road networks, public transport and communications.

### **Recreation and Freedoms**

14. Australians must have the freedom to pursue outdoor recreational activities of their choice including hunting, shooting “within legal reasoning”, fishing, boating, camping, 4-wheel driving, horse riding, rock climbing, and bushwalking without unnecessary limitations and restrictions.

15. Vacant land such as State Forest and some unallocated lands and seas now designated as “off-limits” are to be owned and accessed by the people.

### **Resources**

16. Resources should be developed and utilised whilst at the same time fulfilling our obligation to future generations that such utilisation does not result in the degradation or exhausting of those resources.

### **Home Ownership**

17. Homes are to be safe and exclusive havens for all those who reside within them, unless criminal activity is involved within such.

18. Home ownership is critical to people’s sense of freedom, independence and personal security and to facilitating the raising of children. All Australians must have the ability to own their homes and governments must implement policies to make home ownership attainable for all Australians.

19. Government is not to interference in people’s private lives within the family property boundary. It must not; per section 116 of the Australian constitution interfere on any religious grounds. Legislation overriding all other laws must provide that intrusion and interference upon that household can only occur where human health and life or crime is at risk.

20. Property owners may do what is reasonably required to ensure the security of their family, their property, and themselves as to ensure its safe enjoyment.

21. Where governments diminish the value of a person’s property, the government must compensate that person by paying a just compensation.

### **Family**

22. The economic and social interests of the community and common laws and their enactment and application..

### **Finance**

23. It is the duty of government to:

a) .ensure that bank lending provides real wealth creation in terms of improvements to the quality of life of the average Australian.

b) .prevent the flow of credit creation into speculation and predatory activity, and

c) .ensure that the wealth creators and risk takers are not unduly subjected to a restrained banking policy.

24. Governments must ensure that all Australians have access to necessary finance at affordable rates and that financial institutions do not abuse their financial powers. If necessary, governments should intervene in markets to ensure that these principles are achieved and that government be involved in the process of the provision of finance and credit to provide inter alia a bench-marking.

### **Population**

25. Australia needs to stabilize and plan its population to resources ratio's to achieve acceptable levels of economic, scientific, strategic and personal development. Government must develop immigration and birth rate policies consistent with these principles.

### **MEMBERSHIP**

26. The Federal Management Committee shall determine the various categories of Membership and the fees and entitlements for each such category from time to time. Annual Membership fees are to be paid at a level and in a manner prescribed by the Federal Management Committee, if such fees are relevant.

### **Eligibility**

27. Any person who subscribes to the objects of the Party as contained in this Constitution may be admitted to Membership at the discretion of the Federal Management Committee, or the national Executive.

28. A person is prohibited from becoming a Member of the Party if that person has been convicted of a disqualifying electoral offence within ten (10) years before the person applies to become a Member

### **Application**

29. A person desiring to become a Member must complete an application form as prescribed by the Federal Management Committee or National Executive, and must

lodge that form together with the applicable fee “if any” to the Federal Secretary or executive, other forms of application shall be determined by the executive.

30. An applicant for Membership does not automatically become a Member upon receipt by the party of the prescribed form and fee. An applicant who has lodged the prescribed form and fee becomes a Member of the Party at the conclusion of the subsequent executive decisions during which the application for Membership is considered and accepted for Membership.

31. Upon acceptance as a Member of the Party the Member automatically becomes a Member of the State or Territory Division incorporating the electorate in which the Member is enrolled to vote or otherwise resides. The executive reserves the right to upgrade membership in any way if a member pays a long advancement membership fee or any other acts the Party deems worthy of honorable membership.

### **Ending of Membership**

32. A person is prohibited from continuing as a Member of the Party, if the person is convicted of a disqualifying electoral offence or in breach of this constitution.

33. The Federal Management Committee, or National Executive, may terminate or suspend the membership of a member who undermines or acts in a way which is contrary to the objects of the Party.

34. A persons Membership may lapse if the Membership fee “**if applicable**” is in arrears by more than ninety (60) days at the discretion of the Federal Management Committee.

