

Australian Labor Party  
(NSW Branch)

# **Rules**

# 2018

AS AMENDED BY THE 2018  
ANNUAL STATE CONFERENCE

# Contents

Basic principles of the ALP – Origins, Objectives, Principles of Action, Membership and Organisation.....4-5  
 Code of Conduct..... 6

**RULES**

**Section A**

General ..... 7  
 Life Membership..... 8  
 Joining the Party..... 8  
 Joining your Local Branch..... 10  
 Joining the Central Policy Branch.....11  
 Party Membership Forms.....12  
 Party Membership Fee .....12  
 Membership Renewal.....12  
 Central Roll .....13  
 Membership Disputes .....14  
 Credential and Ballot Protests .....15  
 Membership and Affiliation Fees.....16  
 NSW Young Labor.....16  
 Involving Union Activists.....16  
 Interpretation.....17

**Section B**

Annual Conference.....19  
 Meetings.....19  
 Powers .....19  
 Elections .....19  
 Notice ..... 20  
 Credentials (at Annual Conference).....21  
 Conference Agenda Committee .....21  
 Agenda Committee Proxy Panel.....22  
 Women’s Forum..... 22  
 Organising, Recruitment and Training Committee ..... 22  
 Finance and Compliance Committee .....23  
 Rules Committee.....23

NSW Policy Forum.....23  
 Platform Committee.....25  
 Policy Committees .....25  
 Representation (at Annual Conference) .....26

**Section C**

Rights and Responsibilities .....29

**Section D**

Administrative Committee..... 30

**Section E**

Ombudsman .....35

**Section F**

Regional Assemblies .....37

**Section G**

Electorate Councils .....38  
 State Electorate Councils.....42  
 Branch Mergers.....42  
 Federal Electorate Councils .....42  
 FEC Forum.....42

**Section H**

Local Government..... 44

**Section I**

Branches .....47  
 Setting up a new Branch.....47  
 Joining a Local Branch ..... 48  
 Local Branch membership..... 48  
 Transferring from a Branch..... 49  
 Branch Meetings ..... 49  
 Branch Annual General Meeting and Officials...51  
 Branch President .....53  
 Branch Secretary .....53  
 Branch Treasurer .....53  
 Branch Records ..... 54  
 Policy Branches ..... 54  
 Regional Policy Branches..... 54

Online Policy Branches.....55  
 Labor Action Committees .....55  
 Auslan Trial Branch .....56

**Section J**

Tribunals .....57

**Section K**

Finance, Property and Funds .....62  
 Not For Profit Clause ..... 64  
 Dissolution Clause ..... 64

**Section L**

Party Journal.....65  
 Home Page / Website .....65

**Section M**

Party Elections..... 66  
 Indigenous Representation ..... 66

**Section N**

Endorsements and Selections  
 for Public Office.....68  
 Senate .....68  
 Legislative Council .....68  
 Casual Vacancies.....68  
 Selection Procedures .....68  
 Calling of Nominations .....68  
 Candidates for Selection ..... 69  
 Selection Ballots and Candidate Forums.....71  
 Selection Voters (Eligibility to Vote in  
 Selection Ballots) .....71  
 Polling Procedures .....73  
 Appeals ..... 74  
 Suspension of Selection Ballots ..... 75  
 Selection Ballots in Fowler ..... 75  
 Community Selection Ballots..... 75  
 Public Office Selection Forums..... 76

**Section O**

Affirmative Action .....77

**Section P**

NSW Parliamentary Party ..... 80

**Section Q**

Parliamentary Levy .....81

**Section R**

Labor Advisory Council .....82

**Section S**

Joint Campaign Committee.....83

**Section T**

Country Labor ..... 84

**SCHEDULES**

Schedule A Membership Applications  
 and Renewals.....86  
 Schedule B Declaration for the payment of  
 Membership renewals/applications.....87  
 Schedule C Nomination of Candidate  
 for Public Office.....89  
 Schedule D1 Candidate’s Consent  
 and Declaration ..... 90  
 Schedule D2 Public Office  
 Candidate Pledge ..... 90  
 Schedule D3 Pledge on Campaign Funds..... 90  
 Schedule E Membership Pledge .....91  
 Schedule F Party Membership Ticket.....91  
 Schedule G Conduct of Ballots  
 at Annual Conference .....92  
 Schedule H Conduct of Ballots  
 at all other Party Units..... 96  
 Schedule I Rules of Debate ..... 99  
 Schedule J NSW Young Labor.....102  
 Schedule K Constitution of Country Labor.....110  
 Schedule L Women’s Participation..... 112  
**INDEX** ..... 114

# Basic Principles of the Australian Labor Party (NSW Branch)

## A. ORIGINS

The Australian Labor Party has its origins in:

- the aspirations of the Australian people for a decent secure, dignified and constructive way of life;
- the recognition by the trade union movement of the necessity for a political voice to take forward the struggle of the working class against the excesses, injustices and inequalities of capitalism; and
- the commitment by the Australian people to the creation of an independent, free and enlightened Australia.

## B. OBJECTIVES

The Australian Labor Party is a democratic socialist party and has the objective of the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other antisocial features in these fields. To achieve the political and social values of equality, democracy, liberty and social cooperation inherent in this objective, the Australian Labor Party stands for:

1. The use of public power at all times with integrity and honesty, and always in the best interests of the community.
2. Redistribution of political and economic power so that all members of society have the opportunity to participate in the shaping and control of the institutions and relationship which determine their lives.
3. Establishment and development of public enterprises, based upon Federal, State and other forms of social ownership, in appropriate sectors of the economy.
4. Democratic control and strategic social ownership of Australian natural resources for the benefit of all Australians.
5. Maintenance of and support for a competitive non-monopolistic private sector, including small business and farming, controlled and owned by Australians, operating within clear social guidelines and objectives.
6. The right to own private property.
7. Recognition and encouragement of the right of labour to organise for the protection and advancement of its interests.
8. The application of democracy in industry to increase the opportunities for people to work in satisfying, healthy and humane conditions, and to participate in and to increase their control over the decision-making processes affecting them.
9. The promotion of socially appropriate technology and the monitoring of its introduction to ensure that the needs and interests of labour, as well as the requirements of competitive industry and consumer demand, are taken into consideration.
10. The restoration and maintenance of full employment.
11. The abolition of poverty, and the achievement of greater equality in the distribution of income, wealth and opportunity.
12. Social justice and equality for individuals, the family and all social units, and the elimination of exploitation in the home.
13. Equal access and rights to employment, education, information, technology, housing.
14. Reform of the Australian Constitution and other political institutions to ensure that they reflect the will of the majority of Australian citizens and the existence of Australia as an independent republic.
15. Recognition and protection of fundamental political and civil rights, including freedom of expression, the press, assembly, association, conscience and religion; the right to privacy; the protection of the individual from

oppression by the State; and democratic reform of the Australian legal system.

16. The development of a democratic communications system, as an integral part of a free society, to which all citizens have opportunities for free access.
17. Elimination of discrimination and exploitation on the grounds of class, race, sex, sexuality, religion, political affiliation, national origin, citizenship, age, disability, regional location, or economic or household status.
18. Recognition of the prior ownership of Australian land by Aborigines and Islanders, recognition of their special and essential relationship with the land as the basis of their culture, and a commitment to the return of established traditional lands to the ownership of Aboriginal and Islander communities.
19. Recognition and encouragement of diversity of cultural expression and lifestyle within the Australian community.
20. The proper management of Australian resources and protection of the environment, whether created by people or nature, to safeguard the rights of present and future generations.
21. Maintenance of world peace; an independent Australian position in world affairs; the recognition of the right of all nations to self-determination and independence; regional and international agreement for arms control and disarmament; the provision of economic and social aid to developing nations; a commitment to resolve international conflicts through the United Nations; and a recognition of the inalienable right of all people to liberty, equality, democracy and social justice.
22. Commitment to and participation in the international democratic socialist movement as represented by the Socialist International.
23. Recognition of the right of citizens to work for progressive changes consistent with the broad principles of democratic socialism.

## C. PRINCIPLES OF ACTION

The Australian Labor Party believes that the task of building democratic socialism is a cooperative process which requires:

1. Party members, candidates, elected representatives and party officials to act at all times with integrity and honesty.
2. Constitutional action through the Australian and State Parliaments, municipal and other statutory authorities;
3. Union action; and
4. Ongoing action by organised community groups.

## D. MEMBERSHIP AND ORGANISATION

- Membership of the Australian Labor Party is open to all residents of Australia who are prepared to accept its objectives and who have associations with no other political party.
- Australian Labor Party policy is made by National Conferences comprising the National and State parliamentary leadership of the Party, together with elected delegates from all States, the Australian Capital Territory, the Northern Territory and Australian Young Labor.
- Party policy within the States and Territories is framed by conferences of delegates elected by constituent branches and affiliated unions.
- Policy within the Australian Labor Party is not made by directives from the leadership, but by resolutions, originating from branches, affiliated unions and individual Party members.

# Code of Conduct

## 1. INTRODUCTION

The Australian Labor Party (NSW Branch), (the Party) endeavours to achieve the political and social values of equality, democracy, liberty and social cooperation.

This Code of Conduct (the Code) has been prepared to provide guidance for the exercise of the rights, privileges and obligations of each of the members, officials and staff of the Party that are consistent with these political and social values.

The objective of the Code is to complement the Rules, Party policies and relevant legislation.

## 2. PARTY UNIT OFFICIALS

Party Unit Officials are placed in a position of trust by the Party and its membership. Party Unit Officials are to act in a manner so as to advance the interests of the Party and its membership. In particular:

- It is the responsibility of all Party Unit Officials to uphold the Rules of the Party;
- It is the responsibility of all Party Unit Officials to assist Party members in relation to Party matters; and
- Party Unit Officials are expected, while acting lawfully at all times, to act in the best interests of the Party ahead of any other interest.

## 3. USE OF RIGHTS AND PRIVILEGES, AND FULFILLING OBLIGATIONS

All members, officials and staff of the Party are to exercise their rights and privileges at all times with integrity and honesty, and always so as to seek to advance the interests of the Party.

All members, officials and staff of the Party are to fulfil each of their obligations under the Rules, policies and legislation at all times with integrity and honesty, and always so as to seek to advance the interests of the Party.

## 4. COMPLIANCE WITH POLICIES

All members, officials and staff of the Party are to strive to fulfil the requirements of the policies of the Party as adopted by the Party, the Annual Conference, the Administrative Committee and the Branch Executive (the Party Officers) from time to time.

## 5. CONFIDENTIALITY AND PRIVACY

The Party is committed to maintaining integrity in all dealings with and between members, officials and staff of the Party, and the community, both in terms of normal confidentiality, and the protection of personal information received in the course of those dealings.

## 6. DUTY OF CARE

All members, officials and staff of the Party are to ensure that all actions and dealings conform to relevant law, and seek to avoid causing any adverse effect on the human rights of others, the environment, and the reputation of the Party.

## 7. BULLYING AND HARASSMENT

Sexual harassment and bullying are against the law. Members, officials and staff of the Party must not engage in sexual harassment or bullying of each other.

## SECTION A

### General

- A.1 The Australian Labor Party (NSW Branch), hereinafter termed “The Party” is a voluntary not-for-profit unincorporated association.
- A.2 The Party has the objective of:
- (i) the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other anti-social features in these fields; and
  - (ii) the pursuit of social justice and equality in all areas of human endeavour.
- The Party seeks to achieve this objective through constitutional action through the Australian and State Parliaments, Local Government and other statutory authorities.
- A.3 The Party is made up of:
- affiliated trade unions; and
  - individual members. The Party is an unincorporated entity.
- A.4
- (a) Any trade union wanting to join the Party should apply in writing to the Administrative Committee of the NSW Branch. The union should include a copy of its constitution, Rules and a statement of its financially paid-up membership.
  - (b) The Administrative Committee will consider the application and may decide to make a report to the Party’s Annual Conference.
  - (c) With the authority of the Annual Conference, the Administrative Committee may accept or reject the application. Once a union has been accepted it can send delegates to the Annual Conference. The number of delegates is given in Rule B.22.
- A.5 Any person 15 years and over can join the Party.
- A.6
- (a) A person who is a member of another political party or one of its affiliated organisations cannot join the Party. Country Labor is not included for the purposes of this Rule.
  - (b) A person who was a member or an active supporter of another political party or one of its affiliated organisations must provide details

when they apply for Party membership.

A person who has at any time opposed an officially selected Party candidate during an election must declare this fact.

False statements, or leaving out information on the application form, is grounds for the Administrative Committee to refuse, or withdraw, Party membership.

- (c) A person applying for membership who has been a member or an active supporter of another political Party or one of its affiliated organisations, or who has opposed an officially selected Party candidate during an election, will be asked for further information to have his/her application considered by the Administrative Committee before a decision will be made as to whether he/she can join the Party. If a response is not received within twelve months of the application, the application will lapse.

### A.7

- (a) It is a condition of Party membership that a member must not:
  - (i) Stand for public office, or nominate another person for public office, against an officially selected Party candidate.
  - (ii) Stand for public office, or nominate another person for public office, when the Administrative Committee has decided that Party members should not nominate.
  - (iii) Actively oppose the Party or the Party’s official candidate during an election.
  - (iv) Join, or apply to join, another political party or one of its affiliated organisations.
  - (v) Fail to nominate after being selected as the Party’s official candidate in an election.
  - (vi) Resign from public office without obtaining the permission of the Administrative Committee.
  - (vii) Engage in or have ever engaged in corrupt conduct.

Note: ‘Public Office’ means any Public Office for which a member may be officially selected or appointed to represent the Party, including Local Government.

- (b) Any member who fails to comply with the membership conditions set out in this Rule cannot remain in the Party. He/she will be regarded as having been expelled from the

Party.

The expulsion from membership under this Rule shall take effect at the time and date of any breach of this Rule is subject first to notification to the Administrative Committee members by the General Secretary.

- (c) Any member who has been charged with: bringing the Party into disrepute, disruptive tactics, disloyal or unworthy conduct, action or conduct contrary to the principles and solidarity of the Party; which causes immediate electoral damage to the Party may be suspended by the Party Officers pending charges being referred to the Administrative Committee (Refer Rule A.33).

A.8

- (a) A member's resignation will not be accepted if the Administrative Committee believes that it has been put forward to avoid the consequences of the membership conditions being broken as stated in Rule A.7. Such a person will be regarded as a Party member until the time and date when the membership conditions were broken and the General Secretary notified the members of the Administrative Committee.
- (b) A member expelled for breaking the membership Rules cannot be readmitted to the Party unless allowed to do so by the Review Tribunal. For more information on the Review Tribunal see Section J.

### Life Membership

- A.9 The Annual Conference can give Life Membership of the Australian Labor Party (NSW Branch).
  - (a) Someone can be nominated (put forward) for Life Membership if they have been an active member of the Party for 40 years or longer and have retired from public office.
  - (b) Only the Administrative Committee, Electorate Councils, Labor Action Committees, branches and affiliated unions can nominate a person for Life Membership.
  - (c) Nominations for Life Membership must be sent to the General Secretary 6 weeks before the first day of the Annual Conference. Nominations should describe the background and history of service of the person who has been nominated.
  - (d) Party Officers will prepare a report for the Administrative Committee. This report will

recommend which people are considered suitable for Life Membership.

- (e) The Administrative Committee can recommend to the Annual Conference those people it considers suitable for Life Membership, but three-quarters of the members of the Administrative Committee must agree on each recommendation.
- (f) The Annual Conference can only make people Life Members if they have been recommended by the Administrative Committee.
- (g) A Life Member will be presented with an official badge and certificate.
- (h) Life Members may renew their Party membership free of charge. Their membership tickets will be endorsed "Life Member".

### Joining the Party

#### APPLYING TO JOIN THE PARTY

A.10

- (a) Except as provided in Rule A.23(a), an application to join the Party is only valid if it is made in accordance with this Rule.
- (b) A person must personally apply to join the Party by:
  - (i) Completing a Membership Application Form;
  - (ii) Submitting the Membership Application Form to the Party Office; and
  - (iii) Paying the correct Membership Fee.
- (c) Unless they are applying to join the Party online, a person must sign their own Membership Application Form.
- (d) A person must submit their Membership Application Form to the Party Office and pay the correct Membership Fee by:
  - (i) Mailing the signed Membership Application Form to the Party Office with the correct Membership Fee; or
  - (ii) Personally handing in the signed Membership Application Form at the Party Office with the correct Membership Fee; or
  - (iii) Arranging for a person to hand in the signed Membership Application Form at the Party Office with the correct Membership Fee; or
  - (iv) Submitting the Membership Application

Form online and paying the correct Membership Fee by electronic funds transfer from their personal account, or with their personal credit card; or

- (v) Personally attending a branch meeting, paying the correct Membership Fee to the Branch Secretary during the meeting, having the Membership Fee receipted, signing the branch attendance book, and arranging for the Branch Secretary to hand in the signed Membership Application Form at the Party Office with the correct Membership Fee.
- (e) A person who hands in a signed Membership Application Form at the Party Office with the correct Membership Fee on behalf of another person under subsection (d)(iii) must provide identification.
- (f) The Party Office must keep a record of the identity of a person who hands in a signed Membership Application Form at the Party Office with the correct Membership Fee on behalf of another person under subsection (d) (iii).
- (g) A person who hands in signed Membership Application Forms on behalf of another person must fill in the declaration form in Schedule B. The Party Office must keep a record of these forms.
- (h) The Administrative Committee may establish procedures to ensure that applicants are personally applying for their own membership and paying with their own funds.
- (i) Each new member of the Party shall be provided with a copy of the current Rules. A member shall be provided a copy of the current Rules on request.

INSPECTION

A.11

- (a) All Membership Application Forms must be available for inspection by a member of the Administrative Committee or the Internal Appeals Tribunal on request.
- (b) All records associated with the payment of Membership Fees must be available for inspection by any full-time Party Officer on request.

JOIN DATE

A.12

- (a) A Pending Member is a person:
  - (i) Who applies to join the Party in accordance with Rule A.10; and
  - (ii) To whom Rule A.6(c) applies.

- (b) A New Member is a person who:
  - (i) Applies to join the Party in accordance with Rule A.10; and;
  - (ii) Is not a Pending Member.
- (c) A New Member's Party membership commences on the day on which the Party Office receives their Membership Application Form and the correct Membership Fee.
- (d) A Pending Member's Party membership commences on the day on which their application is approved by the Administrative Committee.
- (e) Within thirty days of a person's Party membership commencing, the Party Office must:
  - (i) Issue them a Party Membership Card;
  - (ii) Inform them of their relevant branch and other branches in the state electorate; and;
  - (iii) Notify the relevant Branch Secretary that the member has joined.

ADMINISTRATIVE COMMITTEE  
TO BE PROVIDED INFORMATION

A.13

- (a) At each Administrative Committee meeting, the Administrative Committee must be provided with:
  - (i) A list of all New Members who have joined the Party since the last Administrative Committee meeting; and
  - (ii) A list of all Pending Members who have applied to join the Party since the last Administrative Committee meeting.
- (b) These lists must contain the following information:
  - (i) Name;
  - (ii) Address;
  - (iii) Category of membership;
  - (iv) Branch;
  - (v) State/Federal Electorates;
  - (vi) Occupation;
  - (vii) Union membership; and
  - (viii) Details of any membership of another political party.
- (c) Every third month, the Administrative Committee must be provided with:
  - (i) Number of renewals
  - (ii) Number of resignations

- (iii) Number of deceased members
- (iv) Number of changes to residential addresses
- (v) Number of changes to postal addresses

The information shall be reported on the basis of State electorate.

- (d) Every third month, a list of residential or postal addresses that have more than 4 people using that address must be provided to the Administrative Committee.
- (e) These lists must be available for collection by any Administrative Committee Member at least one hour prior to the commencement of an Administrative Committee meeting.

#### REFERRAL BY THE ADMINISTRATIVE COMMITTEE

##### A.14

- (a) An Administrative Committee member may request that a New Member's application to join the Party be referred to the Membership Sub-Committee.
- (b) An Administrative Committee member may request that a Pending Member's application to join the Party be referred to the Membership Sub-Committee.

#### MEMBERSHIP SUB-COMMITTEE

##### A.15

- (a) The Membership Sub-Committee consists of three Administrative Committee members selected by the Administrative Committee from time to time according to the principles of proportional representation.
- (b) The Membership Sub-Committee considers applications to join the Party referred to it by the Administrative Committee.
- (c) The Membership Sub-Committee must be provided with:
  - (i) A copy of each Membership Application Form;
  - (ii) A breakdown of applicants by state and federal electorate; and
  - (iii) If requested by the Sub-Committee, the payment and receipt details for individual New Members, individual Pending Members, groups of New Members or groups of Pending Members.
- (d) The Membership Sub-Committee may decide that a New Member's application to join the Party be:
  - (i) Accepted effective from the day on

which the Party Office received their Membership Application Form and the correct Membership Fee; or

- (ii) Deferred for further information; or
- (iii) Rescinded.
- (e) The Membership Sub-Committee may decide that a Pending Member's application to join the Party be:
  - (i) Accepted effective from the day on which the Administrative Committee referred the application to the Membership Sub-Committee; or
  - (ii) Deferred for further information; or
  - (iii) Deferred; or
  - (iv) Rejected.
- (f) If a New Member's application to join the Party is referred to the Membership Sub-Committee, their Party membership remains valid and effective unless and until their application to join the Party is rescinded by the Membership Sub-Committee.

#### COUNTRY LABOR MEMBERSHIP

##### A.16

A person who is a Party member and lives in the Designated Country Area is also a member of Country Labor.

#### Joining your local branch

#### APPLYING TO JOIN A BRANCH

##### A.17

- (a) A Person applies to join a branch by:
  - (i) Attending an ordinary branch meeting;
  - (ii) Signing the attendance book; and
  - (iii) If their Party Membership Card has been issued, showing it to the Branch Secretary
- (b) A person's branch membership starts from the branch at which they:
  - (i) Apply to join the branch in accordance with subsection (a); and
  - (ii) Are a Party member when they attend the meeting or become a Party member within 30 days of the meeting.
- (c) All applications to join a branch must be noted in the branch minutes.

Note: Rule I.7 requires people applying to join a branch to live within the state electorate and be correctly enrolled if they are a citizen of

voting age.

Note: Rule 1.9 provides that a different process applies for an existing branch member who transfers into a new branch.

**SPECIAL RULE FOR MPS**

**A.18**

- (a) If a Member of Parliament lives outside the electorate they represent, they may join a branch in the electorate they represent in addition to a branch in the electorate in which they live.
- (b) A Member of Parliament who joins a branch under this Rule does not have voting rights in that branch.

**TRIPWIRE**

**A. 19**

- (a) This Rule applies if:
  - (i) Five or more members apply to join a branch at one ordinary meeting; or
  - (ii) More than fifty members apply to join a branch at one formation meeting; or
  - (iii) Five or more members from one SEC apply to join the Central Policy Branch at one ordinary meeting.
- (b) A member applying to transfer from one branch to another is a member applying to join a branch for the purposes of subsection (a).
- (c) A Branch Secretary must send the General Secretary the following information about each of the applicants within seven days of a branch meeting:
  - (i) Name;
  - (ii) Address;
  - (iii) Membership number;
  - (iv) Category of membership; and
  - (v) If the applicant is transferring from one branch to another, their former branch.
- (d) If a member believes that the recruitment of the applicants was not bona fide, they may object to the Administrative Committee:
  - (i) Within thirty days of the branch meeting; or
  - (ii) If the Branch Secretary fails to comply with subsection (c), within seven days of the information becoming available.
- (e) If a member objects within the time permitted under subsection (d), the Administrative

Committee must determine whether the recruitment of the applicants was bona fide.

- (f) The member objecting must provide evidence that the recruitment of the applicants was not bona fide.
- (g) If the Administrative Committee finds that the recruitment of the applicants was not bona fide, then:
  - (i) If there were less than twenty applicants, their applications for Branch membership will be deferred for six months from the date of the branch meeting; or
  - (ii) If there were twenty or more applicants, their applications for Branch membership will be deferred for twelve months from the date of the branch meeting.
- (h) An applicant is a member of a branch unless and until it is found that their recruitment was not bona fide.
- (i) The Administrative Committee may refer a matter under this Rule to the Internal Appeals Tribunal.
- (j) If the Administrative Committee refers a matter under this Rule to the Internal Appeals Tribunal, the Internal Appeals Tribunal must consider the matter and make a recommendation to the Administrative Committee within two months of the matter being referred.

**Joining the Central Policy Branch**

**A.20**

- (a) A Party member joins the Central Policy Branch by attending a meeting and applying for membership of the Branch. The applicant must sign the attendance book and complete an application to join the Branch. (See Rule 1.28(d))
- (b) The application will be passed to the Membership Sub-Committee of the Administrative Committee for consideration and report to the next meeting of the Administrative Committee for approval.
- (c) The member will be admitted to the Central Policy Branch after being approved by the Administrative Committee.
- (d) An applicant must attend a meeting within four calendar months of applying for membership of the Branch. If the applicant does not attend a meeting within this time, his/her application will be regarded as having lapsed. They then must make a fresh

application to join the Branch.