35. A person can end Membership of the Party by notice in writing to the Federal Secretary or Executive.

### **PARTY STRUCTURE**

#### Federal Management Committee

36. The Federal Management Committee is the supreme governing body of the Party whereby only the selected national executive team has the higher veto and power over the committee. The Federal Management Committee shall consist of Members of the Party and shall include the following positions:

- Federal President,
  
- Vice President
  
- Federal Treasurer - such number to be determined by resolution of the Federal Management Committee,
  
- Federal Secretary “two appointments”,

- Federal Parliamentary Leader or nominee,
- State Parliamentary Leaders or nominee,
- General Members elected at an Annual General Meeting and
- General Members appointed by the Management Committee or Executive

37. At the official commencement of the Party there will be a Foundation Federal Management Committee, exercising all powers of the Federal Management Committee as set out in this Constitution.

38. The Federal Management Committee or National Executive will elect the Chairman of the Federal Executive and Finance Committee.

39. The Members of the Foundation Federal Management Committee as appointed upon registration shall remain in office until the fourth annual general meeting of the Party.

40. If the Foundation Federal Management Committee creates a vice-presidency, the Committee may appoint that vice-president who shall be deemed to be a member of the Foundation Federal Management Committee.

41. If the Foundation Membership Committee appoints a General Member to the Committee, that member will be deemed to be a member of the Foundation Federal Management Committee.

42. At each Annual General Meeting commencing from the fourth annual general meeting of the Party three elected (3) Federal Management Committee positions are to be vacated but also reconsidered for another term. Election to any vacated position is by a simple majority of those present for a term expiring at the fourth annual general meeting held subsequent to the annual general meeting at which the Member was elected to the Federal Management Committee.

43. Not more than one management committee Member shall vacate their position at any annual general meeting.

44. Members appointed as General Members of the Federal Management Committee hold office for a term expiring at the fourth annual general meeting held subsequent to their appointment.

45. Subsequent to the fourth annual general meeting not more one General Member appointed by the Federal Management Committee shall retire in any year.

46. The Federal Management Committee shall appoint a Public Officer at each annual general meeting to file such returns and notices as required by law.

47. A Member may resign from the Federal Management Committee by notice in writing delivered to the Federal Secretary or National Executive.

48. The resignation becomes effective upon receipt by the Federal Secretary.

49. The Federal Management Committee may fill a casual vacancy on the Federal Management Committee.

50. A person filling a casual vacancy holds office for the balance of the term of the office vacated. Should a vacancy arise on the interim Federal Management Committee the person filling the vacancy will remain in office until the fourth annual general meeting of the Party.

### **Powers of the Federal Management Committee & National Executive**

51. The Federal Management Committee has the general control and management of the administration of affairs, property and funds of the Party. The powers of the Federal Management Committee with the National Executive having the over-riding power, includes the following:

- a).to Veto policy of the Party and it's members,
- b).to establish a Division of the Party in each State and Territory of Australia.
- c).to establish branches within any geographical location within Australia.
- d).to appoint members to the Federal Management Committee
- e).appoints sub-committees, the membership of which may include Members of the Party other than Federal Management Committee Members, for such purposes as the Federal Management Committee may determine.
- f).to engage and dismiss paid servants,
- g).to delegate powers of the Federal Management Committee to sub- committees, paid servants or other persons as the Federal Management Committee may require.
- h).to admit or reject applications for membership of the Party,
- i).to suspend or terminate the membership of Members of the Party,
- j).to endorse or reject nominations for preselection of a candidate for election to the House of Representatives or Senate for the Commonwealth of Australia.,
- k).to dis-endorse candidates for election to the House of Representatives and Senate for the Commonwealth of Australia.,
- l).to nominate candidates for election to the House of Representatives and Senate for the Commonwealth of Australia,
- m).to borrow, raise or secure the payment of amounts in any way the Members of the Federal Management Committee decide,

n).to secure the amounts mentioned in paragraph (e) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Party in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the Party's property, both present and future,

o).to purchase, redeem or pay off any securities issued,

p).to borrow amounts to pay interest on the amounts borrowed,

q).to purchase property,

r).to mortgage the whole or part of the Party property, and

s).to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the Party, and to provide and pay off any securities issued,

t).to invest any funds of the Party in a way the Members of the Federal Management Committee may from time to time decide, and

u).to do such other things as are necessary to fulfill the objects of the Party.

### **Meetings of the Federal Management Committee**

52. The Federal Management Committee must meet at least four (4) times per year and at least once every three (3) calendar months.

53. A quorum for a meeting of the Federal Management Committee is five (5) Members.

54. Meetings of the Federal Management Committee may be held by contemporaneously linking together by telephone, internet link technology or other means of instantaneous communication.

55. Resolutions of the Federal Management Committee are passed by a simple majority vote, the method of voting and the issues for resolution are to be determined and ratified by the President or Chairman.

56. The Federal Management Committee may pass a resolution if a majority of the Federal Management Committee Members either sign a document containing the terms of the resolution (including signing a document in counterparts), or send an electronic message originating from their e-mail address indicating approval for a resolution, the terms of which are attached to the electronic message.

### **Federal Executive and Finance Committee / treasurer**

57. The Federal Executive and Finance Committee shall consist of the Federal President, the Federal Chairman, the Federal Secretary, and the Federal Treasurer, as



well as any Vice President nominated by the Federal Management Committee from time to time.

58. The Federal Executive and Finance Committee must meet at least once per calendar month.

59. Meetings of the Federal Executive and Finance Committee may be held by contemporaneously linking together by telephone, internet link technology or other means of instantaneous communication.

60. The Federal Executive and Finance Committee shall exercise the powers of the Federal Management Committee and manage the day to day affairs of the Party between meetings of the Federal Management Committee.

61. The Chairman of the Federal Executive and Finance Committee will be elected by the Management Committee and will hold the position for the balance of his or her term as a member of the Management Committee.

62. The Federal Executive and Finance Committee may appoint a National General Secretary. The National General Secretary will hold the office the duties of which involve responsibility for the carrying out of the administration, and for the conduct of the correspondence, of the party. The National General Secretary shall exercise the powers and act on the direction of the Federal Executive and Finance Committee and manage the day to day affairs of the Party between meetings of the Federal Executive and Finance Committee and shall be a member of all committees of the Party.

### **Divisions**

63. There may be Divisions formed on written approval of the Federal Management Committee or Executive.

64. The Divisions are to be the State and Territory arms of the Party.

65. The Divisions shall adopt Constitutions and By-Laws from time to time for the stewardship of the Division and shall adopt the objects set out herein.

### **Branches**

66. There may be branches formed on written approval of the Federal Management Committee or Executive, the composition, geographical boundaries, roles and duties of any such branches to be determined by the Federal Management Committee or Executive. And may even include online branches to uptake modern ways.

### **ANNUAL GENERAL MEETINGS OF THE PARTY**

67. The first annual general meeting must be held within 6 months after the end date of the Party's first reportable financial year.

68. The annual general meetings of the Party are to be held between July and December each calendar year.

69. The Federal Secretary must give not less than thirty-five (35) calendar days“ notice of annual general meetings.

70. The notice must include details of the positions which become vacant at the annual general meeting and invite nominations to fill those vacant positions.

71. Nominations for positions must be received by the Returning Officer or Executive, at least fourteen (14) calendar days before the meeting.

72. The business transacted at every annual general meeting must include:

a).receipt of the Presidents annual report,

b).receipt of the financial report for the Party,

c).receipt and adoption of the auditor report,

d).election of Members of the Federal Management Committee if required,

e).appointment of a Returning Officer,

f).appointment of an auditor,

g).other business in respect of which fourteen (14) days“ notice has been given.

#### SPECIAL GENERAL MEETINGS

73. The Federal Management Committee or Executive, may call a special general meeting (or one hundred (100) Members may request a special general meeting) for the purposes as determined by the Federal Management Committee or as set out in the requisition.

74. The Federal Secretary must convene a special general meeting within thirty-five (35) days of the date of the decision of the Federal Management Committee to convene a special general meeting or within thirty-five days of the date of receipt of the requisition from one-hundred (100) Members.