### Party Membership Forms

#### A.21

- (a) Subject to these Rules and Annual Conference, the Administrative Committee may decide on the form of the following documents:
  - (i) Membership Application Form;
  - (ii) Membership Renewal Form;
  - (iii) Party Membership Card;
  - (iv) Transfer Clearance;
  - (v) Branch Charter Application; and
  - (vi) LAC Application.
- (b) The Membership Application Form and Membership Renewal Form must:
  - (i) Require the applicant or renewing member to sign the form; and
  - (ii) Contain a declaration by any applicant or renewing member paying a concessional Membership Fee that they are entitled to that reduced rate, and indicating the basis on which the entitlement is claimed.
- (c) The Administrative Committee may:
  - (i) Establish levels of documentation required to support a claim of entitlement to a concessional Membership Fee; and
  - (ii) Implement procedures to ensure compliance with subsection (b)(ii).
- (d) The Party Membership Card must show:
  - (i) Member name;
  - (ii) Member address;
  - (iii) Member signature;
  - (iv) Membership number;
  - (v) Renewal date; and
  - (vi) Expiry date.
- (e) The Party Membership Card must contain a declaration that the Party member supports the Party's Rules and Platform.

### Party Membership Fee

#### ADMINISTRATIVE COMMITTEE SETS MEMBERSHIP FEES

#### A.22

- (a) Subject to these Rules and Annual Conference, the Administrative Committee

sets the Membership Fee.

- (b) A Concessional Member is a person who is:
  - (i) Under 18 years of age; or
  - (ii) Unemployed; or
  - (iii) Retired; or
  - (iv) A pensioner.
- (c) Concessional Members pay a reduced Membership Fee.
- (d) Life Members need not pay a Membership Fee.
- (e) A person who submits a Membership Application Form on or after 1 July need only pay half of the relevant Membership Fee.
- (f) Membership Fees are not refundable.

#### REQUIREMENTS IN RELATION TO MEMBERSHIP FEES

#### A.23

- (a) A person must pay their own Membership Fee.
- (b) The Administrative Committee may establish procedures to ensure that applicants are paying their own Membership Fee.
- (c) A person must pay the Membership Fee that applies to them as determined by the Administrative Committee.
- (d) If it is found after an applicant's Party membership has commenced that they paid an incorrect Membership Fee, they may remedy the defect by paying the outstanding amount within thirty days.
- (e) If it is found after a Party member's renewal date that they paid an incorrect Membership Fee, they may remedy the defect by paying the outstanding amount within thirty days.
- (f) Except as provided in Rule N.21, paying an incorrect Membership Fee is not grounds for a credentialling challenge.
- (g) Paying an incorrect Membership Fee is not grounds for a membership disputes charge.

### Membership Renewal

#### MEMBERSHIP YEAR

#### A.24

- (a) The Membership Year runs from 1 December each year to the following 30 November.
- (b) An annual membership expires on 30 November each year.

- (c) A three year membership expires on the third 30 November occurring after the Party Membership Card was issued, unless the Party Membership Card was issued in November, where the membership expires on the fourth 30 November occurring on or after the Party Membership Card was issued.
- (d) A Party Membership Card may be issued between 1 November of one year and 30 November of the following year.

#### MEMBERSHIP RENEWAL FORM

##### A.25

- (a) The General Secretary is responsible for sending a Membership Renewal Form to all Party members who are required to renew in a given Membership Year.
- (b) A Membership Renewal Form must be sent to all Party members who are required to renew in a given Membership Year but have not yet renewed:
  - (i) In October, prior to the commencement of the new Membership Year; and
  - (ii) In January, after the commencement of the new Membership Year.

#### HOW TO RENEW

##### A.26

- (a) A person must personally renew their Party membership by:
  - (i) Completing a Membership Renewal Form;
  - (ii) Submitting the Membership Renewal Form to the Party Office; and
  - (iii) Paying the correct Membership Fee.
- (b) Unless they are renewing their Party membership online or over the phone, a person must sign their own membership renewal form.
- (c) A person must submit their Membership Renewal Form to the Party Office and pay the correct Membership Fee by:
  - (i) Any of the means in Rule A.10(d); or
  - (ii) Phone, using their personal credit card; or
  - (iii) Signing a standing authority for the renewal of their Party membership and payment of their Membership Fee by electronic funds transfer from their personal account, or with their personal credit card.
- (d) Despite subsection (c), a Party member may renew the Party membership of a dependent

family member resident in the same household.

- (e) A Life Member need not complete a Membership Renewal Form.

#### RENEWAL DATE

##### A.27

- (a) A Party member is taken to have renewed their membership on the day on which the Party Office receives their Membership Renewal Form.
- (b) In the case of a Life Member or a Party member renewing under Rule A.26(c)(iii), the member is taken to have renewed their membership on 1 November.
- (c) Within thirty days of receiving a person's Membership Renewal Form, the Party Office must issue the member a Party Membership Card for the new Membership Year.
- (d) If a person is a Life Member or a Party member renewing under Rule A.26(c)(iii), they must be automatically sent their new Party Membership Card by 1 November each year for the following Membership Year.

#### CONTINUITY

##### A.28

- (a) A Party member only retains continuity of membership if they renew their Party membership on or before 31 March in the Membership Year for which new Party Membership Cards are being issued.
- (b) If a Party member fails to renew their Party membership in accordance with subsection (a), they may renew their Party membership without having to reapply to join the Party if they pay two years' worth of the correct Membership Fee on or before 31 March of the following year.
- (c) If a Party member fails to renew their membership in accordance with subsection (a) or (b), they must reapply to join the Party.

#### Central Roll

- A.29 The General Secretary is responsible for compiling and keeping a Central Roll of the Party membership. The Central Roll contains the details supplied by members in their membership applications or renewals. The Central Roll can be examined by any member of the Administrative Committee. The Central Roll must be available as either a visual display or a printout.

**Membership Disputes**

A.30 Any member whose name does not appear on the Central Roll can appeal to the Administrative Committee. The Administrative Committee, by unanimous decision, can put the member’s name back on the Central Roll without further enquiry if it is satisfied that the name was left out by mistake or it can refer such appeals to the NSW Internal Appeals Tribunal. The NSW Internal Appeals Tribunal will report back to the Administrative Committee within two months with a decision.

A.31 Any member whose local branch membership is refused, and any member who considers that an application for local branch membership should have been refused, can appeal to the Administrative Committee. When the Administrative Committee has considered the appeal it can direct the branch to allow the member to join, or rescind the acceptance of the application.

A.32

(a) Any member of the Party can appeal to the Administrative Committee against the admission of a new member. The appeal must state the reasons why the individual is not eligible to join the Party.

(b) The Administrative Committee will refer any appeals against an individual membership application to the NSW Internal Appeals Tribunal for consideration and determination.

A.33

- (a) Any member can charge another member with:
- bringing the Party into disrepute;
  - action or conduct contrary to the principles and solidarity of the Party;
  - disloyal or unworthy conduct;
  - disruptive-tactics;
  - making public statements about internal Party matters which may harm the best interests of the Party;
  - not supporting the Platform (policies) and Rules of the Party to the best of the member’s ability; or
  - failing to vote and work for officially selected Party candidates.

(b) The charge when lodged must be accompanied by a deposit of \$50 plus \$5 per member charged as a guarantee of good faith - the deposit will be returned if there

are reasonable grounds for the charge being made.

- (c) The Administrative Committee will refer any charge against an individual member to the NSW Internal Appeals Tribunal for consideration and determination.
  - (i) The Administrative Committee may, prior to referring a charge to the Internal Appeals Tribunal, decide that the member who is the subject of the charge be suspended.
  - (ii) A member affected by this type of decision can appeal the decision to the Internal Appeals Tribunal.
- (d) The member who has been charged will be given fourteen days notice of the specific charge before the matter is heard by the NSW Internal Appeals Tribunal for consideration and determination.
- (e) The Internal Appeals Tribunal can decide that the member charged be reprimanded, or suspended, or suspended with loss of continuity of membership, or expelled, or another appropriate decision, or the charge may be dismissed.
- (f) In accordance with Rule A.7(b) the Administrative Committee may suspend or expel a Party member.
- (g) Where a charge has been upheld against a member, that member can appeal to the Review Tribunal upon payment of the fee prescribed in Rule J.1(c) within fourteen days of the decision of the Internal Appeals Tribunal.
- (h) Without limiting the generality of (a) above “unworthy conduct” includes the following conduct:
  - (i) funding Party memberships for other individuals or groups of individuals who would otherwise be unwilling to pay their own subscriptions;
  - (ii) encouraging person(s) to take out reduced- rate Party membership knowing that those person(s) may not be eligible for that category of membership;
  - (iii) knowingly recruiting member(s) who do not live at their claimed addresses in an attempt to gain advantage at local Party meetings or the outcome of Party ballots;
  - (iv) falsifying attendance or minute books.
- (i) Without limiting the generality of subsection (a), ‘bringing the party into disrepute’ may

include members being investigated by a public authority for improper conduct, where that investigation is bringing the Party into disrepute.

#### A.34

- (a) Any person expelled under Rule A.33 (above) cannot be admitted to the Party again without the authority of the Review Tribunal.
- (b) Unless it is decided otherwise, members who are suspended will not lose continuity of membership. However, members who are suspended between 1 January and 31 March must, to keep their continuity of membership, apply to the Administrative Committee for a membership ticket. If the Administrative Committee agrees to issue a membership ticket under this Rule this will not reduce or end the period of suspension.
- (c) Suspended members continue to be subject to the Rules and Principles of the Party. Suspended members can be charged for an alleged offence during their suspension and are liable for additional disciplinary action under these Rules.

### Credential and Ballot Protests

#### A.35

- (a) A protest can be made to a list of voters, the validity of notice or the validity of nominations for a branch or Electorate Council ballot. A branch member can only protest about the list of voters, validity of notice or validity of nominations for his/her branch. An Electorate Council delegate can only protest about the list of voters, validity of notice or validity of nominations for his/her Electorate Council.

All protests are made to the NSW Internal Appeals Tribunal but must:

- (i) Be received in writing at the Party Office by the General Secretary by 5 pm two working days before the Ballot.  
Note: Credentialling is the process where by a list of members is determined who can vote in Party ballots.
- (ii) Detail the basis for the protest and include a deposit of \$50 plus \$5 for each member charged. The deposit will be returned if there is good reason for the protest.
- (b) The Internal Appeals Tribunal only deals with specific matters in the protest. It is the final decision-maker, other than the right of appeal under Rule J.2(c)(i).

- (c) There cannot be a protest or appeal by any member over a list of eligible branch or Electorate Council voters after voting has closed.
- (d) Without limiting the generality of the term it is unworthy conduct for a member to seek to improperly influence the decision making of a member of the Independent Appeals Tribunal or the Review Tribunal in any matter that is before the tribunal or is likely to come before the tribunal.

#### A.36

- (a) A candidate in a branch or Electorate Council ballot can protest to the Internal Appeals Tribunal over the conduct of the ballot. All protests must:
  - (i) Be received in writing by the General Secretary, within seven days of the result being announced.
  - (ii) Detail the basis for the protest and include a deposit of \$50 plus \$5 for each member charged. The deposit will be returned if there is good reason for the protest.
- (b) The Internal Appeals Tribunal only deals with specific matters in the protest. It is the final decision-maker, other than the right of appeal under Rule J.2(c)(i).

#### A.37

- (a) A protest can be made after a list of voters has been prepared for preselection for public office. A member can only protest about the list of voters in their electorate. All protests are made to the Internal Appeals Tribunal but must:
  - (i) Be received in writing by the General Secretary, within seven days (or such other period as the Administrative Committee may determine) of the credentialling.
  - (ii) Detail the basis for the protest and include a deposit of \$50 plus \$5 for each voter challenged. The deposit will be returned if there is good reason for the protest.
- (b) The Internal Appeals Tribunal only deals with specific matters in the protest. It is the final decision-maker, other than the right of appeal under Rule J.2(c)(i).
- (c) There cannot be a protest or appeal over a list of eligible voters after the date for credentialling challenges set by the Administrative Committee has passed.

#### A.38

- (a) A candidate in a pre-selection ballot for public office can protest to the Internal Appeals Tribunal over the conduct of the ballot. All protests must:
  - (i) Be received in writing by the General Secretary, within seven days of the result being announced.
  - (ii) Detail the basis for the protest and include a deposit of \$50 plus \$5 for each member charged. The deposit will be returned if there is good reason for the protest.
- (b) The Internal Appeals Tribunal only deals with specific matters in the protest. It is the final decision-maker, other than the right of appeal under Rule J.2(c)(i).
- (c) There cannot be a protest or appeal over a list of eligible pre-selection voters after voting has closed.

A.39

All decisions of the Internal Appeals Tribunal are to be reported to the next subsequent Administrative Committee.

**Membership and Affiliation Fees**

A.40

- (a) Unions pay affiliation fees each year in advance on their membership in the State as it is defined in the Rules and as decided from time to time by the Administrative Committee, subject to the authority of Annual Conference.

From 1 July 2010 the union affiliation fee shall be indexed annually by increases in the annual March quarter Sydney Consumer Price Index.

Unions shall be notified by 1 May in each year of the proposed change in the affiliation fee.

A form on which to make this return is available from the NSW Party Office.

- (b) For the purposes of calculating union delegation sizes and affiliation fees, the number of members of each affiliated union must be determined each year by an independent audit by a registered auditor of:
  - (i) The number of members eligible to vote in a ballot for an office in that union at 31 December as conducted by the Australian Electoral Commission or NSW Electoral Commission; and
  - (ii) The number of members identified in subsection (i) for whom the union received an amount of dues in relation to the period between 1 October and 31

December inclusive for that year.

- (c) Each affiliated union must by 4pm on the last Friday in February each year provide to the General Secretary in a sealed envelope:
  - (i) the independent audit report for the previous year; and
  - (ii) advice on the number of members that union will affiliate on for the current year (which must be equal to or less than the number of members determined by the independent audit for the previous year);
  - (iii) and all such sealed envelopes must be opened at the same time in the presence of scrutineers appointed by affiliated unions.
- (d) Union delegation sizes must be based on the three year rolling average of that union's affiliation for the current and two preceding years.
- (e) Affiliation fees will be payable on a financial year basis.
- (f) In the event of an affiliated union being six months in arrears in its affiliation fees to the Party, the Administrative Committee may decide that such affiliated union shall not be entitled to be represented at any Annual Conference or Special Meeting of Annual Conference, until such arrears are paid.

**NSW Young Labor**

- A.41 NSW Young Labor will operate in accordance with Schedule J.

**Involving Union Activists**

A.42

- (a) A member of the Party who is currently working for remuneration (including casual workers) and who is eligible for membership of a registered trade union is encouraged to be a financial member of the relevant union which covers the major and substantial part of any work performed.
- (b) An employer who joins the Party must encourage his or her employees to become and remain members of the relevant trade union covering their work and observe the applicable industrial laws, awards and agreements.
- (c) All Labor lower house MPs should establish dialogue with local activists from affiliated unions in their electorates, including frequent meetings with those union activists who work

in their area.

All Labor Senators and MLCs should meet with local activists from affiliated unions in their duty electorates and may also be invited to meetings in the electorate in which they are resident.

All Local Government Labor Councillors should meet with local activists from affiliated unions in their Local Government Areas (LGA).

## Interpretation

A.43

- (a)
- (i) In these Rules, the word “may”, if used to confer a power, indicates that the power may be exercised or not, at discretion.
  - (ii) In these Rules, the word “shall”, if used to impose a duty, indicates that the duty must be performed.
  - (iii) In these Rules “local selection ballot” means a selection ballot, but does not include any selection ballot that is called as a joint selection ballot.
  - (iv) In these Rules “joint selection ballot” means a selection ballot conducted pursuant to Rule N.41.
  - (v) In these Rules, ‘country area’ and ‘Designated Country Area’ mean the geographic area that the Administrative Committee has defined as country for the purposes of these Rules.
  - (vi) In these Rules “Party Unit” includes Country Labor, Young Labor Associations and all branches, committees and councils of the Party referred to in these Rules.
- (b)
- (i) In these Rules a reference to “function” includes a reference to a power, duty and/or authority.
  - (ii) Any functions delegated in accordance with these Rules may still be exercised by the delegator whilst that delegation is in force.
- (c) If an amendment is made to these Rules relating to the conduct of elections at the Annual Conference that amendment – to the extent it is practicable for it do so – takes effect immediately and applies to the elections conducted at the same Annual Conference. For the purposes of this clause if the Rule changes confer a power that must or may be exercised by the making of an instrument necessary for the conduct of the elections at Annual Conference then:
- (i) an instrument that was made prior to the adoption of the Rules changes by Annual Conference, and
  - (ii) any thing may be done for the purpose of enabling such an instrument to be made or of bringing such an instrument into effect, is valid as if the Rule changes concerned had commenced and been in force at that time.
- (d) If an amendment is made to these Rules relating to the composition of Annual Conference that amendment takes effect upon the conclusion of the Annual Conference which adopts the Rule change.
- (e) Except in so far as the context or subject-matter otherwise indicates or requires, reference in these Rules to a Returning Officer, in relation to:
- (i) an election for an office holder of the Party Unit or a Delegate representing the Party Unit - means the Returning Officer of the Party Unit;
  - (ii) a selection for public office, an election at the Annual Conference, a ballot by a NSW Young Labor Conference and a ballot called by the Administrative Committee - means the General Returning Officer.
- (f) Schedule I applies to meetings of Party Units constituted by these Rules, but it does not apply to any meeting or committee of either the State or Federal Parliamentary Labor Party.
- (g) The schedules referred to in these Rules form a part of these Rules. However, Schedule A (Application for Membership Form) and Schedule C (form for Nomination of a Candidate for Public Office) and Schedule F (Membership Ticket) may be amended by resolution of the Administrative Committee.
- (h) In these Rules, ‘corrupt conduct’ has the meaning given by the Independent Commission Against Corruption Act 1988 (NSW).
- (i) In these rules unless specifically dealt with “Notice” shall mean seven ‘clear days’ notice in writing.
  - (j) In these Rules, ‘property developer’ and ‘close associate of a property developer’ has the meaning given by the Election Funding, Expenditure and Disclosures Act 1981.

- (k) In these Rules, “Real estate agent” has the meaning given by the Property, Stock and Business Agents Act 2002.
- (l) In these Rules, ‘Board of Directors’ includes, but is not limited to, a body that oversees the activities of a company or organisation, regardless of the name that is given to that body.

## SECTION B

### ANNUAL CONFERENCE

#### Meetings

- B.1 The Party will hold its Conference annually and the date will be decided by the Administrative Committee.

#### Powers

- B.2 The Annual Conference is the supreme policy making and governing body of the Party in New South Wales. The Annual Conference has the power:

- (i) To alter or change the Rules and Platform (policies) of the Party;
- (ii) To elect the Party Officers, Organisers, Trustees, National Conference Delegates, Conference Agenda Committee, Administrative Committee, Women's Forum, General Returning Officer and sixteen Assistant General Returning Officers and to choose the various Officials and Committees needed to conduct Annual Conference and to receive and consider reports from those Committees.

By way of transitional arrangement, *the Administrative Committee may appoint however many additional Assistant Returning Officers are necessary to reach a maximum of sixteen Assistant Returning Officers as provided in this rule, following the 2017 Annual Conference, whose terms are to conclude at the following Annual Conference*

- (iii) To pre-select candidates for the NSW Legislative Council and Australian Senate.
- (iv) Annual Conference appoints an Auditor each year who must be a qualified practising accountant. Each year the Auditor presents a Report on the Statements of Account and Balance Sheet of the Party for the previous financial year. The General Secretary provides the Auditor with all books of account, bank statements, used cheques, duplicate receipts and any other documents or vouchers the General Secretary may be asked to produce for such an audit. It is a condition of the Auditor's appointment that the Auditor agrees to attend Conference and answer any questions

from members about the accounts and statements that are presented.

- (v) Annual Conference can decide that certain issues, which have moral and social consequences, will be decided with a free vote rather than being subject to Caucus discipline.

#### Elections

##### B.3

- (a) The Administrative Committee must call for nominations for the positions to be elected at an Annual Conference no less than eight weeks before the opening day of that Annual Conference.

- (b) When calling for nominations for positions to be elected at the Annual Conference the Administrative Committee must outline the number of positions which must be held by a woman in accordance with the minimum percentages outlined in Section O.

- B.4 To be eligible to nominate for a position elected by Annual Conference, a person must have one year of continuous financial Party membership immediately prior to the date of calling for nominations.

- B.5 Candidates standing for election by Annual Conference must be nominated in writing by at least five members, each of whom must have been a member of the Party for at least twelve months. Nominations must carry the signed acceptance of the person who has been nominated, and must be lodged with the General Returning Officer in the way, time and date decided by the Administrative Committee.

##### B.6

- (a) The Annual Conference will elect:
  - (i) The President, who holds office for two conferences;
  - (ii) The Senior Vice-President who holds office for two conferences;
  - (iii) Two Junior Vice-Presidents, who hold office for two conferences. Of the President and Vice Presidents at least one should be a woman;
  - (iv) The General Secretary, who holds office for four Annual Conferences;
  - (v) Two Assistant General Secretaries, who hold office for four Annual Conferences;
  - (vi) Three Trustees, who hold office for two conferences;

(vii) The remaining number of National Conference Delegates required elected by the Affiliated Union delegates to the Annual Conference, following the automatic election of the Party Officers as delegates and the delegation elected by Federal Electorate Councils, who hold office for one National Conference;

(viii) 36 members of the Administrative Committee, who hold office for two conferences;

(ix) 15 members of the NSW Labor Women’s Forum, including a Chair, Deputy Chair and Secretary, who hold office for two conferences;

(x) 15 members of the Country Labor Committee, including a Chair, Deputy Chair and Secretary, who hold office for two conferences;

(xi) 13 members of each Policy Committee (as determined by the Administrative Committee), including a Chair, Deputy Chair and Secretary, who hold office for two conferences;

(xii) Two Deputy Chairs of the State Policy Forum, who hold office for the same period as the members of the State Policy Forum;

(xiii) Five members of the Conference Agenda Committee who hold office for two conferences; and

(xiv) 12 members of the Organising, Recruitment and Training Committee including a Chair, Deputy Chair and Secretary, who hold office for two conferences.

(b)

(i) In determining whether a term specified in these Rules is due to expire at the forthcoming Annual Conference, the Annual Conference at which the position was last elected is not counted. For example, a term of four annual conferences means a new election is required at the fourth Annual Conference held after the last election.

(ii) Notwithstanding other provisions of these Rules a person elected to a position by the Annual Conference holds office until the declaration of election of his/her

successor, unless the position falls vacant because the office-holder:

- dies;
- resigns the office by instrument in writing addressed to the General Secretary;
- becomes a mentally incapacitated person; or
- ceases to be a member of the Party, such a vacancy is called as “casual vacancy” in these Rules. A person elected to a position by Annual Conference ceases to hold that position if these Rules do not require the continued existence of the position ceases to exist.

(iii) When a casual vacancy occurs for any reason in any of the positions ordinarily elected by Annual Conference, the person appointed or elected serves only for the remaining time of his/her predecessor’s term. An exception is specified in D.11(b).

(c) The Annual Conference also elects Organisers as they are needed. The Organisers’ terms are four Annual Conferences. Organisers are elected under Schedule H (included at the end of this book). However, notwithstanding the foregoing provisions of Schedule G.2 (Ballot Papers) and Schedule G.3 (Formality) will nonetheless apply.

**Notice**

B.7 The General Returning Officer will conduct the elections at Annual Conference.

B.8 The following Party Units may propose changes to the Party Rules or Platform, or ordinary policy motions, for consideration by Annual Conference:

- (a) A Branch;
- (b) An Electorate Council;
- (c) A Regional Assembly;
- (d) An Affiliated Union;
- (e) The Federal Parliamentary Labor Party;
- (f) The State Parliamentary Labor Party;
- (g) The Women’s Forum;
- (h) The Review Tribunal;
- (i) The Internal Appeals Tribunal;
- (j) The Finance and Compliance Committee;

- (k) The Rules Committee;
- (l) The NSW Policy Forum;
- (m) The Platform Committee;
- (n) The Administrative Committee;
- (o) Country Labor Conference;
- (p) Young Labor Council;
- (q) The Country Labor Committee;
- (r) A Young Labor Association;
- (s) NSW Young Labor Conference;
- (t) Policy Committees;
- (u) A Labor Action Committee; and
- (v) Local Government Committees.

B.9 Six months before Annual Conference the Administrative Committee notifies all branches and affiliated unions of when and where Annual Conference is to take place and invites them to send items to the relevant Committees for consideration by Conference.