75. The Federal Secretary must give Members at least twenty-eight (28) days“ notice of the meeting and the notice must specify the business to be dealt with at the **meeting.**

#### QUORUM

76. The quorum for an annual general meeting or a special general meeting is 5 up to a maximum of 50 members as so decided.

77.If a minimum quorum is not present thirty minutes after the scheduled time for the commencement of a meeting, the meeting stands adjourned to a date not less than

twenty-eight (28) and not more than thirty-five (35) calendar days hence as determined by the Federal Secretary.

78. If the adjourned meeting fails to obtain a quorum, the Federal Management Committee will exercise the powers of the Annual General Meeting by:

- a). electing members to fill vacancies on the Federal Management Committee,
- b). appointing a returning officer and an auditor,
- c). adopting the auditor report, and doing such other things as an annual general meeting is required by law to do.

## **VOTING**

79. At annual general meetings and special general meetings, each question, matter or resolution must be decided by a majority of votes of the Members present and voting except where a special resolution is required by this constitution.

80. Each Member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the President has a casting vote as well as a primary vote.

81. A Member is not entitled to vote at a general meeting if the Member's annual subscription is in arrears at the date of the meeting.

82. The method of voting is to be decided by the Federal Management Committee.

83. Where a special resolution is required at least seventy-five (65) per cent of the Members must vote in favour of the resolution for that resolution to be carried.

## **SELECTION OF CANDIDATES**

84. Candidates will be selected by the Federal Management Committee or the Executive acting together..

85. The Federal Management Committee and Executive may choose to select a candidate through a pre-selection process involving the local Party membership.

86. A selection ballot conducted by the Party must accord with the following principles

- a). only Members of the Party who are electors may vote,
- b). only Members of the Party who are eligible to vote.
- c). each Member has only 1 vote,
- d). voting must be done by secret ballot,
- e). a Member must not be improperly influenced in voting,

- f).a members ballot paper must be counted if the Members intention is clear,
- g).Members votes must be accurately counted,
- h).each person who is seeking selection may be present personally, or may be represented by another person, at the ballot and for the scrutiny, and counting, of votes.

### **Electoral Committees**

- 87.An Electoral Committee, consisting of the Federal Management Committee or delegated executive arm, are to make pre-selection decisions for each electorate in which preselection of a candidate is sought.
- 88. The nominees from the electorate will be elected by the "above" in 87.
- 89. The Federal Management Committee decides the selection of each Electoral Committee.
- 90. An Electoral Committee determines which nominations for preselection are accepted based upon considerations contained within the By-Laws of the Party.

### **Returning Officer**

- 91. The Returning Officer is responsible for the conduct of nomination and preselection ballot process for the Party. The Returning Officer for the Party's preselection ballot is eligible to vote in a preselection ballot.

### **Calling for nominations**

- 92. The Federal Management Committee or Executive shall determine the electorates in which the Party is to endorse a candidate.
- 93. The Returning Officer or Executive of the Party must call for nominations of candidates in writing by publication in the Party newsletter, journal, website, electronic mail or by direct written notice to Members.
- 94. The Federal Management Committee may choose not to hold a pre-selection ballot and to select a candidate for an electorate if it believes it is in the best interests of the Party so to do.

Matters to be stated in call for nominations

- 95. A call for nominations of candidates for the Party must state the following:
  - a).any criteria regarding who may nominate as a candidate as determined by the Federal Management Committee.
  - b).when nominations open,

- c).when nominations close,
- d).the address at which any nomination must be received,
- e).that a nomination must be properly completed
- f).be in writing, and
- ii. state the nominees surname and given names as they appear on the electoral roll on which the nominee is enrolled, and
- iii. if the nominee would prefer names by which the nominee is commonly known to appear on any ballot paper instead of the nominees given names as appearing on the electoral roll—the preferred names, and
- iv .be signed by the nominee, and
- v .be received at the address for receipt of nominations by the closing time for nominations,
- g).that, if the preselection ballot is necessary:
- h).how the preselection ballot will be held, and
- ii. when the membership roll for the preselection ballot will close, and
- iii. any criteria about who is eligible to vote in the preselection ballot, and when and where the roll of eligible preselection voters for the preselection ballot will be available for inspection, and if the preselection ballot includes attendance voting, when and where a person will be able to vote, and
- iv .if the preselection ballot includes postal voting, the address at which, and the time by which, postal votes must be received, and when the preselection ballot will close,

## **Nominations**

96. The nomination of a candidate for a preselection ballot must:

- a) .be in writing, and state the nominees surname and given names as they appear on the electoral roll on which the nominee is enrolled, and if the nominee would prefer names by which the nominee is commonly known to appear on any ballot paper instead of the nominees given names as appearing on the electoral roll—the preferred names,
- b).state the candidate adherence to and commitment to support the Objects of the Party, and
- c).be signed by the nominee, and

d).be received at the address for receipt of nominations under section as stated in the call for nominations by the closing time for nominations as determined by the Returning Officer or executive.

### **Withdrawal of nomination**

97. A nominee for a preselection ballot may withdraw his or her nomination by giving written notice of the withdrawal which must be received at the address for receipt of nominations.

98. If the nomination is withdrawn the candidate nomination is taken never to have been made.

### **Acceptance of nominations**

99. As soon as possible after the closing time for nominations for a preselection ballot, the Electoral Committee must decide, in relation to each nomination, whether that nomination should be accepted.

100. The committee may only accept a nomination if the nomination complies with the nomination process set out in this Constitution.

101. If a nomination is not accepted, the nomination is taken never to have been made.

### **Closing time for Membership roll**

102. For the Party preselection ballot, the Membership roll for the section of the Party for which the preselection ballot is being held, must close at least 7 days before the closing time for nominations.

### **Preselection Ballot**

103. This division applies only if a preselection ballot is necessary because the number of nominations accepted is greater than the number of candidates required to be selected in the preselection ballot.

104. As soon as possible after the closing time for nominations, the Returning Officer must give written notice to each of the candidates for the preselection ballot whose nomination is accepted.

105. The exhaustive preferential system of voting will be used in a preselection ballot.

106. In the event of a tied result, the Returning Officer must decide by exercising a casting vote which of the tied candidates is or are the successful candidate or candidates.

### **Matters to be stated in notice to candidates**

107. The notice to candidates for the Party preselection ballot must state the following:

- a).how the preselection ballot will be held,
- b).when and where a person will be able to vote,
- c).that a candidate for the preselection ballot or a Party Member may inspect the preselection roll
  - i free of charge, and
  - ii .at the address stated, and
  - iii .at the times stated and during the period that starts the day after the closing time for nominations and ends 30 days after the closing time for the preselection ballot,
- d).that a candidate may appoint a scrutineer to act for the candidate,

108. The information in the notice, including, for example, when and where a person will be able to vote, must be consistent with the information in the call for nominations.

### **Pre-selection roll**

109. The Returning Officer or executive, or the committee for the Party preselection ballot must prepare a roll of eligible preselection candidates, for the section of the Party for which the preselection ballot is being held, before closing time for the Membership roll.

110.The name of a Party Member who is on the roll as at the closing time for selection who is ineligible to vote in the preselection ballot must be crossed off the roll of eligible preselection voters.

111. A note must be made against the name of a Party Member crossed off the roll of eligible preselection voters to indicate the reason for the Party Members ineligibility.

112. The roll of eligible pre-selections must contain, for each eligible preselection , the persons name and address as shown in the Party's records.

113. A person who is not on the Membership roll as at the closing time for the Membership roll is ineligible for pre-selection ballot. The Party's Returning

Officer or executive must certify that any eligible persons name is on the roll of eligible preselection members/persons,

- a) .were on the Membership roll as at the closing time for the Membership roll, and
- b) .are eligible to vote in the preselection ballot under the Party constitution.

## Inspection of preselection roll

114. The Returning Officer or executive must make the preselection roll available for inspection by a candidate for the preselection ballot or a Party Member,

a).free of charge, and

b).at the address stated in the call for nominations, and

c).at the times stated in the call for nominations during the period that starts the day after the closing time for nominations and ends 30 days after the closing time for the preselection ballot.