B.10

- (a) Not less than four weeks before the Conference, the Administrative Committee sends out the proposed changes to the Rules and Platform (policies) to all Party Units represented at Annual Conference, so that the units can consider these changes.
- (b) Not less than four weeks before the Conference, the Administrative Committee sends out the Conference Policy<sup>1</sup> to all Party Units represented at Annual Conference, so that the units can consider these changes.
- (c) Not less than seven days before the Annual Conference any Party Unit or affiliated union wanting changes to the Conference Agenda Committee's report must send them to the NSW Branch Office.

Where practicable, those changes and decisions will be printed and sent to Conference delegates.

### **Credentials (at Annual Conference)**

B.11

- (a) All units represented at Conference must send the General Secretary the names and addresses of their delegates. These names and addresses can be inspected at the NSW Party Office by any official conference delegate during office hours. This can be done for seven days before Annual Conference.

- (b) Any Party member can challenge the credentials (the right to be at Conference) of a delegate nominated by his/her Party Unit. This can be done by sending the reason for the objection to the General Secretary. The reasons for the objection will be passed by the General Secretary to the delegate who has been challenged, and also to the Party Unit which has nominated him/her. This will be done as quickly as possible.
- (c) The Review Tribunal will hear the challenge, and also listen to the views of the delegate who has been challenged, and to any other concerned Party member. The Review Tribunal will decide who should be the delegate for that particular unit. The decision of the Review Tribunal will be reported to Conference. If practicable, the meeting of the Review Tribunal should take place prior to Conference.
- (d) If the credentials of a delegate from a trade union is challenged on the grounds that the delegate is not a member of the trade union he/she is to represent, a written statement from the Secretary of the affiliated trade union is taken to be final and conclusive evidence on the subject.

### **Conference Agenda Committee**

B.12

- (a) Annual Conference will elect an Agenda Committee.
- (b) The Agenda Committee will be made up of the Party Officers (that is, the General Secretary, two Assistant General Secretaries, the President and three Vice Presidents) and five other Party members. It will hold office for two annual conferences.
- (c) A meeting of the Agenda Committee can only take place when a quorum of at least six members of the Committee are present.
- (d) To be on the Agenda Committee a member must have been a paid-up Party member for at least 12 months before the closing date for nominations.
- (e) The powers and duties of the Agenda Committee are:
  - (i) To decide on the Agenda and the order of business at Annual Conference.
  - (ii) To recommend to Annual Conference any suspension of Standing Orders or urgency motions.

**Agenda Committee Proxy Panel**

B.13 Inability to attend

- (a) If a Conference Agenda Committee member is unable to attend all or part of a meeting, they may appoint a person from the Agenda Committee Proxy Panel to replace them.
- (b) Any proxy appointed under subsection B.13 (a) has the full rights of the member whom they are replacing.
- (c) The Agenda Committee Proxy Panel will be appointed by the Administrative Committee.

**Women’s Forum**

B.14

- (a) The Women’s Forum will report regularly to the Administrative Committee and to each Annual Conference. Only women may hold office as members of the Women’s Forum.
- (b) The Women’s Forum constitutes the NSW Labor Women’s Network and its objectives are:
  - (i) To increase membership and involvement of women at all levels of the Australian Labor Party through training and communications strategies;
  - (ii) To be the communication channel for Labor women in NSW;
  - (iii) To enhance the levels of representation in public office by ALP women;
  - (iv) Increase participation of women in public life;
  - (v) Liaise with ALP policy committees to advise on policy issues; and
  - (vi) To maximise the support of women for the Australian Labor Party.
- (c) The Annual Conference will elect:
  - (i) A Chair of the Women’s Forum;
  - (ii) A Deputy Chair of the Women’s Forum;
  - (iii) A Secretary of the Women’s Forum; and
  - (iv) Fifteen members of the Women’s Forum.
- (d) The Chair and Deputy Chair must be elected in a single ballot. The first elected is the Chair and the second elected is the Deputy Chair.
- (e) People elected to the Women’s Forum hold office for two years.
- (f) Members of the Women’s Forum may appoint any other female financial Party member

as their proxy for any meeting or series of meetings.

**Organising, Recruitment and Training Committee**

B.15

- (a) The Organising, Recruitment and Training Committee will report regularly to the Administrative Committee and to each Annual Conference on matters relating to organising, recruitment and training.
- (b) The Administrative Committee may from time to time, delegate responsibility for matters relating to organising, recruitment and training to the Organising, Recruitment and Training Committee.
- (c) The Committee’s objectives are (but not limited) to:
  - (i) Propose strategies to increase membership of the Labor Party;
  - (ii) Increase participation of party members in Campaigns; and
  - (iii) Advise on effective organising, recruitment and training methods to the Party Officers.
- (d) The Annual Conference will elect:
  - (i) A Chair of the Organising, Recruitment and Training Committee;
  - (ii) A Deputy Chair of the Organising, Recruitment and Training Committee;
  - (iii) A Secretary of the Organising, Recruitment and Training Committee; and
  - (iv) Nine members of the Organising, Recruitment and Training Committee.
- (e) The Chair and Deputy Chair must be elected in a single ballot. The first elected is the Chair and the second elected is the Deputy Chair.
- (f) People elected to the Organising, Recruitment and Training Committee hold office for two conferences.
- (g) Members of the Organising, Recruitment and Training Committee may appoint any other financial Party member as their proxy for any meeting or series of meetings.

**Finance and Compliance Committee**

B.16

- (a) The Finance and Compliance Committee is made up of:

- (i) The General Secretary and the two Assistant General Secretaries
- (ii) The three Trustees
- (iii) Three members elected by a three quarters majority vote of the Administrative Committee. To be eligible to stand as a candidate for the Finance and Compliance Committee, a nominee must have professionally recognised financial, accounting, legal, regulatory or compliance qualifications as prescribed by the Administrative Committee, the Party's non-voting members of the Administrative Committee, Auditor and any relevant legislation.
- (iv) The non-voting members of the Administrative Committee
- (v) A Treasurer who will chair the Finance and Compliance Committee to be appointed by the Administrative Committee. The Treasurer will have the right to attend and address the Administrative Committee
- (vi) The Committee will hold office for two years
- (vii) Following the composition of each new Finance and Compliance Committee all new members shall receive a formal induction and an external training program outlining their roles and responsibilities as members of the Committee.
- (viii) The roles and responsibilities of the Finance and Compliance Committee are outlined in section D.8.

#### B.17

- (a) The roles and powers of the Trustees are to:
  - (i) Hold property on behalf of the Party;
  - (ii) Sign cheques and approve payments as outlined in Rule K.2(b);
  - (iii) Assist the Finance and Compliance Committee with the conduct of their duties, as outlined in Rule D.8; and
  - (iv) Assist with the development of appropriate governance, management and approval of payment policies.
- (b) Candidates for election to the position of Trustee must have professionally recognised financial, accounting, legal, regulatory, compliance or management qualifications as prescribed by the Administrative Committee,

the Party's non-voting members of the Administrative Committee, Auditor and any relevant legislation; and

- (c) Following their election, all new Trustees shall receive a formal induction and an external training outlining their roles and responsibilities.

### Rules Committee

#### B.18

- (a) The Rules Committee is elected by Annual Conference. It is made up of nine members of the Party who have been members for at least twelve months.
- (b) Members on the Rules Committee hold office for two Annual Conferences.
- (c) The Rules Committee is responsible for considering proposals to changes in the Rules of the Party.
- (d) The General Secretary, or someone representing the General Secretary, can attend Rules Committee meetings with the same rights as a Committee member, but he/she cannot vote.
- (e) Members of the Rules Committee may appoint any other financial member as their proxy for any meeting or series of meetings.

### NSW Policy Forum

#### B.19

- (a) The NSW Policy Forum has the following objectives:
  - (i) Facilitate policy debate and development amongst the State Parliamentary Labor Party, Party Units and Affiliates, including making recommendations to the Federal Parliamentary Labor Party;
  - (ii) Provide a framework for the partnership between the State Parliamentary Labor Party and the wider labour movement;
  - (iii) Provide guidance on the causes and aspirations of the modern Labor movement;
  - (iv) Include Party Units, Party members and Affiliates in the debate on the direction of the Party;
  - (v) Maintain the relevance of the Labor Platform by conducting reviews;
  - (vi) Undertake long-term planning for the implementation of Labor policy; and

- (vii) Provide leadership on matters of public concern and interest.
- (b) The NSW Policy Forum is responsible for:
  - (i) Keeping our Platform relevant by conducting 'Platform Reviews'; and
  - (ii) Leading Party debates by forming 'Policy Commissions'.
- (c) During each State Parliamentary term, the NSW Policy Forum shall undertake a complete review of the Party Platform, and recommend Platform amendments to the Conference.
- (d) The NSW Policy Forum shall involve the Conference Policy and Agenda Committee in any review of the Platform. In particular, members of the Conference Policy and Agenda Committee shall be involved in drafting Platform amendments to be recommended to the NSW Annual Conference.
- (e) The NSW Policy Forum may at any time form a 'Policy Commission' to consider matters referred to it by the:
  - (i) Leader of the State Parliamentary Labor Party; or
  - (ii) Administrative Committee.
- (f) 'Policy Commissions' formed under subsection (e) must consist of nine members, with three representatives each from the groups in subsections (m) (v), (vi) and (vii). One representative each from the groups in subsections (m) (v) and (vii) shall act as co-chairs of a 'Policy Commission'.
- (g) The membership of a 'Policy Commission' must be determined by a ballot of the whole NSW Policy Forum.
- (h) A 'Policy Commission's' membership must satisfy affirmative action requirements under these Rules.
- (i) Any report or recommendation of a 'Policy Commission' must be considered and decided upon by the NSW Policy Forum as a whole before being transmitted to the State Parliamentary Labor Party and/or the NSW Annual Conference for approval.
- (j) The NSW Policy Forum will issue a majority and minority report from a Platform Review or a Policy Commission to the NSW Annual Conference where there is a significant difference of opinion.
- (k) The NSW Policy Forum may co-opt any person as an ex-officio non-voting member of the Forum as a whole or a 'Policy Commission'.
  - (i) The NSW Policy Forum shall:
  - (ii) Be subject to the ordinary Rules of debate in Schedule I;
  - (iii) Require a quorum of a majority of members in order to meet;
  - (iv) Meet at least three times per year; and
  - (v) Decide which of its meetings, or parts of meetings, are open to the wider Party, general public and media.
- (m) The NSW Policy Forum consists of the following voting members:
  - (i) The NSW Labor President and Leader of the NSW Labor Parliamentary Party, who shall act as Co-Chairs;
  - (ii) Two Deputy Chairs, elected by NSW Annual Conference;
  - (iii) The NSW Labor General Secretary;
  - (iv) The two NSW Labor Assistant General Secretaries;
  - (v) The NSW Labor Cabinet or Shadow Cabinet;
  - (vi) A number of trade unionists who are also financial Party members, appointed by the Administrative Committee; and
  - (vii) A number of financial Party members, to be selected according to the principles of proportional representation every four years by a ballot of all Party members with one year of continuous financial membership prior to the date of calling for nominations.
  - (viii) Two members of the Federal Parliamentary Labor Party (FPLP), appointed by the Administrative Committee on the principles of proportional representation, from among the FPLP members representing NSW; and
  - (ix) The Platform Committee.
- (n) The number of financial Party members selected under subsection (m)(vii), the number of Trade Unionists selected under subsection (m)(vi) and the number of members of the Shadow Cabinet or Cabinet under subsection (m) (v) must be equal in numbers and must be determined by the NSW Labor Administrative Committee.
- (o) The Administrative Committee will

determine the rules for selecting financial Party members under subsection (m) (vii) to ensure representatives from outside of Sydney, including Country Designated Areas, are elected to the forum. This may include regional based voting models.

- (p) Members of Parliament are not eligible to be appointed or selected under subsections (m), (vi) or (vii).
- (q) The total voting membership of the Forum must satisfy affirmative action requirements under these Rules. Where these requirements are not met, the Returning Officer must adjust the selection result under subsection (m) (vii) in accordance with Rule 11 in section 5 of Schedule G of these Rules.
- (r) The NSW Policy Forum may adopt procedures to assist in fulfilling its objectives and responsibilities, so long as they are not inconsistent with any express provisions of the Rules.

**Platform Committee**

B.20

- (a) The Platform Committee consists of a:
  - (i) Chair;
  - (ii) Deputy Chair; and
  - (iii) Secretary.
- (b) The Annual Conference will elect the Platform Committee at the first Annual Conference after each NSW General Election.
- (c) The Chair and Deputy Chair must be elected in a single ballot. The first elected is the Chair and the second elected is the Deputy Chair.
- (d) The Platform Committee is responsible for assisting with drafting the NSW Labor Platform.

**Policy Committees**

B.21

The Administrative Committee will establish Policy Committees from time to time.

- (a) The Administrative Committee decides on the areas of policy responsibility of each Committee. These policy areas can be changed by the Administrative Committee. The Administrative Committee will create a maximum of 8 Policy Committees.
- (b) Each Policy Committee will consist of seventeen members including:

- (i) A Chair;
- (ii) A Deputy Chair;
- (iii) A Secretary;
- (iv) One SPLP representative;
- (v) One FPLP representative;
- (vi) Two subject matter experts and;
- (vii) Ten ordinary members.

The Policy Committee shall be elected at every second Annual Conference, with the exception of: the Parliamentary representative, who shall be appointed by the respective Federal and State Parliamentary Caucuses; and the subject matter experts who shall be elected by the Administrative Committee at meeting within three months of the conclusion of the Annual Conference that has elected the ordinary committee members. For the purposes of this rule “ subject matter expert” shall mean a person employed by a university, think tank or research organisation and/or a person who has recognised expertise in a subject area relevant to the policy focus of the committee. The subject matter experts must be nominated by members of the relevant Policy Committee.

- (c) The Annual Conference will elect:
  - (i) A Chair of the Policy Committee;
  - (ii) A Deputy Chair of the Policy Committee;
  - (iii) A Secretary of the Policy Committee; and
  - (iv) Ten ordinary members of the Policy Committee.
- (d) The Chair and Deputy Chair must be elected in a single ballot. The first elected is the Chair and the second elected is the Deputy Chair.
- (e) Members of the Party who have been members for twelve months can become members of Policy Committees. No member can serve on more than one Policy Committee at the same time. The Party’s Affirmative Action Rules will apply to each Policy Committee membership and at least one member of each Policy Committee must be of Young Labor age.
- (f) If a Policy Committee member misses three meetings in a row, their membership automatically lapses.
- (g) If a Policy Committee fails to meet, it must explain to the Administrative Committee the reasons for not meeting.

- (h) Policy Committees will meet at least four times annually. One event must be held outside of Sydney. Events may be open to the public and interested stakeholders.
- (i) The aim of the Committees is to promote policy discussion and debate within the Party through forums, online discussions, research papers, Branch discussions and to provide recommendations to the Annual Conference on Policy motions from Party Units.
- (j) Committees can consider correspondence, call for and hear evidence and co-opt any Party member whose expert experience may seem valuable. They do this by taking a majority decision at the meeting.
- (k) A meeting of any Policy Committee can only take place when at least 8 members of that Committee are present.
- (l) Reports of Policy Committees are to be presented to the Annual Conference by the Chair of each Committee.
- (m) Each Policy Committee will provide three Delegates to Annual Conference, the Chair, Deputy Chair and Secretary of each Committee. If any Delegate cannot attend, they may appoint a general member of the committee in their place.
- (n) At least two members of each Policy Committee must live in the Designated Country Area.
- (o) The Executive of the Policy Committee can grant approval for a member of the Committee to take part in a meeting by telephone conference.
- (p) The Policy Committee meetings will be advertised in the Political Briefing.
- (q) Policy Committees will be open to all Party members to participate in the development of NSW Labor's Policy.
- (r) If a Policy Committee Member is unable to attend all or part of a meeting, they may appoint another party member as their proxy to replace them.
- (c) Three delegates from each Federal Electorate Council;
- (d) Sixteen delegates from NSW Young Labor.
- (e) Sixteen delegates from the Federal Parliamentary Labor Party (FPLP) elected by members of the FPLP representing NSW;
- (f) Sixteen delegates from the State Parliamentary Labor Party (SPLP);
- (g) The Party Officers;
- (h) Chair, Deputy Chair and Secretary of each Policy Committee;
- (i) The Platform Committee;
- (j) The Chair, Deputy Chair and Secretary of the Women's Forum; and
- (k) The Chair, Deputy Chair and Secretary of the Country Labor Committee.

**B.23**

- (a) At least 50 per cent of the delegates to the Conference must be union delegates. All other delegates are approximately 50 per cent of the total.
- (b) This is the procedure for deciding trade union representation at the Conference:
  - (i) The total number of union members affiliated by trade unions to the Party, calculated by reference to the rolling average of each union affiliation (as per Section A), is divided by the total number of anticipated trade union delegates.
  - (ii) The figure, resulting from the above calculation, will be rounded off to the nearest number, and
  - (iii) That figure will be divided into the number of members affiliated by each trade union which has 1000 or more members who are affiliated, and
  - (iv) That figure will be rounded off to the nearest number and will be the number of delegates from each trade union concerned who can attend Annual Conference as representatives of their union. Each union with at least 1000 members, but with fewer members than the figure arrived at in the calculation in (ii) above, will be entitled to one delegate.
- (c) Those trade unions which have fewer than 1000 members affiliated join together to elect a number of delegates to the Conference. They do this by dividing the quota in (ii) above, rounded off to the nearest whole

**Representation (at Annual Conference)**

B.22 Annual Conference consists of the following voting delegates:

- (a) Affiliated union delegates determined in accordance with Rules B.23 and B.24;
- (b) Two delegates from each State Electorate Council;

number, into the total affiliated membership from unions which have fewer than 1000 members. If the number of members of these unions are less than half of a quota, they are not entitled to representation at Conference.

- (d) The 'total number of anticipated trade union delegates' referred to in (b) (i) above, represents 50 per cent of the total number of Conference delegates. Other delegates (except Party Officers) represent 50 per cent of the total number of delegates. The 'total number of anticipated trade union delegates' must be adjusted to maintain this 50/50 division.
- (e) Each year, the General Secretary decides the number of delegates to represent each union.

#### B.24

Union delegates are appointed by affiliated trade unions. The trade unions follow their own procedures except that:

- (a) All union delegates must be financial members of the Labor Party;
- (b) All union delegates must be financial members of the Union which they are representing;
- (c) A union can choose to have each position on the delegation filled by one person or it can appoint one delegate to represent two positions.

#### B.25

- (a) All delegates to Conference elected by State Electorate Councils and Federal Electorate Councils, and all delegates to Conference appointed by trade unions, must have been fully paid-up members of the Party for the twelve months immediately prior to the first day of Annual Conference.
- (b) Delegates representing NSW Young Labor are elected at the NSW Young Labor Annual Conference.
- (c) Delegates representing the State or Federal Parliamentary Parties must be members of the Caucus concerned. Each Caucus can decide how it wants to elect its delegates.
- (d) A delegate can represent only one organisation at Annual Conference.
- (e) A delegate from one Party Unit or affiliated union cannot at the same time be an alternate delegate from any other Party Unit or affiliated union.
- (f) Not less than the "minimum percentage" of

a union's delegation to Annual Conference must be women. Provided that if the level of male or female membership of a union is less than the "minimum percentage", the minimum representation must be set at that level.

- (g) It is the right of each union to determine the criteria and procedures for selection of its delegates in accordance with these Rules, subject to those delegates being members of that union and financial members of the Party.
- (h)
  - (i) If a person holds office as a delegate to Annual Conference because he/she is a member of the Administrative Committee, or is a Chair, Deputy Chair or Secretary of a Committee and that person ceases to hold that office during the course of a given Annual Conference that person, nonetheless, continues to hold office as delegate until the conclusion of the given Annual Conference.
  - (ii) Similarly, a person who has not previously been a member of the Administrative Committee, a Chair, a Deputy Chair or a Secretary of a Committee who assumes such an office during the course of a given Annual Conference, does not take office as a delegate to Annual Conference by virtue of that new position until the conclusion of the given Annual Conference.

#### B.26

- (a) NSW Annual Conference delegates representing State Electorate Councils and Federal Electorate Councils are elected for one year at a time.
- (b) NSW Annual Conference delegates representing State Electorate Councils and Federal Electorate Councils must:
  - (i) Live in the electorate they represent;
  - (ii) Not be a Member of Parliament;
  - (iii) Be a financial Party member; and
  - (iv) Be a member of a Branch affiliated to the Electorate Council concerned.
- (c) Unless it decided otherwise under subsection (d), an Electorate Council elects its delegates and alternate delegates to NSW Annual Conference at its Annual General Meeting in the same way as it elects Electorate Council positions.
- (d) An Electorate Council may decide to elect its

NSW Annual Conference delegates and alternate delegates pursuant to the provisions of Rule M.9.

## SECTION C

### Rights & Responsibilities

C.1 These Rules are binding on all Party members.

#### C.2 Rights

Every Party member has the right to:

- (i) Equality before the Rules;
- (ii) Be heard;
- (iii) Information regarding Party matters that directly affect them;
- (iv) Receive a prompt response to their correspondence;
- (v) Stand for public office, subject to these Rules;
- (vi) Seek redress of grievances before the Internal Appeals Tribunal, Review Tribunal and Ombudsman;
- (vii) Appeal to the justice system when their rights have been infringed; and
- (viii) Be treated with dignity and respect by other Party members.

#### C.3 Responsibilities

Every Party member has a responsibility to:

- (i) Uphold the Party's values and principles;
- (ii) Comply with these Rules;
- (iii) Allow others to be heard; and
- (iv) Treat other Party members with dignity and respect.

## SECTION D

### Administrative Committee

#### D.1

- (a) The Administrative Committee is responsible for the management and administration of the Party between Annual Conferences.
- (b) The Administrative Committee decides all matters which affect the welfare of the Labor movement, except that it:
  - (i) Cannot make any Rule ineffective;
  - (ii) Cannot overturn any decision of the Annual Conference; and
  - (iii) Cannot create new policy.
- (c) The Administrative Committee can call a special meeting of Conference.
- (d) The powers of the Administrative Committee are also held by Annual Conference.
- (e) The Party Officers (who are the President, Senior Vice-President, Junior Vice-Presidents, General Secretary and Assistant General Secretaries) are responsible for:
  - (i) the management and administration of the Party between meetings of the Administrative Committee; and
  - (ii) for matters delegated to them by the Administrative Committee.
  - (iii) An official meeting of the Party Officers can only take place when a quorum of either:
    - at least four are present, including the General Secretary or the first elected Assistant General Secretary; or
    - at least two are present, including the General Secretary (or the first elected Assistant General Secretary) and the second elected Assistant General Secretary.
  - (iv) The Party Officers shall be automatically elected as delegates to the National Conference.
  - (v) The minutes of Party Officers meetings must be reported to the Administrative Committee.
- (f) If the quorum is not present after thirty minutes the meeting will not take place. The first elected Assistant General Secretary is the one who holds the position first elected

in a ballot conducted under the method of proportional representation.

- (g) The non-voting members of the Administrative Committee may attend meetings of the Party Officers in a non-voting capacity to advise on issues of governance.

#### D.2

- (a) The Administrative Committee consists of:
  - (i) The Party Officers;
  - (ii) 18 members elected by affiliated union delegates at Annual Conference;
  - (iii) 18 members elected by all delegates who are not affiliated union delegates at Annual Conference;
  - (iv) The State Parliamentary Leader and Federal Parliamentary Leader, or someone named to represent them, who must live in NSW and be a member of the Leader's Parliamentary Party; and
  - (v) Three non-voting members elected by a three-quarters majority vote of the Administrative Committee.
- (b) The Party's website shall include a list of Administrative Committee members, including their date of their first election.
- (c) The Administrative Committee, under the principles of proportional representation, will appoint sixteen Proxy Members of the Administrative Committee. These Proxy Members shall have the full rights of the member of the Administrative Committee whom they are replacing and voting rights as detailed in Rule D.12(d).
- (d) Following the election of members of the Administrative Committee and appointment of the Administrative Committee Proxy Panel, any new members shall receive a formal induction and external training program outlining their roles and responsibilities as members of the Administrative Committee.
- (e) An official meeting of the Administrative Committee can only take place when a quorum of at least seventeen members is present. If seventeen members are not present after thirty minutes the meeting will not take place.
- (f) At least six of the members elected under subsection subsection (a)(ii) and (iii) must live in the Designated Country Area at the time of their election.