115. If a candidate for the preselection ballot or a Party Member requests a copy of the roll, or part of the roll, the Returning Officer must give the candidate or Party Member a copy of the roll, or part of the roll, free of charge.

## Preselection ballot papers

116. The Returning Officer or executive of the Party's preselection ballot must, as soon as possible after the closing time for nominations, prepare the ballot papers for the preselection ballot.

117. The ballot papers must,

a).state the nominees surname and given names as they appear on the electoral roll, and

b).describe how a voter is to mark the ballot paper so that the voters intention is clear.

118. However, if a nomination stated names that the nominee would prefer to appear on any ballot paper instead of the nominees given names as appearing on the electoral roll, the ballot papers must state the nominees surname, as it appears on the electoral roll, and the preferred names.

119. The Returning Officer or executive must decide by ballot the order of names of candidates on the ballot paper.

## Preselection Voting

120. Voting in a preselection ballot must be done by secret ballot.

121. An eligible preselection voter has only 1 vote in a preselection ballot.

122. A vote in a preselection ballot of the Party is informal only if,

a).the ballot paper is marked in a way that allows a voter to be identified, or

b).the voters intention is not clear from the ballot paper.



#### Preselection ballot box

123. The Returning Officer must,

- a).use 1 or more appropriate ballot boxes for the
- b).preselection ballot, and
- c).seal a ballot box for the preselection ballot in a way
- d).that,
  - i. allows ballot papers and any other voting material to be inserted into the ballot box until the closing time for the preselection ballot, and
  - ii. prevents ballot papers and any other voting material from being removed from the ballot box until the votes are to be counted, and
- e).keep a ballot box for the preselection ballot in a secure location.

#### Issuing ballot papers

124. For a preselection ballot, the Returning Officer or an issuing officer must initial a ballot paper before it is given to an eligible preselection voter.

125. The Returning Officer must,

- a).before giving a person a ballot paper, ensure that he or she is satisfied as to the persons identity and that the person is on the preselection roll, and
- b).mark the preselection roll beside the persons name as a record that the person has been issued with a ballot paper for an attendance vote.

126. The Returning Officer must ensure,

- a).upon completion of a ballot paper issued to a person, the person places the ballot paper into a sealed ballot box, and
- b).any ballot paper spoiled after being issued to a person for an attendance vote and for which a replacement ballot paper is issued to the person is retained in safe keeping by the Returning Officer.

#### Voting assistance

127. This section applies if an eligible preselection voter is unable to vote without the help of another person.

128. A person may assist the voter if the person does not attempt to improperly influence the voter in voting.

### Counting votes for a preselection ballot

129. Votes for a preselection ballot may not be counted until after the closing time for the preselection ballot.

130. The Returning Officer must:

- a). admit the formal votes and reject the informal votes, and
- b). count the formal votes and record the number for each candidate for the preselection ballot, and
- c). count the number of informal votes.

### Scrutineers for a preselection ballot

131. A scrutineer for a preselection ballot may be present on any of the following occasions:

- a). for an attendance ballot, when a ballot paper is given to the eligible preselection voter,
- b). for a postal vote, when the return envelope is opened and the declaration envelope is scrutinized,
- c). when a ballot box is opened,
- d). when votes are scrutinised and counted.

132. For each person officiating on an occasion mentioned in subsection (1), there may be only 1 scrutineer present for each candidate.

133. A scrutineer for a preselection ballot may be:

- a). a candidate, or
- b). a person appointed by a candidate to act as a scrutineer for the candidate.

134. A person appointed as scrutineer by a candidate must be:

- a). in writing, and
- b). signed by the candidate, and
- c). given to the Returning Officer or executive before the person acts as scrutineer.

### Certification of result and preselection ballot report

135. The Returning Officer for the Party preselection ballot must:

- a).certify the result of the preselection ballot, and
- b).prepare a report for the Party on the conduct of the preselection ballot.

136. The report on the conduct of the preselection ballot must:

- a).include a reconciliation of the ballot papers as at the closing time for the preselection ballot, and
- b).be included in the minutes of the next meeting of the Party, or the section of the Party for which the preselection ballot was held, after the Returning Officer makes the report.

137. For the purposes of the preselection process, reconciliation, of the ballot papers, means a reconciliation showing the aggregate of:

- a).the number of ballot papers issued (including duplicate ballot papers issued at the request of eligible postal voters and replacement ballot papers issued at the request of attendance voters when previously issued ballot papers are spoiled), and
- b).the number of ballot papers unused,
- c).equals the number of ballot papers printed.

Documents to be retained

138. The Returning Officer or executive of the Party's preselection ballot must retain all of the following documents:

- a).a copy of a document evidencing the appointment of the Returning Officer,
- b).a copy of the call for nominations and a record of how nominations were called for,
- c).all nominations of candidates for the preselection ballot, including nominations that were withdrawn or not accepted,
- d).any withdrawal of a nomination,
- e).a copy of the Membership roll, for the section of the Party for which the preselection ballot is being held, as at the closing time for the Membership roll, and
- f).a copy of the notice to candidates, and
- g).the preselection roll, and
- h).all ballot papers,
- i).any returned declaration envelopes received at the address for receipt of postal votes, and

- j).for each scrutineer for the preselection ballot appointed to act for a candidate, a copy of the appointment given to the Returning Officer or executive, and
- k).a document indicating the total number of formal votes and the number recorded for each candidate and the total number of informal votes, and
- l).the certification and report of the Returning Officer or executive, and
- m).a copy of the any minutes taken being relevant to the preselection process.

139. The Returning Officer or executive must retain the documents for a preselection ballot for an election, until the day the writ is issued for the next general election after that election.

### **DISPUTE RESOLUTION**

140. The Federal Management Committee or Executive shall appoint a National Disputes Panel following every fourth annual general meeting.

141. The National Disputes Panel will comprise three members of the Federal Management Committee and three members who are not members of the Federal Management Committee.

142. The National Disputes Panel hears and determines in accordance with By-Laws as promulgated in writing from time to time by the Federal Management Committee the following matters:

- a).Complaints referred to the National Disputes Panel from the Federal Management Committee;
- b).Decisions of the Federal Management Committee to refuse, suspend or terminate membership which are disputed in writing by the members or members affected by the decision within FOURTEEN (14) DAYS of being notified of the decision;
- c).any other inquiry, complaint or dispute referred from the Federal Management Committee;
- d).any appeal from a decision of the a Division Dispute Panel.

143. The National Disputes Panel shall hear and determine complaints and disputes in accordance with the principles of natural justice.

144. Any Member or Members of the Party may lodge a written complaint to the Federal Management Committee regarding any matter relevant to the affairs of the Party.

145. A complaint made against a Member or Members of the Party must be made in writing to the Federal Management Committee.

146. The Federal Management Committee may at its discretion hear and determine a complaint or refer the complaint to the National Disputes Panel.

147. The Federal Management Committee may make By-Laws setting out procedures by which Disputes Committee operates and penalties available to the National Disputes Panel.

148. Decisions of the National Disputes Panel are binding on all Members of the Party.

### **DISPOSAL OF PROPERTY**

149. The Party may be wound up by a special resolution of the Federal Management Committee.

150. The surplus funds and property of the Party, after the payment of all debts and expenses, is to be distributed as the meeting directs to an organisation or organisations having objects similar to the objects of the Party as determined by the Federal Management Committee.

### **AMENDMENT OF CONSTITUTION**

151. This Constitution may be amended by a special resolution (75% of Members) of the financial Members present at an annual general meeting or a special general meeting or by a decision of at least NINETY (90) PER CENT of the members of the Federal Management Committee provided that TWENTY-EIGHT (28) days" notice **of the intention to move the resolution has been given.**

### **BY-LAWS AND STANDING ORDERS**

152. The Federal Management Committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Party.

153. A By-Law may be set aside by a special resolution (75% of Members) of Members of the Party.