- (g) Despite any other provision of these Rules, the results of the separate ballots to elect Administrative Committee members under subsections (a)(ii) and (iii) are to be counted together for the purposes of Section O.
  - (h) Members of the Administrative Committee and Finance and Compliance Committee shall complete a material personal interest declaration as prescribed by the Administrative Committee to be held by the President.
  - (i) To be eligible for election as a non-voting member under subsection (a)(v), a person must have served on a Board of Directors for no less than two years at the time of their election.
  - (j) The non-voting members elected under subsection (a)(v) must:
    - (i) Focus exclusively on governance matters;
    - (ii) Advise the Administrative Committee on governance best practices; and
    - (iii) Ensure adherence to the highest governance standards.
- D.3 The State Parliamentary Leader and the Federal Parliamentary Labor Leader have an automatic right to address the Administrative Committee meeting.
- D.4
- (a) The Administrative Committee is in charge of election campaigns for public office except when this power has been handed on to an Electorate Council or another Party Unit.
  - (b) Subject to other provisions of these Rules, the Administrative Committee will not interfere with the way any Electorate Council selects candidates for local government, State or Federal elections as long as they keep to the Platform, Rules and Constitution of the Party.
  - (c) In its report to Annual Conference the Administrative Committee includes a record of how many meetings each member attended. This report will at least include the number of meetings held during the period covered by the report, the attendance of each member, and any leave or apologies granted.
- D.5
- (a) The Administrative Committee calls and closes nominations for Party selection for public office, including for Country Labor, in the way decided in the Rules.
  - (b) The Administrative Committee decides on endorsement for Party selection for public office. It can decide to endorse or not to endorse the Party's officially selected candidate or candidates for public office in the way stated in the Rules.
  - (c) Where no Electorate Council exists, the Administrative Committee is in charge of all matters relating to the selection of parliamentary and local government candidates.
  - (d) When the Administrative Committee has called for nominations for Party selection for public office and no nominations have been received by the time nominations close, then the Administrative Committee will, after discussions with the Electorate Council concerned, find and choose a suitable candidate or candidates to represent the Party.
  - (e) The Administrative Committee sets nomination fees for selections for public office.
- D.6 The Administrative Committee can authorise the President and General Secretary to issue a charter to create a new branch.
- The Administrative Committee can also authorise the General Secretary to withdraw the charter of any branch if it is in the best interests of the Party. The Administrative Committee will refer any concerns regarding branches to the Internal Appeals Tribunal which will consider the matter and report back to the Administrative Committee.
- D.7 Any Party Officer or member of the Administrative Committee may place an item on the meeting agenda. If a member wishes to do so, they must give at least seven days' notice to the General Secretary.
- D.8
- (a) The Administrative Committee will, in the management of the finances of the Party between Annual Conferences, be assisted by the Finance and Compliance Committee. The Finance and Compliance Committee shall:
    - (i) Assist the Administrative Committee in the preparation of budgets and consideration of any proposals affecting the finance of the Party;
    - (ii) Assist the Administrative Committee to ensure that the Party's management accounts and the accounts presented at

the Annual Conference give a true and fair view of the Party's finances;

- (iii) Assist the Administrative Committee to ensure the Party's statutory accounts are completed in accordance with the Party's legal obligations; and
  - (iv) Assist the Administrative Committee to maintain appropriate controls over the finances of the Party.
  - (v) Assist the Administrative Committee to implement and maintain purchase orders to control expenditure with appropriate limits set for the General Secretary and Assistant General Secretaries and any other relevant employee of the NSW Labor Office.
- (b) For this purpose, the Finance and Compliance Committee shall:
- (i) Assist the Party Officers to develop annual budgets for the Party and make recommendations to the Administrative Committee about the adoption of those budgets;
  - (ii) Approve budgets and expenditure of amounts of \$100,000 or more.
  - (iii) Advise the Administrative Committee in accordance with terms of reference given by it in relation to any proposals affecting the finance of the Party;
  - (iv) Assist the Party Officers to develop the accounts for the Party to be presented at each Annual Conference and make recommendations to the Administrative Committee about the adoption of those accounts;
  - (v) Assist the Party Officers to develop the statutory accounts for the Party in accordance with the Party's legal obligations and make recommendations to the Administrative Committee about the adoption of those accounts;
  - (vi) Report to each meeting of the Administrative Committee on the Party's finances in the format directed by the Administrative Committee;
  - (vii) Any member of the Finance and Compliance Committee may place an item on the meeting agenda. If a member wishes to do so, they must give at least seven days' notice to the General Secretary.
- (viii) Receive a report at each meeting regarding the Party's compliance obligations under the Election Funding, Expenditure and Disclosure Act 1981 and other relevant legislation.
  - (ix) Recommend the terms and conditions of employment for staff.
  - (x) Develop, adopt and monitor protocols relating to accountability and authorisation of payments.
  - (xi) Report to the Administrative Committee in relation to the appropriate controls over the finances of the Party.
- (c) In its report to Annual Conference, the Administrative Committee will from time to time present a statement of money received and payments made which has been certified by the Auditor.
- (d) The Administrative Committee will also present Annual Conference with a balance sheet which has been audited and also a statement of the general financial position of the NSW Branch.
- (e) Copies of the reports described in (c) and (d) above will be given to Conference delegates.
- (f) The financial year will end on 30 June.
- D.9
- (a) Any financial Party member may petition the Administrative Committee as long as fifty financial Party members have signed the petition. The General Secretary must advise the next meeting of the Administrative Committee that the petition has been received and it will be dealt with at the following meeting. The members who signed the petition must be told of the result.
- (b) Either 50 members or 25% of the members in a federal electorate (whichever is the lesser) may petition the Administrative Committee to investigate any allegation of breaches of these Rules relating to membership recruitment in that electorate.
- D.10 Members of the Administrative Committee have the right to be present at all conferences and meetings of branches, Electorate Councils, Policy Committees and Regional Assemblies. They can take part in those conferences and meetings but cannot vote, or move or second any motion in any Party Unit unless they are a member of that unit.

## D.11

- (a) Whenever a casual vacancy occurs for a position ordinarily elected by the Annual Conference by use of proportional representation, it must be filled by the Administrative Committee, on these conditions:
- (i) The vacancy cannot be filled at the meeting of the Administrative Committee when the vacancy is first reported. When there is insufficient time, the Party Officers can expedite the process.
  - (ii) The vacancy is filled in a way which follows the practices of proportional representation.
- (b) Wherever a casual vacancy occurs for any other position ordinarily elected by the Annual Conference, it must be filled by a person selected by the Administrative Committee. An election for the position must then be conducted at the next Annual Conference, except in the case of the Secretary of a Committee. A person appointed as Secretary of a Committee serves the remainder of his/her predecessor's term.

## D.12

- (a) Where a member of the Administrative Committee is entitled to vote in a ballot by reason of being a member of the Administrative Committee (other than a ballot conducted at Annual Conference) the member of the Administrative Committee, if they will be located outside the Sydney metropolitan area on the ballot day, may (on the member's request) be sent the ballot paper facsimile or email and may return it in the same way.
- (b) Such a ballot paper is not a secret ballot and must, when returned by the voter by facsimile or email, clearly bear the name and signature of the person who cast it. For this purpose, the Returning Officer may include provision for a name and signature on ballot paper sent by facsimile or email under this Rule (but only on such ballot papers).
- (c) A ballot paper must actually be received by the Returning Officer prior to the close of voting for the ballot.
- (d) Where it is not practicable for a member of the Administrative Committee to vote in a ballot in which they are entitled to vote by reason of being a member of the Administrative Committee (other than a ballot

conducted at Annual Conference) the member may appoint, in writing, an Administrative Committee Proxy to vote on the member's behalf. The Proxy when seeking to exercise the right to vote must present the written letter of appointment to the Returning Officer. A Proxy may only vote once in a ballot under this provision.

## D.13

Senators and Members of the Legislative Council are required to provide Reports to the July and December meetings of the Administrative Committee. These reports shall be completed on a form provided by the Administrative Committee and include information on:

- (a) any visits to Duty Seats for announcements, meeting or forums;
- (b) Correspondence or newsletter/leaflets sent to members in Duty Seats; and
- (c) Issues about which representations have been made.

## D.14

- (a) The Administrative Committee may refer any organising, recruitment or training matter to the Organising, Recruitment and Training Committee.
- (b) If the Finance and Compliance Committee approves a budget for local organising and recruitment grants, the Administrative Committee may delegate to the Organising, Recruitment and Training Committee the power to approve payments for these purposes within the budget approved by the Finance and Compliance Committee.
- (c) The Organising, Recruitment and Training Committee will report annually to the Administrative Committee on the number of people who received training, and the type of training they received. The Administrative Committee will present these reports to the Annual Conference.

## D.15

The Administrative Committee is responsible for approving membership of the Central Policy Branch.

## D.16

The Administrative Committee will appoint the Proxy Delegates to the National Conference, according to the principles of proportional representation and affirmative action.

## D.17

The Administrative Committee may require Members of Parliament to make contributions to or raise money for the Party.

## SECTION E

### Ombudsman

#### E.1

##### PURPOSE

- (a) The position of Ombudsman is established under these Rules to:
  - (i) Provide an informal way for Party members to have grievances heard; and
  - (ii) Mediate disputes between Party members.
- (b) A Party member may complain to the Ombudsman about decisions made by Party Units or the conduct of Party members. All complaints must be submitted in writing.

#### E.2

##### APPOINTMENT

- (a) The Administrative Committee must appoint an Ombudsman and Deputy Ombudsman in accordance with this Rule.
- (b) The Ombudsman and Deputy Ombudsman must be elected by a three-quarter majority vote of the Administrative Committee.
- (c) To be eligible for election and to remain in office as Ombudsman or Deputy Ombudsman, a person must:
  - (i) Be a financial Party member;
  - (ii) Not hold a position on the Internal Appeals Tribunal, Review Tribunal, Administrative Committee, Finance and Compliance Committee, Rules Committee, Platform Committee or Conference Policy and Agenda Committee;
  - (iii) Not hold public office;
  - (iv) Not be actively seeking election or appointment to public office; and
  - (v) Be of good fame and character.
- (d) The Ombudsman and Deputy Ombudsman hold office for two years.
- (e) The Ombudsman may delegate any of their powers to the Deputy Ombudsman on whatever terms they consider appropriate.

#### E.3 Decision to investigate or refer

- (a) The Ombudsman may investigate a complaint

made under Rule E.1(b).

- (b) The Ombudsman may discontinue an investigation commenced under subsection (a).
- (c) The Ombudsman may refer a complaint made under Rule E.1(b) to the Administrative Committee, Party Officers or Internal Appeals Tribunal.
- (d) In deciding whether to investigate a complaint, discontinue an investigation, or refer a complaint, the Ombudsman may have regard to any matter they consider relevant.
- (e) The matters that the Ombudsman may have regard to under subsection (d) include, but are not limited to, whether, in their opinion:
  - (i) The complaint is frivolous, vexatious or not in good faith;
  - (ii) The subject matter of the complaint is trivial;
  - (iii) The conduct complained of occurred at too remote a time to justify an investigation;
  - (iv) There is or was an alternative and satisfactory means of redress available to the complainant; and
  - (v) The complainant has no interest or insufficient interest in the conduct complained of.
- (f) The complainant or the person whose conduct is complained of, may request that reports of the Ombudsman to the Administrative Committee be anonymised and subject to confidentiality. The Ombudsman must comply with any requests for confidentiality.
- (g) If the Ombudsman decides not to investigate a complaint, or to discontinue an investigation, they must provide the complainant with a written reason for their decision.

#### E.4

##### REPORTS

- (a) If the Ombudsman decides to investigate a complaint, they must report their findings to:
  - (i) The complainant;
  - (ii) Any person whose conduct is complained of; and
  - (iii) The Party Officers.

- (b) The Ombudsman must provide Annual Conference with a report on their work.
- (c) The Ombudsman may advise Annual Conference and the Administrative Committee on ways to improve compliance with the rights and responsibilities under section C.
- (d) In a report under this Rule, the Ombudsman may make any comment or recommendation that they consider appropriate in the circumstances.
- (e) The Administrative Committee must notify the Ombudsman of any action taken, or proposed to be taken, as a result of a report under this Rule.
- (f) Except as provided in this Rule, a report under this Rule must be kept confidential.

## SECTION F

### Regional Assemblies

- F.1 Regional Assemblies will be held each year throughout New South Wales, unless the Administrative Committee decides otherwise.
- F.2 The Administrative Committee shall set the date for each Regional Assembly.
- F.3 A Regional Assembly consists of all Party members within the region. A member can attend an Assembly if they have a current Party ticket.
- F.4 There shall be Regional Assemblies in the following regions:
- (a) Central Coast;
  - (b) Hunter;
  - (c) Illawarra;
  - (d) Inner Sydney;
  - (e) Northern Sydney;
  - (f) South-Eastern Sydney;
  - (g) South-Western Sydney; and
  - (h) Western Sydney.
- F.5 The Administrative Committee shall determine the boundaries for each region, and may subdivide the regions.
- F.6 Country FECs shall have the option of holding a Regional Assembly in addition to attending Country Conference.
- F.7 The General Secretary shall call for agenda items at least two months before a Regional Assembly begins.
- F.8 Agenda items can be put forward by Branches, State Electorate Councils, Federal Electorate Councils and Affiliated Unions in the region.
- F.9 Agenda items must reach the General Secretary four weeks before a Regional Assembly begins.
- F.10 A Regional Assembly Committee will be elected at each Regional Assembly from among the participating members. The Regional Assembly Committee will be responsible for organising the next Regional Assembly in that area.
- F.11 The Regional Assembly Committee shall be chaired by a Convenor who will also be elected by the participating members at the Regional Assembly. The Convenor will also chair the Regional Assembly.
- F.12 The Administrative Committee shall appoint Convenors and Regional Assembly Committees where none currently exist.
- F.13 The Administrative Committee may make any other decisions necessary for holding Regional Assemblies.

## SECTION G

### Electorate Councils

#### G.1

- (a) State or Federal Electorate Councils can be set up by the Administrative Committee in any electorate. The number of delegates (members) from each branch to an Electorate Council is worked out as follows:

Branch Membership of Delegates	Number
15-29	3
30-44	4
45-59	5
60-74	6

For each additional twenty-five members (or part of twenty-five), the branch has one extra delegate. Branch membership is described in Rule I.2 and worked out yearly by counting the branch membership on 30 November of the previous year.

- (b) Where only one branch exists in an electorate it is called an Electorate Branch and acts as an Electorate Council.
- (c) Composite branches which have fewer than fifteen members living in an electorate have the following number of delegates:

Branch Membership of Delegates	Number
1-4	0
5-9	1
10-14	2

Delegates from composite branches are elected by all members who can vote in their branch, but they themselves must live in the electorate for which they are elected.

Note: A Composite branch is a branch whose borders cross two or more State or Federal Electorate Councils.

- (d) Branches which have been allowed by Annual Conference to operate with fewer than fifteen members (as allowed in Rule I.5), are represented on the same scale as composite branches described in (c) above.
- (e) All branches must elect delegates in accordance with the party's affirmative action minimum percentages, as outlined in

Section O.

- (f) A branch is not entitled to send delegates to a Federal Electorate Council if the branch's boundaries do not include some part of the Federal Electorate Council area.

Note: This Rule is not intended to disenfranchise preselection voters whose branch is not entitled to send delegates to an FEC.

- (g) The Central Policy Branch is not entitled to send delegates to any State or Federal Electorate Council.

G.2 Delegates to Electorate Councils take office from 1 April as long as the conditions of Rule I.25(c) and (d) have been met.

G.3 Unless it is decided differently, the business at Electorate Council meetings is carried out in the following order:

- (i) Roll call of delegates: unaffiliated branches (branches which have not sent their return sheets and list of registered branch members to the Secretary of the Council - see Rule G.10).
- (ii) Acknowledgement of Country
- (iii) Confirmation of minutes.
- (iv) Correspondence.
- (v) Reports, including reports from branches and organisers.
- (vi) Motions on notice of which members have already been advised.
- (vii) General business.

#### G.4

- (a) Each Council must meet at least once every three months in a place decided by the Council, unless the Council is in the designated country area, in which case it must meet at least once every four months.
- (b) Seven days before a meeting, notice of the meeting must be given by the Secretary to Branch Secretaries and credentialed delegates. Notice of a meeting need not be given when the Council meets on the same date and time and in the same place. For example, the Electorate Council always meets on the fourth Monday of each month, at 7:30pm in the Town Hall. Full details of the meetings arranged for the coming year must be sent to each branch and all delegates after the Annual General Meeting of the Council. At least seven days before the Council meeting,

any changes to those details, including cancellation of meetings, must be sent to branches and delegates.

- (c) An official meeting can be held when a majority of the branches are represented or when a majority of the delegates, if the delegates are from more than one branch, are present. If sufficient numbers are not present after thirty minutes the meeting cannot take place.
- (d) For Federal and State Electorate Councils in the designated country area, the Administrative Committee can grant approval for the Electorate Council to conduct its meetings, other than the Annual General Meeting, by telephone conference.

#### G.5

- (a) Unless the Administrative Committee decides differently, each Council holds its Annual General Meeting between 15 April and 31 May. At the Annual General Meeting the Council hears an annual address from the President of the previous year and receives the Secretary's annual report for the previous year.
- (b) At its Annual General Meeting each Council elects a President, two Vice-Presidents (one is the Senior Vice-President), a Secretary, a Treasurer, a Fundraising Officer, an Assistant Secretary, two Auditors, (for a State Electorate Council) two delegates and two alternate delegates to the NSW Annual Conference (and for a Federal Electorate Council) three delegates and three alternate delegates to the NSW Annual Conference, three delegates and three alternate delegates to Country Conference from each Country SEC and Country FEC, and all other representatives needed for the following year. The duties of the Secretary and Treasurer can be combined but, in that case, an extra Vice-President is elected. At the end of the election of officers, a Council Returning Officer and Deputy Returning Officer are elected. No Returning Officer or scrutineer shall be allowed to nominate for any position in any ballot in which he/she is acting as Returning Officer or scrutineer.

Note: An electorate council can resolve in accordance with Rule B.26(d) to elect Annual Conference delegates in accordance with the provisions of Rule M.9.

- (c) As well as the officers listed in (b) above, the Federal Electorate Council can also elect a

Political Education Officer, a Women's Contact Officer, a Community Activities Officer and a Policy Development Officer. As part of his/her duties, each of these officers becomes a non-voting member of the Council Executive.

- (i) The Political Education Officer is responsible for organising and co-ordinating educational activities, including research, discussion groups and seminars, guest speakers, weekend schools and any other activity the Council decides it wants.
- (ii) The Community Activities Officer and Women's Contact Officer assists the local branches to identify the major issues within the community within which they should be active.
- (iii) The Policy Development Officer is responsible for co-ordinating policy input on federal matters and works in accordance with resolution of the Federal Electorate Council.

#### (d)

- (i) Each Federal Electorate Council will elect one National Conference delegate, the Party Officers will automatically be elected National Conference delegates with the balance of the National Conference delegation elected by Affiliated Union delegates to Annual Conference.
- (ii) National Conference Delegates elected by Federal Electorate Councils are elected in the same year as National Conference Delegates elected by Annual Conference, and hold office for the same term.
- (e) A Federal Electorate Council elects one National Conference delegate for its area pursuant to rule M.9(d). The preferential voting system (described in Schedule H at the back of this book) applies to all Electorate Council elections.
- (f) The President, Vice-Presidents, Secretary, Assistant Secretary, Treasurer and Fundraiser (and, in a Federal Electorate Council, the Political Education Officer) are the Council Executive and as part of their duties are members of all committees of the Council.

#### G.6

- (a) The Electorate Council Secretary must give written notice of the date, time and place for the closing of nominations for its annual elections.

- (i) The notice must also give the date, time and place of the meeting at which the election is to take place.
- (ii) The notice must list all the positions to be elected at its annual election, and include the number of positions to be held by women as outlined in Section O.
- (iii) The notice must be given at least seven clear days prior to the close of nominations.
- (iv) Nominations for positions must close with the Returning Officer no less than seven days prior to the Annual General Meeting at a time and place agreed by the Electorate Council Executive.
- (v) The notice must be given to: Secretaries of local branches and Credentialed delegates (as per G.6(c)).
- (b) Nominations must be in writing and signed by the candidate and two members of the Party who live in the electorate. However, when there are not enough nominations, written or spoken nominations can be made at the election meeting.
- (c) Only credentialed Delegates (that is, those who have a right to be Delegates) can hold official positions in any Council, except that:
  - (i) The positions of Delegate or Alternate Delegate to NSW Annual Conference or Country Conference can be held by any financial member residing in the electorate; and
  - (ii) If the Secretary stops being a delegate, he/she cannot vote, but can go on being Secretary until the following Annual General Meeting.
- (d) Alternate delegates may hold positions only if there are not enough nominations from credentialed Delegates or the Affirmative Action requirements have not been met. Where an Alternate Delegate holds such a position, they will perform the duties of the executive position but will not have automatic voting rights.
- (e) At least fourteen days before the Annual General Meeting the Secretary gives the Returning Officer a list of the names and addresses of the members who can vote. Any candidate is entitled to be given the list.
- (f) If the number of women elected as conference delegates or alternate delegates in accordance with G.5 (b) does not meet the

requirements in O.5(b), a new election must be called for all positions and held within two months of the first election.

- (g) If the number of women elected to the council executive in accordance with G.5(b) does not meet the requirements in O.5(i), a new election must be called for all executive positions and held within two months of the first election.
- Note: Subsections (e) and (f) above have been superseded by rule changes made at the 2017 Conference. For correct procedure on the application of Affirmative Action, see Section O.*
- (h) The notice requirements in (a) continue to apply to any elections called pursuant to (e) or (f).
  - (i) The Secretary of the Council must notify the General Secretary if a new election is called pursuant to (e) or (f).
  - (j) If after two elections, an Electorate Council does not meet the requirements of O.5(b), the Council will not be entitled to seat delegates at the Annual Conference or Country Conference.

G.7

- (a) Notwithstanding other provisions of these Rules Electorate Council officials and delegates representing Electorate Councils hold office until the declaration of election of their successors, unless their position falls vacant because the office-holder:
  - (i) dies;
  - (ii) resigns the office by instrument in writing addressed to the Secretary of the Electorate Council;
  - (iii) becomes a mentally incapacitated person;
  - (iv) ceases to reside within the boundaries of the Electorate Council;
  - (v) ceases to be a member of the Party; or
  - (vi) if a member of the Electorate Council Executive – is absent without permission for three ordinary meetings of the Electorate Council in a row.

A person elected to a position by an Electorate Council ceases to hold that position if these Rules do not require the continued existence of the position and the position ceases to exist. Nothing in this Rule prevents a person who ceases to hold office under (a) (vi) above from re-nominating and being re-

elected to the same position.

- (b) If a delegate to the Council misses three ordinary meetings in a row without permission the Council can ask the delegate's branch to elect a new delegate.

G.8 When a position of an Electorate Council official or delegate representing the Electorate Council is vacant or a position is not filled at the annual elections the Council will fill the vacancy in this way:

- (i) It will declare a time, date and place for nominations to close, as long as delegates are given at least seven days notice that nominations have been called for. Notice should be given by sending out a circular to Secretaries of local branches.
- (ii) At the next ordinary Council meeting the vacancy will be filled.

### President

G.9 At all meetings at which he/she is present, the President is the Chair. The President keeps order and makes sure that the meeting follows the Rules of debate. When the President is not present or is sick then the most senior Vice-President who is present takes the Chair. The Chair does not have a casting vote.

### Secretary

G.10 The Secretary (or the Assistant Secretary when he/she is not there):

- (a) Keeps proper records of Council business, including the delegates' roll, attendance and minute books, and takes care of incoming and outgoing letters for the Council. The attendance and minute books used by the Council should be the official books which are available from the NSW Branch Office.
- (b) SEC Secretaries must keep a list of the branches in their electorate, as certified by the Administrative Committee.
- (c) Pays over to the Treasurer at each meeting or as soon as possible after the meeting any money which has been received for the Council.
- (d) No later than 7 June each year provides the General Secretary with a return sheet with the names and addresses of the delegates as at 30 April, and an up-to-date list of people holding official positions. Failure to lodge required Branch or Electorate Council Annual Financial Returns to the NSW Branch Office

may result in the Administrative Committee suspending the charter of the Branch or Electorate Council.

- (e) Until they have sent in the return sheets needed by the General Secretary, Councils do not have the right to be represented at Annual Conference.
- (f) If a delegate elected to represent an Electorate Council at the Annual Conference or the Country Labor Conference is unable to perform a function as a delegate, the Council Secretary may appoint an alternate delegate elected by Council for the Conference to exercise that function.

### Treasurer and Fundraising Officer

G.11

- (a) The Treasurer keeps accurate accounts of all money which belongs to the Council. The signature of the Treasurer is needed to take out any funds and he/she will give that signature only after this has been decided by the Council. At the end of the financial year the Treasurer will present the Council with an audited balance sheet and statement of income and expenditure.
- (b) The Fundraising Officer is responsible for co-ordinating all fundraising activities for the Electorate Council. The Fundraising Officer must report to the Council on a regular basis. Money raised must be looked after by the Treasurer in the way described in (a) above.

G.12

- (a) The sum of \$30 can, from time to time, be voted to the Secretary for petty cash.
- (b) When necessary, the Electorate Council can put a fair levy on all constituent branches to cover working expenses. All constituent branches must contribute equally per member for those members who live in the electorate except life members. The levy cannot be more than \$2 per member unless all constituent branches agree.

G.13

- (a) A Council has the power to appoint members of the Party as organisers, or local agents, to help the work of the Council in organising and advancing the Policy and Rules of the Party as approved by the Administrative Committee.
- (b) Following Rules G.14 and G.15 (below), a Council can only deal with matters passed on to it in writing by a constituent

branch, the Council Executive, the Young Labor Association, and the Administrative Committee.

- (c) Councils can draw up Rules for their own guidance as long as they do not conflict with the principles and general Rules of the Party. Rules made by a Council must be approved by the Administrative Committee.
- (d) Councils act as campaign committees when needed.

### State Electorate Councils

G.14

- (a) State Electorate Councils are responsible for forming branches within their electorates and defining the boundaries in which each branch operates.
- (b) Any suggestions to change the boundaries of constituent branches will be placed on notice and a decision will not be taken for two months by the State Electorate Council.
- (c) All constituent branches affected by any suggested changes to branch boundaries will be told in writing by the Electorate Council Secretary. This must be done within twenty-one days of notice being given of the suggested change.
- (d) When a change has been made, the General Secretary must be notified within twenty one days.
- (e) Any Party member or Party Unit, affected by a new branch being formed or by branch boundaries being changed, can appeal to the Administrative Committee in writing.
- (f) The changed boundaries will come into effect immediately after the State Electorate Council adopts the new boundaries.
- (g) Members who are affected by a change in the branch boundaries can transfer to their new branch following Rule I.9 or can stay in their old branch if it falls within the State Electorate in which they live.
- (h)
  - (i) A Branch may request to affiliate to more than one State Electorate Council and become a composite Branch (where its boundaries cross two or more State Electorate Councils.
  - (II) A branch must notify the General Secretary and the relevant State Electorate Council in writing of any

request to become a composite Branch.

- (iii) After consultation with the relevant State Electorate Councils, the Administrative Committee shall decide, at its discretion, to approve or deny the request.

### Branch Mergers

G.15

- (a) Two or more Branches with boundaries that include the same State Electorate may request that the State Electorate Council approve a merger of the Branches.
- (b) If the State Electorate Council approves the merger, the Branches and the State Electorate Council may request that the Administrative Committee approve the merger. The Administrative Committee may decide, at its discretion, to approve, alter or deny the request.
- (c) If the Administrative Committee approves the merger, the newly formed Branch must hold an Annual General Meeting to elect the positions required under Rule I.19.
- (d) The Administrative Committee may appoint a person to act as the Returning Officer for an Annual General Meeting held under subsection (c).

### Federal Electorate Councils

- G.16 Federal Electorate Councils deal with matters associated with their Federal Electorates, Federal Parliamentary representation, Federal referenda and other Federal matters. However, the Administrative Committee can refer any matter to Federal Electorate Councils.

### Branches

G.17

- (a) Any branch whose return sheets and certified list of branch members are not received by the Council Secretary on or before 1 April in any year, will be regarded as unaffiliated by the Council. The delegates from unaffiliated branches will not be able to vote at any meeting of the Council or to hold office until their branch affiliates. The names of unaffiliated branches will be read out by the Secretary at each Council meeting.
- (b) When the return sheets and certified list of branch members have been received by the Secretary of the Council, a branch is considered to be affiliated and its delegates

are able to vote on the Council.

- (c) Notwithstanding Rule G.17(b), in instances where the return sheets and certified list of branch members are received after 1 April, the delegates from that branch will not be able to vote in the Annual General Meeting of the Electorate Council.

## Media

- G.18 The media are not allowed into Council meetings but, if the Council decides to do so, the President and Secretary can issue a media release.

## FEC Forums

G.19

- (a) A Federal Electorate Council must convene two Forums each year and these Forums must be held in May and November, subject to any other decision of the Administrative Committee. If the FEC so desires, additional Forums may also be held. All Party members in the electorate must be invited. The only two speakers at each Forum shall be the Federal Member of Parliament or the Duty Senator and the Guest Speaker. The speeches of the Federal Member of Parliament/Duty Senator shall be limited to ten minutes. The Guest Speaker may also take questions from members.
- (b) The General Secretary's representative will liaise with FECs/Federal Members/Duty Senators to ensure these Forums are being conducted as required under this Rule. Only Party members and invited guests may attend these forums. The Guest Speaker need not be a Party member.
- (c)
- (i) The FEC attendance book must be made available for all those in attendance to sign. Party members should indicate the branch to which they belong in the attendance book. At the conclusion of the meeting the FEC President (or in the absence of the President, the Vice President or other officer chairing the meeting) must declare the meeting closed and permit any members in attendance to witness the signing off of the attendance book.
- (ii) Photocopies of the attendance records

must be provided to the Secretary of each constituent branch within seven days who must then affix the pages into their branch attendance book.

- (iii) Attendance at an FEC Forum will count towards attendance requirements for existing Branch members for local selection ballots and the renewal of branch registration.
- (iv) Applications to join and admissions to a branch cannot be made at an FEC Forum.
- (v) Branch membership can be renewed by attending an FEC Forum.
- (d)
- (i) If the usual branch meeting is held in the same month as an FEC Forum, attendance at the branch meeting and the FEC Forum will both count towards attendance requirements for Branch members.
- (ii) If the branch meeting is held on the same day as the FEC Forum, only one attendance will be counted towards attendance requirements for Branch members.
- (e) Federal Members of Parliament and Duty Senators are required to make every effort to attend FEC Forums. Duty Senators are required to assist their Duty FECs in organising and conducting the Forums.

## Electorate Assemblies

G.20

- (a) An Electorate Council may convene an Electorate Assembly of all Party members in the Electorate to discuss Labor's policy priorities.
- (b) Branches and Party Units are invited to send all relevant agenda items to the Electorate Council, which will determine the agenda for the assembly.
- (c) The Electorate Council will ensure that all branches are given notice of the Assembly.

## SECTION H

### Local Government

#### H.1

- (a) The Party will endorse candidates for local government elections. After consultation with local Party Units, the Administrative Committee will decide in which local government areas to endorse candidates.
- (b) The Administrative Committee must endorse candidates in compliance with the party's affirmative action minimum percentages as outlined in Section O.
- (c) Only members with at least 12 months membership in the Party can be endorsed as candidates for local government elections. An exception can be made when a majority of the Administrative Committee decides that a significant advantage would be gained for the ALP if a person with less than 12 months membership in the Party stood as a candidate in a selection ballot.
- (d) In areas where Councillors have embarrassed the Party, endorsement will not be given to candidates until the Administrative Committee is sure that the Party would be best served by allowing those candidates to be endorsed.
- (e)
  - (i) Labor Councillors shall not caucus on:
    - Development Applications (i.e. an application under Section 79c of the EPAA Act or its equivalent); and
    - Spot rezonings.
  - (ii) Labor Councillors shall caucus on Party policy, local election policy, council estimates, finance and rates, staff matters, the election of Mayor, President, Chairpersons and Deputies and members of Standing Committees and other representative bodies.
  - (iii) When Labor has a majority on a Council and when elected representatives are required to serve in a position on Council, including Council committees or other representative bodies, support must be given to a Labor majority of representatives on such committees or bodies, as long as enough Labor representatives are willing to serve. For this Rule, a majority will be understood as a simple majority.

#### (f)

- (i) Councillors should report regularly to local branches.
- (ii) Local Government Committees must meet at least once every three months so that councillors can meet with and inform the Committees about council matters. In return Councillors need information about the problems of the local government area as a whole from these Committees.
- (g) Branches should give proper consideration to the local needs of the people, but care must be taken to make sure that local government does not take more time and attention than important Federal and State issues.
- (h) Where Young Labor Associations exist in local government areas, they will be entitled to send one non-voting member to the local government committee meeting. Also the committee can consider correspondence from Young Labor Associations.
- (i) Councillors and members involved in Local Government Campaigns must comply with decisions of the Administrative Committee on local government donations as resolved from time to time.

#### H.2

- (a) At Council meetings Councillors who are members of the Party must support and vote for caucus decisions. Breaches of this Rule should be immediately reported by the Secretary of caucus to the General Secretary of the NSW ALP. The Internal Appeals Tribunal shall hear complaints relating to caucus breaches and local government disputes.
- (b) Where four members of the Party are elected to any Council, these Councillors shall caucus. Where three or less are elected, they should consult.
- (c) Where a deadlock occurs in a Council caucus, the Chair of caucus has the deciding vote. The Chair does not have a casting vote in elections for Mayor, Deputy Mayor, Council Committees and other representative bodies. Deadlocks for these must be determined as specified in Schedule H.4(5).

#### H.3

- (a)
  - (i) At the commencement of each Council term and then annually the caucus shall elect a President and Secretary.

- (ii) Where a popularly elected Mayor is a caucus member, that person shall be caucus President for the term of the Council.
  - (iii) A true record of all decisions taken at caucus meetings is to be kept by the Secretary. These records shall be sent to the NSW ALP General Secretary on request.
- (b) Where Labor has a majority the Labor Mayor, President or Chair will be selected by caucus for the term of the Council or Shire. This is not the case in the City of Sydney.
- (c) These Rules and the standing orders of State Electorate Councils apply where practicable for caucus meetings.
- H.4 The official candidate to represent the Party in the elections for the Lord Mayor of Sydney is elected by a community selection ballot as per Rule N.44. The official candidate so selected is automatically the endorsed number one candidate in election of Sydney City Council councillors.
- H.5
- (a) Where a Councillor can be elected under the Local Government Act to any Board, Commission or Committee, the Labor Councillors in the group concerned should meet to select and support a Labor candidate for the position.
- (b) Where Councillors are elected to any board, commission or committee, the Labor members in the group concerned shall meet and caucus as per Rule H.2(b).
- H.6 When a vote is being recorded for an endorsed candidate all Councillors who can vote should be able to show a responsible Party official that their votes have been recorded in favour of the endorsed Labor candidate.
- H.7 Day labour will be used by all Councils where Labor has a majority, and trade unionists will get preference for all council work. The exception will be where the Administrative Committee, allows a contract system rather than day labour. Where the contract system is chosen, preference will be given to contractors whose employees are members of a registered trade union.
- H.8 Labor Councillors will ensure that award rates or higher are paid for council work.
- H.9 Local organisations that put forward or

support Parliamentary or council candidates are political organisations. Under these Rules, Party members are not allowed to be members of such organisations. Party members can join community organisations unless proscribed (not allowed) by the NSW Administrative Committee.

- H.10 Where Labor has a majority in a Council or Shire, Labor Councillors must limit their reports at branches, Local Government Committees, or other organisations inside and outside the Party, to explaining and supporting caucus decisions and promoting the carrying out of official Party Local Government policy.

### Local Government Committees

#### H.11

- (a) A majority of branches may request the Administrative Committee of the NSW ALP to approve the formation of a Local Government Committee in that local government area.
- (b) Each branch with 5 or more members in a Local Government Area is entitled to send two delegates to that Local Government Area's Local Government Committee.
- (c) A Local Government Committee shall elect office bearers as per a Council Executive for an Electorate Council.
- (d) Local Government Committees must meet at least once every three months so the Councillors can meet with and inform the Committees about Council matters. In return, Councillors need information about the problems of the local government area as a whole from these Committees.
- (e) The Local Government Committee can advise but not direct caucus members as to how to vote on an issue. The primary role of each Local Government Committee is to act as a Campaign Committee for Council elections to ensure that Labor representation is maximised.
- (f) The Local Government Committee shall organise selection ballots for the local government area when required to do so under these Rules.
- (g) Councillors may not be elected as delegates to Local Government Committees but may attend such meetings with all the rights of delegates except voting rights.

H.12 At least once each term, Local Government Committees may convene a local government assembly of all Party members in the local government area, to discuss Labor’s policy and approach in local government.

- (a) All Labor councillors, or candidates if appropriate, will be expected to attend.
- (b) Branches and Party Units are invited to send all relevant agenda items to the LGC, which will determine the agenda for the assembly.
- (c) The LGC will ensure that all branches are aware of the assembly.

LGCs in an area may decide to hold a combined councils assembly. LGCs will have the responsibility of organising the assembly, subject to the approval of the Administrative Committee.

H.13 The Committees cannot tell Councillors how they should vote on Council business. Councillors must report back to the branches. Where a Local Government Committee is not functioning the Administrative Committee of the NSW ALP may appoint a local SEC Returning Officer to act as Deputy Returning Officer for a pre-selection ballot as required.

- (a) Candidates must meet with the Local Government Committee to decide the policy for Council elections.
- (b) These Rules, and the standing orders of State Electoral Councils, apply where needed for Local Government Committees.

H.14 When it considers it is in the best interests of the Party to do so, the Administrative Committee can decide not to endorse any candidate as an official Party candidate.

H.15 The Administrative Committee can decide on the selection of any official Party candidate or candidates, in any local Government electorate, as it thinks suitable in the best interests of the Party. Consultation must first be made with the relevant Local Government Committee.

H.16

- (a) All Party members who run unendorsed must gain the approval of the Administrative Committee for their candidacy and for their preference distributions.
- (b) Where Councillors are elected to official positions in Local Government but are not officially selected or endorsed candidates, they must keep to these Rules just as if they

had been officially selected or endorsed.

H.17 The Secretaries of the Council caucus and Local Government Committee must let the General Secretary know as soon as possible when a by-election is needed.

**NSW Labor Local Government Caucus**

H.18

- (a) Councillors elected to a NSW local government body outlined in Section H, and financial members of the Party (NSW Branch) elected to Aboriginal Land Councils in NSW must form a separate Local Government Caucus.
- (b) The NSW Labor Local Government Caucus shall adopt its own standing orders and rules, determine its own structure, and adopt procedures to facilitate its business and events.
- (c) The NSW Labor Local Government Caucus Executive shall be required to meet with representatives from affiliated unions at least once yearly to:
  - (i) Facilitate policy development between the Local Government Caucus and affiliated unions;
  - (ii) Provide a framework for the partnership between the Local Government Caucus and affiliated unions on matters of common concern;
  - (iii) Undertake long-term planning for the implementation of Labor policy in local government; and
  - (iv) Provide a forum for leadership on matters of public concern and interest related to local.

## SECTION I

### Role of a Local Branch

- I.1 Recognising that branches are the building blocks of the party, local branches shall be established to achieve the following goals:
- (a) To encourage the dissemination of Labor values in their communities;
  - (b) To identify, recruit, and develop leaders in their communities;
  - (c) To develop the skills and analytical capacity of their members;
  - (d) To educate their members about current social and political issues;
  - (e) To develop their members' understanding of the party's traditions practices processes and structures;
  - (f) To lead and coordinate campaigns on issues in their communities;
  - (g) To encourage and support their members to be active in civil society organisations;
  - (h) To build organisations in their communities that share and promote Labor's values;
  - (i) To create bonds of solidarity and fellowship between party members;
  - (j) To provide an avenue for receiving from their communities feedback and input on Labor's policies, initiatives and program;
  - (k) To assist in the election of endorsed Labor candidates;
  - (l) To contribute to the process of developing party policy; and
  - (m) To qualify members to enable them to exercise voting rights in preselections and other party ballots.

### Branches

- I.2 All Party members who have been admitted to membership of the branch (see Rule I.7 below) are members of a branch. Only those who have been admitted to the branch in the way set out in the Rules can take part in the affairs of the branch and receive the benefits of membership.
- I.3 A branch which has not met for three months cannot meet again unless:
- (a) one calendar month's notice is given to the General Secretary and to the local State Electoral Council, where one exists, and

- (b) the first meeting is advertised in the official journal of the Party or a local newspaper. Where an objection is made to the branch starting up again the Administrative Committee will look into the matter.
- I.4 Where a town is divided into several electorates the Administrative Committee can allow members to meet as one branch.
- I.5 A branch of the Australian Labor Party can be set up in any centre as long as at least fifteen eligible people want to form a branch. In a country area the number of eligible people required to start a new branch is ten.

### Setting up a new branch

- I.6
- (a) This is the way to set up a branch:
    - (i) A meeting should be called and advertised in the official journal of the Party or a local newspaper. The notice must include the time, date and venue for the meeting. At least two weeks' notice of the meeting should be given in the advertisement.
    - (ii) At least one month's notice should be given to the General Secretary and to the Secretary of the State Electorate Council. The General Secretary will appoint a representative to oversee the conduct of the formation meeting.
    - (iii) The people meeting together (and there must be at least fifteen eligible people or ten in a country area) must accept the Platform and Constitution of the Australian Labor Party (NSW Branch) and move a resolution to set up a branch.
    - (iv) The meeting should then elect a President (for the time being) and a Secretary (for the time being).
    - (v) The President and Secretary should fill in the Form of Declaration supplied by the General Secretary and send it back to the General Secretary, along with applications for membership filled in by people who were at the first meeting and who want to become members.
  - (b) After the Branch formation meeting and before the Branch charter meeting, the local State Electoral Council should decide without delay if it wants a new branch to be set up, taking note of the area for which it is suggested, the members or those applying for membership who want to set up the branch,

and the need for such a branch. When the State Electoral Council has made its decision it should let the General Secretary know what that decision is without delay.

- (c) The General Secretary will refer the application from those who are acting as President and Secretary, and the applications for membership, together with the decision of the State Electorate Council, to the Administrative Committee for a decision. In the case of branch formation meetings, where more than fifty people apply to join, the matter will be referred to the Internal Appeals Tribunal for report prior to a decision being made.
- (d) The Administrative Committee may then allow a charter to be issued to the new branch and Party membership granted.
- (e) When the charter has been received the acting President and Secretary will call a meeting of people who intend to be members by advertising it in the official journal of the Party or local newspaper and informing the Secretary of the State Electorate Council of the meeting in writing. At least two weeks notice of the meeting must be given.
- (f) At this meeting elections will take place for the official positions within the branch and members who want to join the branch will be admitted to membership.
- (g) Only members present at the formation meeting may become members of the branch at this meeting and vote for positions.

### Joining a Local Branch

I.7

- (a) Branch members and those wanting to join the branch must live within the State electorate. Members must, at the time of joining or transferring to a Branch either be correctly enrolled with the Australian Electoral Commission to vote in a federal election at their stated address or not be so entitled because they are under 18 years of age or not an Australian citizen. Unless there is overwhelming evidence against this, proof of where a branch member or an applicant for branch membership lives is taken from the up-to-date Commonwealth Electoral Roll or by production of an up-to-date Commonwealth Enrolment Card. For the purpose of this Rule, the Commonwealth Electoral Roll includes supplementary rolls and computer printouts.

- (b) In the case of people who are not citizens, a passport or other documentary proof of non-Australian nationality confirming permanent residency must be produced, along with documentary proof of residence.
- (c) In the case of people who are under eighteen years of age, a birth certificate or the certified copy of entry of birth must be produced.
- (d) If there is no branch in a state electorate, Party members may join the branch nearest to where they live.

### Local branch membership

I.8

- (a) Members who want to keep their membership with the branch must do so by attending a meeting of the branch every membership year and signing the attendance book.

Note: The membership year for branches starts on 1 December and finishes on 30 November.

- (b) Where members are prevented from attending a branch meeting and signing the attendance book for the purpose of renewing their branch membership, the member may, in limited circumstances, apply to sign the branch attendance book by making an application to the General Secretary, in the form determined by the Administrative Committee.

The circumstances where this may be permitted are limited to:

- (i) Sickness;
  - (ii) Disability;
  - (iii) Mobility impairment;
  - (iv) Unpaid carers who care for a person or persons who have a disability, chronic illness or condition, terminal illness or are frail or aged;
  - (v) Deployment on government, military or diplomatic postings overseas.
- (c) The General Secretary will table any I.8 applications at the next Administrative Committee meeting. The Administrative Committee may accept, reject or seek further information on the application.
  - (d) Where the Administrative Committee accepts the application, permission to sign the branch attendance book once in the membership year is granted by the Administrative Committee.
  - (e) The Branch Secretary will arrange with the member for the book to be made available to

sign at an agreed and convenient venue.

- (f) The member concerned must sign a separate page in the Branch attendance book. Next to the name of the member, the Branch Secretary must write in brackets "1.8".
- (g) An application approved under this section is only valid for the membership year in which it is made.
- (h) Applications from members to sign branch attendance books under previous iterations of this rule will expire as of 1 August 2017.

### Transferring from a Branch

1.9

- (a) An existing branch member who wishes to transfer out of an existing branch must first notify the General Secretary of their intention to transfer in writing or via the Party's website.
- (b) Within fourteen days of receiving a notification under subsection (a), the Party Office must:
  - (i) Issue the transferring member a Transfer Clearance; and
  - (ii) Notify the transferring member's old branch and new branch of the pending transfer.
- (c) An existing branch member applies to transfer into a new branch by:
  - (i) Attending an ordinary branch meeting;
  - (ii) Signing the attendance book;
  - (iii) Showing their Party Membership Card to the Branch Secretary; and
  - (iv) Showing their Transfer Clearance to the Branch Secretary.
- (d) A transferring member's membership of the new branch starts from the branch meeting at which they apply to transfer into the new branch in accordance with subsection (c).
- (e) Where the Internal Appeals Tribunal or the Review Tribunal is of the view that a member has effectively transferred their membership to another branch, then the Tribunal may confirm the member's branch membership as of a date determined by the Tribunal. For the purposes of this rule, the Tribunal may wish to consider but will not be confined to branch

minutes evidencing a transfer of branch membership and proof of regularity of branch attendance.

- (f) A person may transfer their membership interstate by notifying the General Secretary of their intention to transfer in writing or via the Party's website. The General Secretary must forward this information to the Secretary of the interstate branch to which the person is transferring.
- 1.10 During April the General Secretary sends all branches a complete list of the names, addresses, ticket numbers, categories of membership and membership fees paid, for Party members who live in each branch area or state electorate and are members of the branch and have renewed their membership by 31 March.

### Branch Meetings

1.11

- (a) Each Branch in NSW must meet at least once every three months at a place decided by the Branch. Meeting venues must be as accessible as possible for all members.
- (b) The Secretary must let each Branch member know the time, date and place of meetings and may send this advice by email.
- (c) All branches must notify the relevant local Labor member of Parliament, State Duty MLCs and Duty Senators of the meeting times, date and place of branch meetings. Any variations to branch meetings, times, dates and locations shall be notified with the appropriate notice (ie: 7 days). The General Secretary must be advised of a permanent change to the meeting time, date and place of a branch.
- (d)
  - (i) Where a Branch usually holds one meeting a month, in January and February that Branch can hold two ordinary meetings to make it easier for members to renew their branch membership.
  - (ii) One meeting must be held at the usual meeting time, date and place. The other ordinary meeting will be held at the usual meeting place when that is possible, at a time and date decided

by the Branch.

- (e) Meetings must be at least seven days apart whether these are special or ordinary meetings and all members must be advised of the meetings.
- (f) All meetings must be held in accordance with the principles outlined in Schedule L Women's Participation.

I.12

- (a) Unless a Branch has resolved to suspend standing orders or normal branch business to hold a general discussion, training, policy forum or social event, the business at Branch meetings is carried out in the following order:

- (i) Acknowledgment of Country;
- (ii) Confirmation of meeting minutes, which can be read or provided electronically or in hard copy prior to the meeting;
- (iii) New Members;
- (iv) Policy discussion;
- (v) Correspondence;
- (vi) Accounts;
- (vii) Reports;
- (viii) Motions which have been provided in writing to the meeting; and
- (ix) General Business.

(b)

- (i) The minutes of the previous meeting may be circulated to branch members by email rather than posted, and must be available for inspection at the meeting prior to confirmation. This must be given priority at each ordinary Branch meeting.
- (ii) The President, or whoever is presiding at the meeting, shall sign the minutes immediately after they have been confirmed.

Where the minutes are typed, the signed copy shall be pasted into the minute book by the secretary.

- (c) The Secretary is required to give only a brief overview of any major items of correspondence received and table all other correspondence for circulation during the meeting.

I.13

- (a) If at least twelve members ask for one, a special Branch meeting must be arranged by

the Secretary. The request must be made in writing and state what issues the members want to discuss. The Secretary must tell all local Branch members of the special meeting by sending out a circular seven days before it will take place. If, after fourteen days from receiving the request, the Secretary has not organised a special Branch meeting, the General Secretary should be told.

- (b) A special Branch meeting cannot overturn a decision made at a Branch meeting during the previous three months.

- (c) A special Branch meeting can only discuss the matters raised when the meeting was first called for. New items cannot be added to the agenda. The business of a special meeting cannot include applications for or acceptance of new members to the branch and attendances at special meetings will not count for preselection purposes.

- (d) Items other than those raised when the meeting was first called for, will be ruled out of order.

- (e) The Branch Executive can call a special Branch meeting but must follow this Rule.

I.14 A branch meeting can only take place if a quorum is established ie if seven members are present, or five members in a country area. If a quorum is not established after 30 minutes the meeting cannot take place. The quorum must be maintained at all times during the meeting or the meeting will lapse.

I.15 The media are not allowed in to Branch meetings but, if the Branch decides, the President and Secretary can issue a media release.

I.16

- (a) A member, or a person applying for membership, is present at the meeting if he/she signs the official attendance book during the meeting.

- (b) The Secretary shall ensure that the attendance book is circulated among the attendees at a meeting in a way that allows attendees to peruse the book. The clamping of books with clips is prohibited.

- (c) At the conclusion of the business of a Branch meeting, the President (or in the absence of the President, the Vice President or other officer chairing the meeting) must declare the meeting closed and must permit any members in attendance to witness the signing off of the

attendance book. The chair’s signature must go immediately under the last signature and the page must be ruled off.

- I.17 Any member who behaves in an unruly or disorderly way can be ordered to leave the meeting by the Chair.
- I.18 Any Party member can attend any other Branch meeting, but they can only speak during discussions with the agreement of the Branch they are visiting. A member visiting another Branch cannot vote; cannot propose or second a motion; and cannot hold office.

**Branch Annual General Meeting and Officials**

I.19

- (a) At its Annual General Meeting in March each Branch must elect:
  - a President;
  - two Vice-Presidents (one of whom is the Senior Vice-President);
  - a Secretary;
  - a Treasurer;
  - a Fundraising Officer;
  - an Assistant Secretary;
  - A New Member Officer;
  - Two Auditors (one of whom is the Senior Auditor);
  - Delegates and Alternate Delegates to Federal and State Electorate Councils, Local Government Committee;
  - a Branch Returning Officer;
  - a Deputy Returning Officer;
  - and any other Branch representatives needed for the following year.

The jobs of Secretary and Treasurer can be combined, but if that happens an extra Vice-President must be elected. A member of the Branch Executive other than the President or Secretary can also hold the position of New Member Officer. The role of the New Member Officer is to mentor new Branch members and explain how the Branch and other Party Units work.

- (b) The President, Vice-Presidents, Secretary, Assistant Secretary, Treasurer or Secretary-Treasurer and Fundraising Officer are the Branch Executive and are also members of all Branch committees. The Branch Executive and any Branch Committees will report back on

any decisions made, or actions taken by the Branch Executive and/or Branch Committees, for ratification by the branch members.

- (c) Electorate Branches (that is where there is only one Branch in the electorate) elect the delegates they need at their Annual General Meeting.
- (d) In electing positions set out in (a), the branch must adhere to the party’s affirmative action minimum percentages as outlined in Section O.

I.20

- (a) Branch officials are elected at the Annual General Meeting held in March, or another month determined by the Administrative Committee. However if a Branch Annual General Meeting takes place in a month other than March, eligibility to vote and be a candidate at the Annual General Meeting under these Rules is determined as if the Annual General Meeting is taking place in March.
 

A preferential voting system is to be used (see Schedule H at the end of this book).
- (b)
  - (i) Nominations for Branch Positions must close with the Returning Officer no less than seven days prior to the Annual General Meeting, at a date, time and place agreed by the Branch. Members must be given seven days notice by circular before nominations close.
  - (ii) The notice must advise the number of delegates and alternate delegates to be elected to Electorate Councils from the Branch.
  - (iii) The notice must advise how many delegate and alternative delegate positions are to be elected are required to be filled by women in compliance of the party’s affirmative action minimum percentage as outlined in Section O.
  - (iv) Nominations must be made in writing and signed by two other Branch members and the person nominated, showing that the person accepts the nomination. If not enough nominations are received in advance, written or verbal nominations can be made at the meeting during the elections.

- (v) The Returning Officer or his/her Deputy must be present at the time and place when it was stated nominations would close. After nominations close the Returning Officer (or Deputy) must immediately check that all the nominations are correctly completed (valid). The Returning Officer (or Deputy) must tell the candidates or scrutineers which nominations are correct and which are incorrect. If the Returning Officer (or Deputy) decides certain nominations are incorrect (invalid) he/she must explain why he/she has made that decision. If a ballot is needed the Returning Officer must immediately decide the order of the names on the ballot paper. This should be done by drawing lots. Candidates can appoint scrutineers to oversee the drawing.
  - (vi) No Returning Officer or scrutineer shall be allowed to nominate for any position in any ballot in which he/she is acting as Returning Officer or scrutineer.
- (c)
- (i) If a member wants to stand for a position in the Branch he/she must be a fully paid-up member by 31 January and have renewed their Branch membership before 1 March. If there are not enough nominations a member can stand for a position as long as he/she is a fully paid-up member before being nominated.
  - (ii) A member must either be present at the meeting when he/she is nominated or, if he/she is not able to attend, make it clear in writing that he/she wants to be nominated.
  - (iii) A member cannot hold any Branch positions unless he/she has been a member of the branch for not less than six months immediately before the elections. An exception to this Rule is made when there are not enough nominations from members who have been in a Branch for more than six months.
  - (iv) The previous Rule does not apply to new Branches which have existed for less than 12 months.
  - (v) Councillors cannot be elected as delegates to the Local Government Committee.
- (d) To vote in Branch elections members must be:
- fully paid-up by 31 January,
  - must have renewed their membership of the Branch before 1 March and
  - a member of the Branch for at least three months before the elections.
- (e) The General Secretary sends each Branch Secretary a complete list of the names, addresses, ticket numbers and categories of membership for all members in the Branch area, or who have joined the Branch, who have renewed their membership by 31 January. This list should be received by 14 February.
- (f) At least seven days before the elections the Secretary gives the Returning Officer a list of the names and addresses of members who can vote. Any candidate is entitled to be given the list.
- I.21 Notwithstanding other provisions of these Rules Branch officials and delegates representing Branches hold office until the declaration of election of their successors, unless their position falls vacant because the office-holder:
- (a) dies;
  - (b) resigns the office by instrument in writing addressed to the Branch Secretary;
  - (c) becomes a mentally incapacitated person;
  - (d) ceases to be a member of the Party;
  - (e) ceases to be a member of the Branch;
  - (f) if a member of the Branch Executive – is absent without permission for three ordinary meetings of the Branch in a row; or
  - (g) if a delegate representing the Branch – is absent without permission from three ordinary meetings of the Electorate Council/Local Government Committee in a row.
- A person elected to a position by a Branch ceases to hold that position if these Rules do not require the continued existence of the position and the position ceases to exist. Nothing in this Rule prevents a person who ceases to hold office under (f) or (g) above from re-nominating and being re-elected to the same position.
- I.22 If a position of a Branch official or delegate representing the Branch is vacant, or a position is not filled at the Annual General Meeting, then the vacancy is filled by the Branch as follows:
- (i) A time, date and place is set for

nominations, but members must be given seven days notice. This can be done by a circular being sent to members or by advertising it in the official journal of the Party.

- (ii) The vacancy is filled at the next ordinary Branch meeting. If an election is needed preferential voting should be used (see Schedule H at the end of this book).

I.23

- (a) When a person applies to join or transfer into the Branch, the Secretary should ensure that the person is eligible to join the Branch and should note how many people are applying to join at each Branch meeting.
- (b) Any challenges to the eligibility of a person to join the Branch must be referred in writing to the General Secretary who will make a determination within one week of receiving the referral. The determination of the General Secretary may be challenged in writing in accordance with Rule A.35.

**Branch President**

I.24 The President chairs Branch meetings when he/ she is present. The President must keep the meeting in order and make sure that the Rules of debate are followed. (The Rules of debate are printed as Schedule I at the end of this book.)

If the President is away, the most senior Vice-President at the meeting takes the chair.

**Branch Secretary**

- I.25 The Secretary (or if he/she is away, the Assistant Secretary) must:
- (a) Keep proper Branch records. These records include:
    - Branch Attendance Book; and
    - Branch Minute Book.

The Secretary also deals with letters to and from the Branch (correspondence).
  - (b) Pay all monies over to the Branch Treasurer. This should happen either at Branch meetings or as soon as possible afterwards.
  - (c) On or before 1 April each year send the return sheets listing Branch members to the Secretaries of the State and Federal Electorate Councils, Local Government Committees, and to the General Secretary. The return sheets must include names and addresses.

Failure to lodge required Branch or Electorate Council Annual Financial Returns to the NSW Branch Office may result in the Administrative Committee suspending the charter of the Branch or Electorate Council.

- (d) Branches can only be represented on State or Federal Electorate Councils or Local Government Committees if they have sent in their return sheets.
- (e) As soon as the Electorate Councils have given the Branch Secretary the details of the date, time and place for nominations and the details of the Annual General Meeting, he/she must tell the Branch delegates to each Electorate Council.
- (f) If a delegate elected to represent a Branch, an Electorate Council or Local Government Committee is unable to perform a function as a delegate, the Branch Secretary may appoint an alternate delegate elected by the Branch for the Council or Committee to exercise that function.

**Branch Treasurer and Branch Fundraising Officer**

I.26

- (a) The Treasurer must keep accurate accounts of all Branch money. No money can be withdrawn from Branch funds without the Treasurer's signature and he/she will only sign after a Branch decision. At the end of the financial year the Treasurer must present the Branch with an audited balance sheet and statement of income and expenditure.
  - (i) From time to time \$30 can be voted for use as petty cash by the Secretary.
  - (ii) In every other way the Branch finances are to follow the Rules in Section K of this book.
- (b) The Fundraising Officer co-ordinates all Branch fundraising. He/she should report to the Branch regularly. All money raised must be given to the Treasurer – see (a) of this Rule.
- (c) The Treasurer must ensure that the Branch complies with requirements of the Election Funding, Expenditure and Disclosures Act 1981. At the end of each financial year, the Treasurer must provide the NSW Labor Office with a schedule and details of all income received and expenses paid out by the Branch and associated information during that financial year.

**Branch Records**

I.27

- (a) The Administrative Committee can demand to see the books, documents, money and business records of any Branch. If that happens the Branch Secretary must deliver the books, documents, money and business records to the General Secretary of the NSW Branch.
- (b) If a Branch Secretary ignores or refuses to meet the Administrative Committee’s request, the General Secretary can take proceedings against him/her to obtain the books, documents, money and business records.

As explained in Section K of the Rules, all local Branch books, documents, money and other material belong to the NSW Branch of the Australian Labor Party.

**Policy Branches Central Policy Branch**

I.28

- (a) The Central Policy Branch will meet bi-monthly and hold meetings in both the Central Business District and from time to time in other areas, including rural and regional areas. Each meeting shall focus on one policy issue.
- (b) The Central Policy Branch will not be conducted in the same manner as existing local branches. Open meetings and forums of Policy Committees, as well as Central Policy Branch forums, will be deemed meetings of the Central Policy Branch and an attendance book will exist for the Central Policy Branch. The purpose of the Central Policy Branch is to allow members who are interested in policy development and discussion, outside the existing branch structures, to participate in Party affairs.
- (c) A Central Policy Branch meeting is only deemed to take place if a quorum is established i.e. if seven members are present. If a quorum is not established after 30 minutes the meeting is not deemed to have taken place. The quorum must be maintained at all times during the period in which the attendance book is open for signature.
- (d) Any member of the ALP (NSW Branch) can apply to join the Central Policy Branch. At the first meeting they attend they must complete an application to join the Branch and must provide proof of their electoral enrolment to the Secretary as detailed in Rule I.7. A member transferring from and/or to another branch

must comply with the provisions of Rule I.9.

- (e) The General Secretary will be the Secretary of the Central Policy Branch and will appoint a Chairperson and may appoint an acting Secretary for each meeting and be responsible for the keeping of the Central Policy Branch attendance book. Policy Committees can organise forums and policy discussions that will be considered meetings of the Central Policy Branch.
- (f) The Central Policy Branch does not hold an Annual General Meeting, elect officer bearers, send delegates to electorate councils, keep minutes or have special meetings.
- (g) Members of Central Policy Branch may propose, second, speak to, amend, adjourn, vote on and pass motions at Central Policy Branch pursuant to sections 4 to 10 of Schedule I.

**Regional Policy Branches**

- (h) A State Electorate Council or State Electorate Councils may request that the Administrative Committee grant a charter for a Policy Branch in their area, so long as it would not detract from existing Branch structures.
- (i) The Administrative Committee may decide, at its discretion, to approve, alter or deny a request under subsection (h). The Administrative Committee may approve no more than three Regional Policy Branches under this subsection in the first twelve months after it becomes operative.
- (j) Regional Policy Branches operate in the same way as the Central Policy Branch, except that only Party members residing in the State Electorates requesting a charter may join a Regional Policy Branch.
- (k) For the avoidance of doubt, subsection (j) means that members of Regional Policy Branches are eligible to vote in local selection ballots pursuant to Rule N.19(h).
- (l) For the avoidance of doubt, subsection (j) means that Regional Policy Branches may not send delegates to Electorate Councils, as per Rule G.1(f).
- (m) A copy of the relevant pages of a Regional Policy Branch’s attendance book shall be forwarded to the NSW Branch Office within seven days of each meeting.
- (n) The NSW Branch Office shall maintain a register of the information provided under

subsection (m). This register shall be available for inspection by any member of the Administrative Committee.

### Online Policy Branches

- (o) The Administrative Committee may grant a charter for an Online Policy Branch. The Administrative Committee may grant no more than one charter for an Online Policy Branch under this subsection in the first twelve months after it becomes operative. The Online Policy Branch will meet quarterly and focus on one policy issue.
- (p) Except as provided for in this Rule, Online Policy Branches operate in the same way as the Central Policy Branch.
- (q) A member of an Online Policy Branch may concurrently be a member of a Branch in their local area, the Central Policy Branch, or a Regional Policy Branch.
- (r) Despite Rule N.19(h), members of Online Policy Branches are not eligible to vote in local selection ballots in their capacity as an Online Policy Branch member, but may be eligible if they are concurrently a member of a Branch in their local area, the Central Policy Branch, or a Regional Policy Branch.
- (s) For the avoidance of doubt, subsection (p) means that Online Policy Branches may not send delegates to Electorate Councils, as per Rule G.1(f).
- (t) The NSW Branch Office shall maintain a register of attendance for Online Policy Branches. This register shall be available for inspection by any member of the Administrative Committee.

### Labor Action Committees

I.29

#### OBJECTIVES

- (a) Labor Action Committees ('LACs') have the following objectives:
  - (i) To discuss and develop policy on a defined subject, or affecting a defined demographic;
  - (ii) To organise events on a defined subject, or for a defined demographic;
  - (iii) To communicate and engage with the community; and
  - (iv) To grow the Party.

#### CHARTER

- (b) The Administrative Committee may grant a charter for a LAC where a group submits a valid LAC Application.
- (c) To be valid, a LAC Application must contain the following information:
  - (i) A statement of the group's name, objectives and Rules;
  - (ii) A declaration signed by 30 financial Party members that the group accepts the Party Rules and Platform;
  - (iii) The name of a patron from the State Parliamentary Caucus;
  - (iv) The name of a patron from the Federal Parliamentary Caucus; and
  - (v) The names of the two Party Office Liaison Officers required in I.29(e).
- (d) To maintain its charter, a LAC must at all times have 30 members who are also financial Party members. The following people are not eligible for membership of a LAC:
  - (i) A person who is a member of another political party or one of its affiliated organisations (Country Labor does not constitute another political party for the purposes of this subsection); or
  - (ii) A person who has been expelled from the Party and has not been readmitted as a member.
- (e) To maintain its charter, a LAC must hold an Annual General Meeting each year where it elects a Convenor/President, a Secretary/Treasurer and two Party Office Liaison Officers.
- (f) The Party Office must maintain a register of the names and membership numbers of the members of each LAC. This register must be available for inspection by a member of the Administrative Committee on request.
- (g) The Administrative Committee may approve a set of constitutional rules that a LAC must abide by.
- (h) The Administrative Committee may withdraw the charter of a LAC in a manner consistent with Rule D.6.

#### DUTIES

- (i) A LAC must be as inclusive as possible.
- (j) A LAC must, on or before 1 April each year, send an annual financial return and annual

membership return to the General Secretary.

- (k) A LAC must operate its finances in the same way as a branch under the Rules.
- (l) A LAC must operate its bank account through the Party's bank.

**POWERS**

- (m) Subject to these Rules, Annual Conference and the Administrative Committee, a LAC may:
  - (i) Subject to rule 1.29(g), determine its own structure;
  - (ii) Determine how a person becomes a member of the LAC;
  - (iii) Adopt procedures to facilitate its business;
  - (iv) Promote itself as being associated with the Party;
  - (v) Discuss and develop policy on a defined subject, or affecting a defined demographic;
  - (vi) Organise events on a defined subject, or for a defined demographic;
  - (vii) Request that its events be publicised by the Party;
  - (viii) Put motions directly to Annual Conference, Country Labor Conference, the NSW Policy Forum and the National Policy Forum; and
  - (ix) Request that the Administrative Committee approve a Membership Application Form or a Membership Renewal Form with the LAC's branding.
- (n) If the Administrative Committee approves, a LAC may charge a membership fee.
- (o) A LAC may not:
  - (i) Send delegates to electorate councils; or
  - (ii) Send delegates to Annual Conference or Country Labor Conference.
- (p) A member of a LAC need not be a financial Party member, but a member of a LAC who is not a financial Party member will not count towards the LAC's membership for the purposes of maintaining its charter under subsection (d).
- (q) A member of a LAC may concurrently be a member of a branch in their local area, the Central Policy Branch, or a Regional Policy Branch.
- (r) A member of a LAC is not eligible to vote in

local selection ballots in their capacity as a member of the LAC, but may be eligible if they are concurrently a member of a branch in their local area, the Central Policy Branch, or a Regional Policy Branch.

**Auslan Branch Trial**

**1.30**

- (a) The Administrative Committee may grant a charter for a Trial Auslan Language Branch following a request signed by ten (10) members.
- (b) An Auslan Branch must meet at least once per three months. A meeting is only deemed to take place if a quorum is established, i.e. if seven members are present as per the requirements of rule 1.14.
- (c) An Auslan Branch must elect a Branch President, Secretary and Treasurer in accordance with rules 1.24-1.26, and maintain a Branch Attendance Book to be maintained as per 1.27.
- (d) An Auslan Branch will not be conducted in the same manner as existing local branches, but will be an open forum to allow members to participate in Party affairs and policy debate and development in the Auslan language.
- (e) An Auslan Branch is open for membership to all members of the NSW Labor Party. A member of an Auslan Branch may concurrently be a member of their local branch, the Central Policy Branch or a Regional Policy Branch.
- (f) Attendance at an Auslan Language Branch will not count towards meeting attendance requirements for public selection ballots.

## SECTION J

### Tribunals

#### Right of appeal

##### J.1

- (a) A Party member, Party Unit or Affiliated Union may appeal decisions made by Party Units or the conduct of Party members to the Internal Appeals Tribunal and Review Tribunal.
- (b) An appeal to the Internal Appeals Tribunal or Review Tribunal is only valid if it:
  - (i) is addressed to the Secretary as per Rule J.11 (c);
  - (ii) Is provided in writing through the online Tribunal submissions system where possible;
  - (iii) States the grounds for the appeal under the Rules;
  - (iv) Provides evidence to substantiate the claim; and
  - (v) Is lodged with the correct fee specified in Rule J.1(d).
- (c) Subject to these Rules and Annual Conference, the Internal Appeals Tribunal and Review Tribunal may determine the form and manner in which appeals must be made, including whether a hearing is necessary.
- (d) A deposit is required for all appeals as a guarantee of good faith - the deposit will be returned if there are reasonable grounds for the charge being made. The fee structure is as follows:
  - (i) For Internal Appeals Tribunal matters the fee shall be set at \$50 plus \$5 per member.
  - (ii) For a Review Tribunal matters the fee shall be set at \$75 plus \$5 per member.
- (e) In matters that are referred to a Tribunal by the Administrative Committee or Party Officers, they are exempt from paying the prescribed fee.
- (ii) Appeals regarding the conduct of a ballot;
- (iii) Appeals regarding credentials for any Conference under these Rules;
- (iv) Appeals against decisions made by a meeting of the Party Officers;
- (v) Appeals against decisions made by the Administrative Committee;
- (vi) Matters referred to it by the Administrative Committee;
- (vii) Matters referred to it by the Ombudsman;
- (viii) Matters regarding an alleged breach of these Rules;
- (ix) Applications for continuity of membership; and
- (x) Applications for re-admission to membership.
- (b) An appeal to the Internal Appeals Tribunal against a decision made by the Party Officers or Administrative Committee must be lodged within two calendar months of the decision.
- (c) The Review Tribunal has jurisdiction to hear:
  - (i) Appeals against decisions made by the Internal Appeals Tribunal; and
  - (ii) Matters referred to it by the Administrative Committee.
- (d) An appeal to the Review Tribunal against a decision made by the Internal Appeals Tribunal must be lodged within fourteen days of the date of the publication of the reasons for decision.
- (e) If a member is dissatisfied with a decision of the Internal Appeals Tribunal they may appeal to the Review Tribunal if the member can establish that the Internal Appeals Tribunal in making its decision:
  - (i) overlooked or breached a Rule, or
  - (ii) allowed extraneous or irrelevant matters to guide its decision;
  - (iii) mistook the facts; or
  - (iv) failed to take into account a material consideration.
- (f) In considering whether the Internal Appeals Tribunal has made an error in its decision in accordance with J.2(e), the Review Tribunal will have regard to the material that was before the Internal Appeals Tribunal in the first instance.
- (g) In considering whether the Internal Appeals

#### Jurisdiction

##### J.2

- (a) The Internal Appeals Tribunal has jurisdiction to hear:
  - (i) Appeals regarding the list of voters for a ballot;

Tribunal has made an error in its decision in accordance with J.2(e), the Review Tribunal may, where extraordinary circumstances dictate, have regard to new or fresh evidence that was not available to the Internal Appeals Tribunal in the first instance. The Review Tribunal may invite a member of the Internal Appeals Tribunal to attend to provide additional information on the decision making process of the original Internal Appeals Tribunal decision.

- (h) The Internal Appeals Tribunal or Review Tribunal does not have the power to overturn a decision of Annual Conference.

**Members**

**J.3 ELECTION**

- (a) The Internal Appeals Tribunal and Review Tribunal each consist of:
  - (i) A Chair;
  - (ii) Two Deputy Chairs;
  - (iii) Three members; and
  - (iv) Three associate members.
- (b) The positions in subsection (a) must be elected by a three-quarters majority vote of the Administrative Committee.
- (c) A person elected to a position in subsection (a) holds office for two years.

**J.4 ELIGIBILITY**

- (a) To be eligible for election and to remain in office as a Chair or as Deputy Chair of the Review Tribunal, a person must:
  - (i) Not hold public office;
  - (ii) Not be actively seeking election or appointment to public office;
  - (iii) Be admitted as a lawyer in the state of New South Wales;
  - (iv) Be a Queen’s Counsel, Senior Counsel, partner at a law firm, or retired judge; and
  - (v) Be of good fame and character.
- (b) To be eligible for election and to remain in office as a Chair or as Deputy Chair of the Internal Appeals Tribunal, a person must:
  - (i) Be a financial Party member;
  - (ii) Not hold public office;
  - (iii) Not be actively seeking election or

- appointment to public office;
- (iv) Be admitted as a lawyer in the state of New South Wales; and
- (v) Be of good fame and character.
- (c) To be eligible for election and to remain in office as a member or associate member of the Internal Appeals Tribunal or Review Tribunal, a person must:
  - (i) Be a financial Party member;
  - (ii) Not hold public office;
  - (iii) Not be actively seeking election or appointment to public office;
  - (iv) Be admitted as a lawyer in the state of New South Wales or possess other relevant skills or experience; and
  - (v) Be of good fame and character.
- (d) A person who holds a position on the Review Tribunal must not hold a position on the Internal Appeals Tribunal.

**J.5 AFFIRMATIVE ACTION**

- (a) At least one third of Internal Appeals Tribunal and Review Tribunal members must be women.
- (b) At least one third of Internal Appeals Tribunal and Review Tribunal associate members must be women.

**J.6 ROLE OF ASSOCIATE MEMBERS**

- (a) Inability to attend
  - (i) If a member of the Internal Appeals Tribunal or Review Tribunal is unable to attend all or part of a meeting, they may appoint an associate member to replace them.
  - (ii) If a Chair or Deputy Chair of the Internal Appeals Tribunal or Review Tribunal is unable to attend all or part of a meeting, they may not appoint an associate member to replace them.
  - (iii) An associate member appointed under subsection (i) has the full rights of the member whom they are replacing for that meeting or part of that meeting.
- (b) Conflict of Interest
  - (i) If a Chair, Deputy Chair or member of the Internal Appeals Tribunal or Review Tribunal is directly involved in any matter being considered by the Tribunal, they must not participate in the meeting when

that matter is being considered or vote on that matter.

- (ii) If a member of the Internal Appeals Tribunal or Review Tribunal is directly involved in any matter being considered by the Tribunal, they may appoint an associate member to replace them for that matter only.
- (iii) If both the Chair and Deputy Chair of the Internal Appeals Tribunal or Review Tribunal are directly involved in any matter being considered by the Tribunal, they may appoint an associate member to replace them for that matter only, but not otherwise.
- (iv) An associate member appointed under subsection (ii) or (iii) has the full rights of the member whom they are replacing for that matter only.
- (c) An associate member of the Internal Appeals Tribunal or Review Tribunal is not entitled to participate in a meeting or vote unless they have been appointed to replace a Chair, Deputy Chair or member of the Internal Appeals Tribunal or Review Tribunal under subsections (a) or (b).

## Powers

### J.7 PARTY MEMBERS TO PROVIDE INFORMATION ETC

- (a) The Internal Appeals Tribunal and Review Tribunal may require any Party member to provide:
  - (i) A statement of information; or
  - (ii) Any document or other thing that the Tribunal considers relevant to a matter it is hearing.
- (b) A request made under subsection (a) must:
  - (i) Be provided in writing;
  - (ii) Describe the information, document or thing required; and
  - (iii) Specify a time and place for compliance.

### J.8 MAY MAKE DECISIONS OR DISMISS PROCEEDINGS

- (a) The Internal Appeals Tribunal and Review Tribunal may make decisions on matters referred to them under these Rules.
- (b)
  - (i) In making a decision on a matter referred to them under these Rules, the Internal Appeals Tribunal and Review Tribunal

may make any order or determination that they consider appropriate in the circumstances.

- (ii) In making a decision on a matter before it the Tribunals shall give primacy to the broader interests of the party.
  - (c) The Internal Appeals Tribunal and Review Tribunal may dismiss proceedings at any time if they consider that:
    - (i) The appeal is frivolous, vexatious or not in good faith; or
    - (ii) The subject matter of the appeal is trivial; or
    - (iii) The decision or conduct under appeal occurred at too remote a time to justify a hearing; or
    - (iv) The appellant has no interest or insufficient interest in the decision or conduct under appeal.
  - (d) In any proceedings before them, the Internal Appeals Tribunal and Review Tribunal must act according to the substantial merits of the case without regard to technicalities or legal forms.
  - (e) The Internal Appeals Tribunal and Review Tribunal may advise the Administrative Committee on ways to improve the Party's Rules and procedures.
- ### J.9 WRITTEN REASONS
- (a) The Internal Appeals Tribunal and Review Tribunal must provide written reasons for their decisions.
  - (b) The Internal Appeals Tribunal and Review Tribunal must report their decisions and reasons to the:
    - (i) Appellant, within fourteen days of the decision;
    - (ii) Respondent, within fourteen days of the decision;
    - (iii) Next subsequent Administrative Committee meeting; and
    - (iv) Next subsequent Annual Conference.
  - (c) The Internal Appeals Tribunal and Review Tribunal's decisions and reasons must be available for any financial Party member to inspect during office hours.
- ### J.10 ANNUAL CONFERENCE MAY OVERRULE
- (a) Except as provided in subsection (b), decisions made by the Review Tribunal are final.

- (b) Annual Conference may overrule decisions made by the Review Tribunal.

**Procedures**

**J.11 MEETINGS**

- (a)
  - (i) A meeting of the Internal Appeals Tribunal will be held monthly on a regular date from February to November when there are appeals to be heard. The Annual schedule of meeting must be reported to the Administrative Committee.
  - (ii) A meeting of the Review Tribunal will be held monthly on a regular date from February to November when there are appeals to be heard. The Annual schedule of meeting must be reported to the Administrative Committee.
- (b) Quorum
  - (i) A meeting may take place only when a majority of members, including the Chair or Deputy Chair, are present.
  - (ii) If a majority of members are not present after thirty minutes, the meeting must not take place.
  - (iii) If an associate member has been appointed under Rule J.6(b)(iii), they represent the Chair or Deputy Chair whom they are replacing for the purposes of subsection (i).
- (c) Secretary
  - (i) The General Secretary provides a Secretary for the Internal Appeals Tribunal and Review Tribunal.
  - (ii) The Secretary is not entitled to vote.
  - (iii) The Secretary must not be counted for the purposes of quorum under subsection (a).

**J.12 EVIDENCE**

- (a) All evidence must be submitted to the Secretary of the Tribunal no less than 72 hours before a hearing of a case.
- (b) All evidence must be made available to the appellant and respondent no less than twenty four hours before a hearing of their case.
- (c) Party Unit attendance and minutes books and Party Office records are not subject to subsection (b). Party Unit attendance

and minutes book must be provided to the Tribunal upon request. Party Unit attendance and minute books and Party Office records do not have to be made available to the involved parties and are only to be inspected by Tribunal members, unless the Tribunal determines otherwise.

- (d) Any evidence not made available in accordance with subsection (a) is inadmissible.
- (e) The Internal Appeals Tribunal and Review Tribunal are not bound by the rules of evidence.

**J.13 RIGHTS AND RESPONSIBILITIES OF THE PARTIES**

- (a) The appellant and respondent have the right to:
  - (i) Appear at any hearing of their case;
  - (ii) Have their case heard expeditiously;
  - (ii) Provide a statement of information;
  - (iv) Question witnesses;
  - (v) Present evidence; and
  - (vi) Procedural fairness.
- (b) Where an appellant or respondent is unable to attend the hearing of their appeal, procedural fairness will be seen to have been accorded where they have been afforded the opportunity to lodge written submissions and written evidence.
- (c) The appellant and respondent must conduct themselves as directed by the Chair.

**J.14**

- (a) If the Internal Appeals Tribunal or the Review Tribunal becomes aware that a member, directly or indirectly, provides the media with copies of, or otherwise allows the media access to any submissions or evidence prepared for the purposes of a proceeding before the Internal Appeals Tribunal or Review Tribunal, it may undertake an inquiry to determine whether such possible contravention did occur, and if so, whether the member should be subject to any of the penalties outlined in Rule A.33(e).

**Guidelines for conduct of appeals**

**J.15 THE INTERNAL APPEALS TRIBUNAL AND THE REVIEW TRIBUNAL:**

- (a) must prescribe guidelines for the conduct of appeals, including the granting of leave by the Tribunal to hear appeals, and make these guidelines available to all Party members; and,
- (b) may otherwise regulate its own procedure; subject to these rules and the Annual Conference.

## SECTION K

### Finance, Property and Funds

- K.1 All property, including funds, books, furniture, equipment and other assets of the NSW Branch of the Australian Labor Party, is held in the names of three Trustees. The Trustees are elected as in Rule B.6 and have the power to take legal action to recover all or any property of the NSW Branch.
- K.2
- (a) After they have been elected the Trustees hold assets and property on behalf of the NSW Branch. NSW Branch monies are banked in the names of the Trustees. NSW Branch monies are to be used for political, industrial and local government work and the efficient running of the Party offices.
- (b) A payment exceeding the sum of \$1000 may only be made from the bank by:
- (i) a cheque signed by one or more of the Trustees and also signed by the General Secretary; or
- (ii) an electronic transfer of funds specifically approved by one or more of the Trustees and by the General Secretary.
- (c) A payment not exceeding the sum of \$1000 may be made from the bank:
- (i) by a cheque signed by the General Secretary and one Assistant General Secretary or;
- (ii) an electronic transfer of funds approved by the General Secretary and one Assistant General Secretary.
- (d) Money cannot be withdrawn from the bank except by cheque or electronic transfer in accordance with this Rule. Money cannot be withdrawn from the bank by cash withdrawal (excluding petty cash withdrawals), ATM withdrawals or transfers, telephone banking withdrawals or transfers
- (e) A record must be kept of each payment by cheque or electronic transfer, containing:
- (i) the date and number of the payment;
- (ii) the amount paid;
- (iii) the name and number of the account to which the amount was paid and relevant BSB number;
- (iv) details clearly identifying the name of the person on whose behalf the payment was made and the matter reference;
- (v) details clearly identifying the ledger account to be debited; and
- (vi) particulars sufficient to identify the purpose for which the payment was made.
- K.3
- (a) All property, including funds, books, furniture, equipment and other assets, of a Party Branch, Council or Local Government Committee, is held in the names of the President, Vice-Presidents, Secretary and Treasurer. They have the power to take legal action to recover all or any of this property. Land is excluded under this Rule. [see Rule K.6(a)]
- (b) Money raised for special purposes by Branch, Council or Local Government Committees must be kept by that unit's Treasurer. When the work or campaign is finished any money that remains, plus accounts and balance sheets, must be given to the Branch Secretary.
- (c) All funds raised or claimed for campaign or election purposes are the property of the NSW Branch of the Australian Labor Party.
- K.4 The Branch President must agree to all amounts and bills before they are paid.
- K.5 If for any reason a Branch, Council or Local Government Committee ceases to exist all funds, books, documents and other materials become the property of the NSW Branch of the Australian Labor Party.
- K.6
- (a) Land owned by the Party or any of its Branches should be held in the names of three Trustees. For example, in the case of Branches, Councils and Local Government Committees the three could be the President, one of the Vice- Presidents and the Secretary. The Trustees hold the land on trust as directed by the Administrative Committee.
- (b) Any Trustee of the NSW Branch can be removed by a motion passed at an Annual or Special Conference.
- (c) If one or more of the Trustees resigns, is removed or dies, the Administrative Committee can nominate a new Trustee or Trustees. A special meeting of the majority of the Administrative Committee will be held to take the decision.
- (d) Under Section 6(4) of the 1925 Trustee Act the Chair of the Administrative Committee

meeting has to nominate the new Trustee or Trustees. The Chair appoints by deed the new Trustee or Trustees. The 1925 Trustee Act applies to these appointments.

- (e) Any fact made by a Trustee in a deed of appointment will be taken to be the truth. In the event of it not being so the Party is not liable.
- K.7 All money must be banked or invested in the name of the Australian Labor Party and the Party Unit in question.
- K.8 Only the President, Vice-Presidents, Secretary, Assistant Secretary, Treasurer or Secretary-Treasurer can:
  - open a bank account;
  - make a bank deposit; and
  - buy any securities (investments).
- K.9 Money is not to be deposited in the private bank accounts of officials or members.
- K.10 When Party money is not being used it must be banked or invested as follows:
  - (a) Deposited on any condition with financial institutions or trusts recommended by the Finance and Compliance Committee and approved by the Administrative Committee.
  - (b) Invested in securities or loans issued by the Australian or NSW Governments and semi-government authorities which are guaranteed by the Australian or NSW Governments. Examples of semi-government authorities are Australia Post, Elcom and Telstra.
- K.11 Money can only be withdrawn from a bank account or an investment after a Party Unit has passed a resolution deciding to do so. Resolutions to spend funds must be either:
  - (a) moved by a member of the Branch Executive; or
  - (b) Where a Branch or Electorate Council has an account with a financial institution or trust that is not approved by the Administrative Committee, that Branch will be given thirty days to transfer all funds to an account with an approved financial institution or trust. Failure to bank or invest with an approved financial institution or trust may result in the Administrative Committee suspending the charter of the Branch or Electorate Council.
  - (c) moved on notice in accordance with the Standing Orders in Schedule I.
- K.12 When a bank account has been opened the

Secretary must inform the General Secretary. The Secretary must also provide the General Secretary with the names, titles and specimen signatures of the members authorised to run the account.

- K.13 When money is to be withdrawn from a bank account it should be done as follows:
  - (a) The name of the Party Unit must be clearly written on the cheque.
  - (b) Cheques must be signed by any two Branch Officials acting as trustee of the funds, but one of them must be Treasurer or Secretary-Treasurer. Authority forms and specimen signatures (examples of the person's signature) must be given to the bank. This is necessary when a number of people can sign cheques.
  - (c) After annual Party Unit elections the people who can sign cheques or documents may change. The new specimen signatures must be sent to the bank or institution where money is deposited or invested.  
  
The Party Rules insist that Rules K.13(a), (b) and (c) are strictly followed.
- K.14
  - (a) All Party Unit books and vouchers (these are the documents which explain how money was spent) must be audited each year. (An audit is an official check of statements of accounts made by a person or persons appointed by the Party Unit to do so). The auditors must make a report to a meeting of their Party Unit and a copy of the report must be sent to the NSW Branch Office.
  - (b) The financial year for the books of Party Units runs to 30 June. The books are to be made up to that date.
  - (c) By 31 July each year all Party Units must send the Administrative Committee a copy of the audited balance sheet and a statement of income and expenditure for the previous year which ended on 30 June. This information will be used by the NSW Branch to prepare a consolidated Annual Return for the Australian Electoral Commission and the Party's annual income taxation return.
- K.15 Secretaries of Party Units are responsible for keeping Party records safe. All books, documents, letters, reports and records of any kind, whether they are written, audio or visual, belong to the NSW Branch. Secretaries of Party Units must keep all records in a safe

place and make sure they remain in good condition. Secretaries must not get rid of records. When a new member becomes Secretary all records must be handed over to him/her. A Party Unit can decide to place its old records (those not currently in use) in the archives section of the State Library of New South Wales. If a Party Unit decides to do this it must inform the General Secretary and send the records to the NSW Branch office. A central register is kept of such records in the NSW Branch office. A report will be given to the Administrative Committee and, if they agree, the records will be sent to the State Library.

K.16

- (a) Only Party Units have the authority to use the name of the Australian Labor Party when entering into financial commitments. These financial commitments should be recorded in a resolution of the Party Unit concerned. Clause (b) below is an exception to this Rule.
- (b) When expenditure or budgets have been decided on by Party Unit Campaign Committees, the expenditure or budgets should be approved by that Party Unit or its executive within two weeks.
- (c) The General Secretary, or someone named by the General Secretary, can spend money in the name of the Australian Labor Party (New South Wales Branch).
- (d) A person shown to have spent money in the name of the Australian Labor Party (New South Wales Branch) without the authority (permission) described in this clause, can be suspended or expelled from the Party at a meeting of the Administrative Committee.

The person accused of unauthorised spending must have fourteen days' notice in writing of this meeting, and be told exactly what the charge or charges are. Such members can appeal to the Review Tribunal. Any member suspended in this way will not have the right to take part in Branch activities during the time he/she is suspended.

- (e) Rule A.33(g) will apply to members suspended under this Rule.

K.17. Party Units and campaigns must obtain the approval of the General Secretary for any raffles, guessing competitions or similar fundraising ventures offering a prize, the value of which is greater than \$1000.

### **Not-for-profit Clause**

K.18. The assets and income of the Party shall be applied solely in furtherance of the Party objective set out in Section A and no portion shall be distributed directly or indirectly to the members of the Party except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

### **Dissolution Clause**

K.19 In the event of the Party being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with purposes similar to those in the Party objective set out in Section A, which is not carried on for the profit or gain of its individual members.

## SECTION L

### Party Journal

- L.1 There shall be a Party journal called the “Political Briefing” which shall be the official journal of the Party.
- L.2 The “Political Briefing” shall be issued at least once in the period between each meeting of the Administrative Committee.
- L.3 The “Political Briefing” will be posted to each Party unit and shall be emailed to each member for whom the Party has a valid email address.
- L.4 The “Political Briefing” will contain matters considered relevant by the Administrative Committee, including notices of meetings of Annual Conference and Regional Assemblies and other matters required to be notified in the Party journal by these rules.
- L.5 The General Secretary shall set a closing date for Party units to submit items for inclusion in the Party journal. This can be a regular date. The General Secretary shall advise Party units of when items need to be submitted for inclusion in the next edition of the Party journal.

### Home Page / Website

- L.6
  - (a) The NSW Branch is the only Party entity to have the right to establish an official home page, website or blog representing the Party.
  - (b) Other Party Units or groups of members may establish a home page, website or blog but this shall not purport to represent the NSW Branch of the Party.
  - (c) Other Party Units or groups of members may establish websites, home pages, Facebook groups, blogs or other such similar social media sites on the following conditions:
    - (i) That they are authorised by an individual or incorporated organisation; and
    - (ii) That they display the following disclaimer:

This site and the content contained herein does not represent the views policies or opinions of the Australian Labor Party (NSW Branch).

## SECTION M

### Party Elections

#### RETURNING OFFICERS

##### M.1

- (a) The Annual Conference will elect a General Returning Officer.
- (b) The Annual Conference will elect sixteen Assistant General Returning Officers to:
  - (i) Assist the General Returning Officer; and
  - (ii) Undertake other duties as directed by the Administrative Committee or General Secretary.
- (c) The term of office for the General Returning Officer and Assistant General Returning Officers will be four (4) years.

##### M.2 The powers and duties of the General Returning Officer are:

- (i) To conduct all elections at Annual Conference (where the retiring General Returning Officer is again standing for the office of General Returning Officer then the count and the declaration for that position will be undertaken by an Assistant General Returning Officer appointed by the General Secretary).
- (ii) To give general advice to Party Units on how to run elections.
- (iii) To report to Annual Conference on matters which relate to how elections are run.
- (iv) To organise other ballots decided on by the Administrative Committee.
- (v) To attend meetings of the Rules Committee with the same right as a committee member, but he/she cannot vote.

#### ALTERNATES

##### M.3 Alternates will be elected when nominations are called for the following positions:

- (i) Membership delegates to Annual Conference; and
- (ii) Union delegates to Annual Conference.

##### M.4

- (a) The ordinary members of the following committees are the alternate delegates to Annual Conference for the Chair, Deputy Chair and Secretary of the same committee:

- (i) Women's Forum
- (ii) Country Labor Committee
- (iii) Policy Committees

- (b) A person may not be an alternate delegate to Annual Conference under this Rule if they hold office as a delegate or alternate delegate to Annual Conference from another Party Unit.

#### SECRET BALLOTS

##### M.5

- (a) Where practicable elections should take place in a polling room or part of a room set aside for this. Where practicable the polling room should have separate voting compartments so that voters cannot be watched while they are marking their ballot papers.
- (b) A candidate cannot take part in the running of an election in any way, and nobody will be allowed to come into or stay in the polling room during the polling except with the returning officer's permission. The exceptions to this are the General Returning Officer, the Assistant General Returning Officers and members voting or about to vote.
- (c) Voters cannot leave the polling room or the part of the room set aside for polling during the time between receiving and depositing their ballot papers.

#### VOTING SYSTEMS

##### M.6

- (a) Elections at Annual Conference and NSW Young Labor Annual Conference, Elections for the Leader of the NSW Parliamentary Party, and direct elections under Rule M.9, must take place in accordance with Schedule G.
- (b) All other elections, including (without limiting the generality of the foregoing) those at Branches, Electorate Councils, Local Government Committees, Young Labor Associations, Regional Assemblies, selection ballots (other than at Annual Conference) and Administrative Committee ballots must take place in accordance with Schedule H.

#### INDIGENOUS REPRESENTATION

##### M.7

- (a) The Administrative Committee is responsible for ensuring that members of Aboriginal or Torres Strait Islander descent are preselected for at least 5% of all positions at a General Election for both State and Federal Parliament.

## RETURNING OFFICER DELEGATION

## M.8

- (a) The Returning Officer of a Party-Unit may delegate to his/her Deputy Returning Officer any of the functions conferred or imposed on the Returning Officer by or under these Rules (other than this power of delegation).
- (b) The General Returning Officer may delegate any of the functions conferred or imposed on the General Returning Officer by or under these Rules (other than this power of delegation) to:
  - (i) one or more of the Assistant General Returning Officers; or
  - (ii) a Deputy Returning Officer for a selection ballot

## M.9

- (a) Where the Rules expressly provide, an Electorate Council may decide to elect positions pursuant to the provisions of this Rule.
- (b) Except as provided for in this Rule, the provisions of Section G governing elections in Electorate Councils shall apply to elections under this Rule.
- (c) A person is eligible to vote in a ballot under this Rule if they:
  - (i) Live in the electorate; and
  - (ii) Have one year of continuous financial membership immediately prior to the date of calling for nominations.
- (d)
  - (i) For the election of delegates from a Federal Electorate Council to the National Conference, nominations will open at a time and date determined by the Administrative Committee; and
  - (ii) For all other elections conducted under this rule, nominations will open no later than fourteen days after the AGM of the electorate council, or as decided otherwise by the Administrative Committee.
- (e) Nominations will close no sooner than seven days after they opened.
- (f) Where a ballot is required, it will be conducted by the General Returning Officer or a person to whom they delegate the responsibility. The person to whom they delegate need not be a person specified in Rule M.8(b).

- (g) The Returning Officer will provide candidates with a list of eligible voters not less than seven days before voting opens.
- (h) Voting will remain open for no less than three weeks.
- (i) A candidates' forum may be held consistent with the provisions relating to Public Office Selection Forums in Section N.
- (j) The Returning Officer will arrange for the ballot papers to be counted in the presence of scrutineers appointed by the candidates, if there are any.
- (k) The Administrative Committee may determine any other matters required for conducting a ballot.
- (l) The Returning Officer will inform the General Secretary of the result of the ballot.

## SECTION N

### Endorsements and Selections for Public Office

#### N.1

- (a) The Administrative Committee is responsible for arranging the selection of candidates, including Country Labor candidates, throughout New South Wales for the House of Representatives, the Legislative Assembly and Local Government.
- (b) Nominations will be called at least one year before a General Election is expected, unless there are exceptional circumstances that justify acting otherwise. If necessary, for example, if there is a redistribution of electorates, nominations can be reopened and the Administrative Committee shall call for fresh nominations.
- (c) Nominations for public office can be called over different periods if the Administrative Committee agrees that it is in the Party's best interest.
- (d) An eligible member can nominate for more than one electorate in Lower House selection ballots as long as the Administrative Committee agrees.
- (e) Endorsements and Selections for public office must be made in accordance with the party's Affirmative Action minimum percentages, as outlined in Section O.

#### SENATE

#### N.2

- (a) The first three Senate candidates will be selected by Annual Conference following Schedule G (at the end of this book).
- (b) Senate Candidates for additional positions may be appointed by the Administrative Committee subsequent to the selection referred to in (a) above.
- (c) When a double dissolution is announced, any previous Senate ballot order for an upcoming federal election becomes void. The Administrative Committee will determine the new Senate ballot order under the principles of proportional representation.

Note: A double dissolution means when both Houses of the Australian Parliament are dissolved and elections are called.

#### LEGISLATIVE COUNCIL

#### N.3

- (a) The Administrative Committee will call for nominations to the Legislative Council at least six months before the election date of each new panel of twenty one members.
- (b) After endorsement Annual Conference will select the candidates using Schedule G.
- (c) Legislative Council candidates for positions considered by the Administrative Committee to be unwinnable may be appointed by the Administrative Committee subsequent to the selection referred to in (b) above.

#### CASUAL VACANCIES

#### N.4

- (a) Under certain circumstances the Administrative Committee can organise selection ballots. These circumstances include:
  - by-elections;
  - when the call for nominations has failed; and
  - when the candidates are not approved.
- (b) At the request of the local Party Unit, the Administrative Committee can select a candidate if there is no time to hold a selection ballot. The Administrative Committee can make a selection if the local Party Units do not act.

#### SELECTION PROCEDURES

- N.5 All selections remain in force, subject to the Rules, until the election for which the selection was made.
- N.6 If a general election for Federal or State Parliament occurs within twelve months of the previous election, the sitting Member of Parliament will be the candidate. In this case, candidates must be re-endorsed by the Administrative Committee.

#### CALLING OF NOMINATIONS

#### N.7

- (a) There are two ways to call for nominations. Either an advertisement must be placed in a local newspaper or a circular sent to members. In both cases there must be:
  - at least seven days notice of the date that nominations close; and
  - a clear statement of when, where and at what time nominations will be received.

- (b) These advertisements or circulars must also state that nominations will be accepted by the General Returning Officer at the NSW Branch Office.
  - (c) Immediately after nominations close, all nominations will be given to the Administrative Committee for their endorsement or otherwise.
- N.8 Members whose nominations are received at the NSW Branch Office will be given a receipt. This receipt is a detachable part of the nomination form.

### Candidates for Selection

#### ELIGIBILITY

- N.9 To be eligible for selection and endorsement as a candidate for public office, a person must:
- (a) Have one year of continuous financial Party membership immediately prior to the date of calling for nominations;
  - (b) Be a financial member of a trade union, if eligible;
  - (c) Be nominated in writing by five people, each of whom:
    - (i) Has one year of continuous financial Party membership immediately prior to the date of calling for nominations; and
    - (ii) Lives in the electorate or ward for which the nominee is nominating.
  - (d) Sign declarations stating that they accept the:
    - (i) Nomination;
    - (ii) Public Office Candidates' Pledge in Schedule D2; and
    - (iii) Pledge on Campaign Funds in Schedule D3
  - (e) Submit their nomination, addressed to the Returning Officer, on the official form in Schedule C, at the place specified by the Administrative Committee, before the close of nominations. Nominations may be received by email to the email address specified in the preselection timetable;
  - (f) Pay the nomination fee before the close of nominations;
  - (g) Be eligible to nominate as a candidate under the relevant electoral laws;
  - (h) Not be a property developer or a close associate of a property developer;

- (i) Not be a real estate agent; and
- (j) Never have engaged in corrupt conduct.

#### EXCEPTIONS

##### N.10

- (a) Despite Rule N.9(a), a person must have been a financial Party member for at least five years prior to the opening of nominations to be eligible for selection and endorsement as a candidate for public office if they have been readmitted to the Party after being expelled for:
  - (i) Opposing a Labor candidate; or
  - (ii) Not voting for a Labor candidate; or
  - (iii) Not voting in line with a caucus decision.
- (b) The Administrative Committee may waive the requirements under Rules N.9(a), N.9(b), N.10(a) and N.11(b) if they consider that allowing the person to contest the selection ballot would be a significant benefit for the Party.
- (c) In a local government selection ballot, the Administrative Committee may decide that a nominator need only live in the local government area for which the nominee is nominating for the purposes of Rule N.9(c)(ii) if there are less than ten people who would otherwise satisfy Rule N.9(c).
- (d) The Administrative Committee may waive the requirement to pay a nomination fee under Rule N.9(f) if they consider that doing so would be in the best interests of the Party.

#### PROOF OF ELIGIBILITY

##### N.11

- (a) Except as provided in this Rule, it is the General Returning Officer's responsibility to determine whether a person is eligible for selection and endorsement as a candidate for public office in accordance with Rules N.9 and N.10.
- (b) A nominee must before the close of nominations:
  - (i) Provide proof that they satisfy Rule N.9(b); or
  - (ii) Sign a declaration stating that they are not eligible to be a member of a trade union, and the grounds on which they are not eligible.
- (c) Nominee eligibility under relevant electoral laws

- (i) A nominee must provide proof that they satisfy Rule N.9(g) before the close of nominations.
- (ii) The Administrative Committee may establish the form of proof required to satisfy Rule N.9(g).
- (d) The onus is on the nominee to demonstrate that they satisfy Rules N.9(b) and N.9(g) in accordance with this Rule.
- (e) The onus is on the nominee to provide the documentation and pay the fee required under Rules N.9(d), (e) and (f).

#### CANDIDATE DISCLOSURE

##### N.12

- (a) Statement of intent
  - (i) A nominee for public office must submit a statement as to why they want to represent the Party.
  - (ii) All statements submitted under subsection (i) must be disclosed to the Administrative Committee, the Candidate Review Committee, selection voters and between Review Committee and selection voters.
- (b) References
  - (i) A nominee for public office must submit two written character references.
  - (ii) All references submitted under subsection (i) must be disclosed to the Administrative Committee, the Candidate Review Committee and selection voters.
- (c) Matters of integrity
  - (i) A nominee for public office must disclose matters relating to their integrity.
  - (ii) The Administrative Committee may determine what matters relate to integrity for the purposes of subsection (i).
  - (iii) A nominee for public office must be afforded the opportunity to explain the circumstances surrounding any disclosure under subsection (i).
  - (iv) All references submitted under subsection (i) must be disclosed to the Administrative Committee and the Candidate Review Committee.
- (d) Disclosures by nominees for public office under this Rule are to be made in the form and manner determined by the Administrative

Committee.

#### CANDIDATE REVIEW COMMITTEE

##### N.13

- (a) The Candidate Review Committee considers the suitability of nominees for public office referred to it by the Administrative Committee or the Party Officers.
- (b) The Candidate Review Committee has four members elected by a two-thirds majority of the Administrative Committee according to the principles of proportional representation.
- (c) Quorum for a meeting of the Candidate Review Committee is two members.
- (d) A member of the Candidate Review Committee must be a person who:
  - (i) Has represented the Party in public office;
  - (ii) Is retired from public office; and
  - (iii) Is of good fame and character.
- (e) Despite any other provision of these Rules, a member of the Candidate Review Committee is not eligible for selection and endorsement as a candidate for public office.

#### WITHDRAWAL OF CANDIDATURE

##### N.14

- (a) The Candidate Review Committee may recommend that the Administrative Committee withdraw a nominee for public office from a selection ballot, refuse endorsement to a nominee for public office, or withdraw endorsement from a candidate for public office if it considers that:
  - (i) The nominee or candidate would bring the Party into disrepute; or
  - (ii) The nominee or candidate is not a fit and proper person for public office; or
  - (iii) The nominee or candidate's past behaviour makes them unworthy of confidence.
- (b) A decision by the Candidate Review Committee under subsection (a) must be passed unanimously.
- (c) If the Candidate Review Committee makes a recommendation under subsection (a), the Administrative Committee may withdraw the nominee for public office from the selection ballot, refuse endorsement to the nominee for public office, or withdraw endorsement from the candidate for public office if it considers that:

- (i) The nominee or candidate would bring the Party into disrepute; or
  - (ii) The nominee or candidate is not a fit and proper person for public office; or
  - (iii) The nominee or candidate's past behaviour makes them unworthy of confidence.
- (d) A decision by the Administrative Committee under subsection (c) must be passed by a three-quarters majority.

N.15 The Administrative Committee can withdraw any candidates from a pre-selection, can refuse their endorsement or withdraw their endorsement if they consider:

- (a) he/she is not fit for the position; or
- (b) the member's past career makes them unworthy of confidence.

N.16 After a candidate is endorsed by the Administrative Committee, he/she cannot withdraw unless it is found that he/she is not qualified according to the Party Rules or it is agreed by the Administrative Committee.

N.17 A candidate cannot take any official part in the selection process other than voting. Breaking this Rule may mean disqualification.

### Selection Ballots and Candidate Forums

N.18

- (a)
  - (i) In a contested selection ballot for public office all affected Branches which meet between the close of nominations and the day of the selection ballot must hold a candidates forum at their meeting.
  - (ii) The candidates forum must, as far as practicable, be the first item of business after the nomination and acceptance of new members.
  - (iii) All candidates must be invited to address the forum, may be asked to answer questions and must be given approximately equal time.
  - (iv) Outside of the official Branch candidates forums, persons who have declared themselves to be candidates (whether nominations have closed or not) for a public office selection ballot may address Branch or Union meetings, provided that all candidates are given the same opportunity.

- (b) Such candidates, and Party members who support them, can canvass for further support.
- (c) However, candidates are not allowed to employ, directly or indirectly, agents to campaign on their behalf, nor can they, or their supporters, make personal comments about other candidates. Failure to comply with the provisions of this Rule may result in a candidate being excluded from contesting the preselection.

### SELECTION VOTERS (ELIGIBILITY TO VOTE IN SELECTION BALLOTS)

N.19

- (a) In order to vote in a local selection ballot a Branch member must:
  - (i) Live in the electorate;
  - (ii) Be correctly enrolled with the Australian Electoral Commission to vote in a federal election. The member's address for the purposes of preselection will be their enrolled address.
  - (iii) If a member challenges the right of another member to vote in the ballot (see Rule A.38) he/she must produce firm evidence that the member does not live at the address claimed.
  - (iv) Any information produced for the Internal Appeals Tribunal must be publicly available. Anecdotes will only be accepted if they are in the form of a statutory declaration. The member being challenged can produce any evidence to support his/her claim that he/ she lives in the electorate.
- (b) If a member has paid the wrong Party membership fee, given his/her union membership, then he/she will be given five working days from the date of credentialing to join the union or pay outstanding dues.
- (c) In order to vote in a local selection ballot:
  - (i) a member must have been a member of a branch for not less than two years prior to the date of calling for nominations, the branch attendance book must show that the member has attended four meetings in this period and have continuous financial membership for the same period; or
  - (ii) a member must have been a member of a branch for a period not less than four

years prior to the calling of nominations, the branch attendance book must show that the member has attended four meetings in this period and have continuous financial membership for the same period; and

- (iii) a member must satisfy the requirements of Rule 1.8(a).
- (iv) In the event that the member has transferred from an interstate branch during the two year period required under (i) or the four year period required under (ii), if the requisite attendance requirements under (i),(ii) and (iii) are met, then the period of Party membership can be accepted rather than the period of requisite local Branch membership.
- (v) Where a branch has become defunct under Rule 1.3 during the last complete Membership Year or the current Membership Year, a member of that branch does not fail to satisfy subsection (i) or (ii) only by reason that they are no longer a member of a branch.
- (vi) Where a branch has become defunct under Rule 1.2 during the last complete Membership Year, attendance at a branch meeting prior to the branch's failure to meet for three months may be counted for the purposes of subsection (iii).
- (d) In order to vote in a local selection ballot a branch member must also have joined the Branch according to the Rules.
  - (i) In establishing that a member was admitted to membership of the Branch according to the Rules, in the case of a member relying on the two year Rule [Rule N.19(c)(i)], it will be sufficient to establish that, any member who commenced to be a Branch member in the three years prior to the date of calling for nominations, is eligible provided that they attended the Branch and signed the attendance book and it is noted in the Branch Minute Book that the Branch admitted that member; then they shall be placed on the list of eligible voters.
  - (ii) In establishing that a member was admitted to membership of the Branch according to the Rules, in the case of a member relying on the four year Rule [Rule N.19(c)(ii)], it will be sufficient to establish that, any member who commenced to be a Branch member in

the five years prior to the date of calling for nominations, is eligible provided that they attended the Branch and signed the attendance book, and it is noted in the Branch Minute Book that the Branch admitted that member; then they shall be placed on the list of eligible voters.

- (iii) Where all the criteria described above have been complied with but the Branch has failed to record the admission of a new member in the minutes, then they will be eligible. This provision does not apply to the Central Policy Branch.
- (e) A member cannot be left off the Official Voting List because of problems with his/her Party membership which are:
  - (i) in the case of the two-year Rule, more than three years old,
  - (ii) in the case of the four-year Rule, more than five years old, except that he/she must meet the requirements of (a) to (d) above.
- (f) Life members and members with ten years of continuous financial membership immediately prior to the date of calling for nominations are automatically entitled to vote in local selection ballots in the electorate in which they live.
- (g) Provided he/she meets the requirements of this Rule and Rule 1.9, a Branch member transferred to another electorate on clearance will be allowed to vote in the selection ballot. This will include cases where the transferee has applied for but has not yet been admitted to membership of the new branch at the time of the calling of nominations.
- (h)
  - (i) Central Policy Branch members will be eligible to vote in a local selection ballot in the State and Federal Electorates and Local Government Areas in which they reside. This paragraph has been inserted for the avoidance of doubt.
  - (ii) In relation to the Central Policy Branch, a record of the decision of the Administrative Committee to admit a member to the Central Policy Branch must be used in lieu of a reference to a minute book in this Rule.
  - (iii) Central Policy Branch members will not be entitled to vote in local selection ballots held under Rule N.42.

N.20 Notwithstanding Rule N.41, a person who is not enrolled with the Australian Electoral Commission to vote in a federal election is unable to vote in a joint selection ballot (ie. a ballot under the aforementioned Rules). The member's address for the purposes of the preselection will be their enrolling address.

N.21

- (a) The Secretary of each Branch should prepare a list of members who the Secretary believes are able to vote and this should be presented, together with all of the necessary branch records, to the Returning Officer at the credentialling.
- (b) The time, date and place of the credentialling is determined by the Administrative Committee.
- (c) The Administrative Committee may set a different time, date and place for credentialling for the Central Policy Branch, and the credentialling for more than one selection ballot may be combined in a single credentialling, so long as calling of nominations for each ballot occurred at the same time.

N.22 It is the function of the Returning Officer to prepare a list of members who can vote as a consequence of the credentialling. This must be done on the official voting sheets supplied by the NSW Branch Office. The Secretary of each Branch must assist and co-operate with the Returning Officer in this process. Candidates may appoint scrutineers (by letter addressed to the Returning Officer) who can be present throughout the credentialling.

The Returning Officer may set a uniform limit on the number of scrutineers each candidate may appoint. Each candidate may obtain a copy of the list from the Returning Officer once the credentialling has been completed.

#### POLLING PROCEDURES

N.23 The General Secretary will appoint a Returning Officer for selection ballots. He/she may be assisted by a representative of the Electorate Council Executive.

N.24 The Presiding Officer at a polling place for a selection ballot is:

- (a) where there is no central polling place – the Branch Returning Officer;
- (b) where there is a central polling place and there are separate Branch ballot boxes – the Branch Returning Officer in relation to the ballot box for his/her branch; and

- (c) in all other circumstances – the Deputy Returning Officer.

The Presiding Officer is (subject to any direction of the Returning Officer or Deputy Returning Officer) responsible for the supervision and conduct of the selection ballot at the polling place concerned.

N.25 The Administrative Committee can instruct the General Returning Officer to take complete charge and organise any selection ballot in any electorate.

N.26 The General Returning Officer will send each Deputy Returning Officer the correct number of ballot papers for their electorate. The Deputy Returning Officer then gives the correct number of ballot papers to the Presiding Officer. The number of ballot papers will be the same as the number of members who can officially vote plus 10% or four (whichever is the greater number). The Presiding Officer will also be given written instructions about returning the used and unused papers in separate and sealed packets, along with the official voting list. The list must be signed by all members who have been given ballot papers.

N.27 The Party Unit organising the selection ballot can decide to have a central polling place and the time of the polling. But polling must be for at least four consecutive hours, unless the Administrative Committee agrees otherwise.

N.28

- (a) Subject to Rule N.27, the time and place of Branch ballots are decided by the Branch but polling must be for at least four consecutive hours, unless the Administrative Committee agrees otherwise. Also, a Branch ballot cannot start before or finish after the hours of voting decided by the Party Unit controlling the ballot in the electorate.
- (b) Branch members must be told seven days in advance by circular of the date, time and place of the ballot.
- (c) Prepoll voting for State and Federal lower house seats will be available for two hour periods each day at the ALP Office for the first three days in the week preceding the ballot. The times and dates will be determined by the Administrative Committee when setting the preselection timetables.
- (d) Eligible Central Policy Branch members can either cast their vote by pre-poll voting or at a local polling place determined by the

Returning Officer and advised in writing to the Central Policy Branch voter.

N.29 Where practicable, the ballot and the counting of votes must take place in the presence of a representative or representatives of the local Party Unit. Each candidate can appoint one scrutineer (by letter addressed to the Returning Officer) who can be present throughout.

The result of the ballot must be sent to the Administrative Committee. The Administrative Committee can decide to appoint a person to supervise the ballot.

N.30 A candidate's scrutineer must be a member of the Party and have the candidate's authorisation in writing.

N.31 Before polling begins the Presiding Officer must show those present that the ballot box is empty. The ballot box is then sealed.

N.32 The ballot box, or boxes, must not be moved during the ballot.

N.33 Members can vote only once. They must vote during the agreed voting hours and at their Branch polling venue. Before a ballot paper can be given to a member he/she must give his/her address and sign the official voting list.

N.34 The Presiding Officer must check that each member signs the official voting list correctly. If there is any doubt the signature should be compared to the voter's signature in the Branch Attendance Book.

N.35 The Branch Secretary must provide the Branch Attendance Book to the Presiding Officer.

N.36 The name of each member who votes must be marked off the official voting list in a clear way.

N.37 Scrutineers, the Returning Officer, or Deputy Returning Officer or Presiding Officer can challenge any vote. If there is a challenge, that vote must be put in a sealed envelope and the reason for the challenge written on the outside.

N.38

(a) If there is more than one polling place, the ballot boxes must be sealed and taken to the central polling place to be counted after voting ends.

(b) The Deputy Returning Officer must give scrutineers reasonable notice of the time

when the votes are to be counted. Under no circumstances can the Returning Officer break or interfere with the seals on the ballot boxes prior to the appointed time unless scrutineers for all candidates in the ballot are present.

(c) After reconciling the number of ballot papers for each branch, the ballot papers will be combined and counted in one lot, except as provided in Rule N.42(c).

#### APPEALS

N.39

(a) If it is shown that the Rules for a selection ballot have been broken, the Administrative Committee can:

- suspend the offender from the Party for any length of time;
- withdraw the candidate's name from the poll;
- order a new ballot;
- refuse to endorse the selected candidate;
- take any steps to ensure that the Rules are followed correctly.

(b) The Administrative Committee can insist that any evidence about a disputed selection ballot be supported by a statutory declaration.

N.40 A member of the Internal Appeals Tribunal cannot hold an official position in connection with a selection ballot.

#### SUSPENSION OF SELECTION BALLOTS

N.41

(a) The Administrative Committee may, in consultation with the Parliamentary Leadership and the local Electorate Council, conduct a selection for public office pursuant to the provisions of this Rule:

- (i) In the case of a State by-election, unless determined otherwise by the Joint Campaign Committee; or
- (ii) In the case of any other by-election; or
- (iii) In exceptional circumstances.
- (iv) In order to meet the Affirmative Action requirements set out in Section O.

(b) Where the Administrative Committee decides to conduct a selection for public office under this Rule, the candidate will be selected by a Committee made up of equal numbers from the Administrative Committee and the Local

Electorate Council. The Committee's candidate will become the endorsed Labor candidate.

#### SELECTION BALLOTS IN FOWLER

##### N.42

- (a) In this Rule "the designated area" is the Federal electorate of Fowler as it existed in 1998.
- (b)
  - (i) The Administrative Committee may cap (on a branch basis) the value of the votes cast by residents of the designated area in a selection ballot.
  - (ii) When this occurs, a cap must be set for each branch participating in the given selection ballot. The Administrative Committee (having regard to the historical participation in the branch) sets each branch's cap.
- (c)
  - (i) Where the number of voters resident in the designated area appearing on the voting list for a branch exceeds its cap, there must be a separate ballot box specific to those voters in that branch.
  - (ii) The ballot papers for those voters must not be combined with other ballot papers during the count until their value has been adjusted as provided below.
- (d)
  - (i) Where the number of formal votes cast by the voters resident in the designated area referred to in (c) above exceeds the cap, the Returning Officer must adjust the value of each of the formal votes, so the total formal vote cast by those voters in that branch equals the relevant cap.
  - (ii) The adjustment referred to above must occur prior to the elimination of any candidate and prior to the application of the affirmative action weighting required by Rule O.2.
  - (iii) No adjustment is required under this Rule to votes cast by residents in the designated area in a given branch if the number of formal votes they cast in that branch is equal to or less than the relevant cap.
- (e) Despite the provisions of Rule G.1, if a branch's actual membership resident in the designated area exceeds a cap, it is deemed only to have

membership in the designated area equal to the cap when working out the number of delegates a branch may elect to a local Electorate Council.

- (f) This Rule only applies until the Administrative Committee determines it is no longer necessary.

N.43 In this section, in relation to a selection ballot for a local government public office a reference to an "Electorate Council" is a reference to the "Local Government Committee".

#### COMMUNITY SELECTION BALLOTS

##### N.44

- (a) The Administrative Committee may, in consultation with an Electorate Council or Local Government Committee, conduct a selection for public office by a community selection ballot pursuant to the provisions of this Rule.
- (b) Subject to subsections (c) and (d), any Australian citizen on the electoral roll in the electorate for which a candidate is being selected is eligible to vote in a community selection ballot.
- (c) The following people are not eligible to vote in a community selection ballot:
  - (i) A person who is a member of another political party or one of its affiliated organisations (Country Labor does not constitute another political party for the purposes of this subsection); or
  - (ii) A person who has been expelled from the Party and has not been readmitted as a member.
- (d) In order to be included on the list of voters for a community selection ballot, any person who is not a financial Party member must first sign a declaration stating that they:
  - (i) Are a Labor supporter;
  - (ii) Will assist the Labor candidate selected in the ballot for which they are registering as a voter; and
  - (iii) Are not a member of another political party or one of its affiliated organisations (Country Labor does not constitute another political party for the purposes of this subsection).
- (e) Voting in a community selection ballot must close at least three months before Election

Day for the election for which a candidate is being selected.

- (f) Subject to subsections (b) to (e), the Administrative Committee may determine:
  - (i) Procedures for calling nominations;
  - (ii) Eligibility criteria for candidates;
  - (iii) Rules and donation and expenditure limits for campaigning;
  - (iv) Eligibility criteria for voters;
  - (v) Procedures for voter registration;
  - (vi) Procedures for credentialling voters;
  - (vii) Procedures for handling disputes;
  - (viii) The weighting of votes between financial Party members and other voters;
  - (ix) How voting will take place; and
  - (x) Any other matters required for conducting a ballot.
- (g) Decisions made by the Administrative Committee under subsection (f) need not be consistent with provisions in section N of the Rules, other than the provisions of this Rule.
- (h) The principles of Affirmative Action, as outlined in Section O, shall be applied to all components of a community selection ballot.
- (i) The Administrative Committee will report to the NSW Annual Conference on each selection for public office that is conducted by a community selection ballot.

at that polling place on the same day that voting takes place, unless the Administrative Committee provides otherwise.

- (d) Candidates in the selection ballot for which a Public Office Selection Forum is being held are entitled to address the Forum, with the speaking order to be settled by lot.
- (e) The Presiding Officer will then divide the attendees into small groups and organise for the candidates to have an equal amount of time with each group for discussion.
- (f) Any person who is eligible to vote in the selection ballot for which a Public Office Selection Forum is being held is eligible to attend and participate in the Forum.
- (g) All financial Party members who live in the electorate for which a candidate is being selected are eligible to attend and participate in the Public Office Selection Forum, whether or not they are eligible to vote.

#### PUBLIC OFFICE SELECTION FORUMS

##### N.45

- (a) An Electorate Council or Local Government Committee must hold a Public Office Selection Forum pursuant to the provisions of this Rule before voting opens for a selection for public office, unless the Administrative Committee provides otherwise.
- (b) An Electorate Council holding a Public Office Selection Forum must decide to have a central polling place, as per Rule N.27. The Public Office Selection Forum must take place at that central polling place on the same day that voting takes place, unless the Administrative Committee provides otherwise.
- (c) A Local Government Committee holding a Public Office Selection Forum must either decide to have a central polling place, as per Rule N.27, or decide to have no more than one polling place per ward. The Public Office Selection Forum must take place

## SECTION O

### Affirmative Action

#### PRINCIPLES OF AFFIRMATIVE ACTION

##### O.1

- (a) The ALP is committed to men and women in the Party working in equal partnership. It is our objective to have at least 50 per cent of Party organisation and public office positions held by women. To achieve this, the party adopts the affirmative action model in this rule.
- (b) In this section, “minimum percentage” means 40%. From 2022, it means 45%; and from 2025 it means 50%.
- (c) For all party and office bearer positions (other than public office preselections and party employees), appointed or elected on a statewide basis, where 3 or more positions are to be elected or appointed, at least the minimum percentage of the positions must be filled by women.
- (d) In calculating the minimum percentage for the purposes of this section, a fraction of one half or more must be rounded up to the next whole number, and a fraction of less than one half must be rounded down to the next whole number.

#### AFFIRMATIVE ACTION FOR STATE AND FEDERAL PUBLIC OFFICE PRESELECTIONS

##### O.2

###### (a) Public office preselections

For all public office preselections, at least the minimum percentage of the candidates preselected for each of the following groups of seats must be women:

- (i) the seats currently held by the ALP,
- (ii) the seats that would be won by the ALP with a 5% increase in its two party preferred vote since the last election (“winnable seats”), and
- (iii) all other seats to be preselected.
- (b) For the purposes of paragraph (a), the relevant seats shall be considered in each of the following separate groups:
  - (i) The seats currently held by the ALP.
  - (ii) The ‘winnable’ seats not held by the ALP as defined by those that received a two

party preferred vote between 45% and 49.99% at the last election.

- (iii) The Administrative Committee must declare the winnable seats for each preselection before nominations for preselection open.
- (iv) All other seats to be preselected.
- (c) Upper and lower house seats shall be grouped together for the purpose of subsection (b).
- (d) For casual vacancies in the Senate and the House of Representatives, if less than the minimum percentage of the remaining positions are held by women, the vacancy must be filled by a woman.
- (e) For casual vacancies in the Legislative Council and the Legislative Assembly, if less than the minimum percentage of the remaining positions are held by women, the vacancy must be filled by a woman.
- (f) If at the close of nominations for a preselection for a group of seats or positions the requirements of paragraphs (a) - (e) cannot be met, nominations for that group of seats or positions must be reopened.
- (g) If after a ballot for a preselection for a group of seats or positions the requirements of paragraphs (a) - (e) are not met, nominations for that group of seats or positions must be reopened and a fresh ballot (if necessary) conducted.
- (h) The General Secretary must no later than 1 November each year provide a report to the Administrative Committee and to the National Executive on the progress of implementation of this clause.
- (i) It is the function of the Administrative Committee to ensure that the NSW Branch is in a position to fully comply with O.2 (a) above. This means that the Administrative Committee may, in co-operation with local Party members, determine the outcome in any public office preselection progressively between now and the year 2023 to ensure that the NSW Branch will be in full compliance with Rule O.2(a).
- (j) Until the Administrative Committee certifies that the NSW Branch has achieved the minimum affirmative action target set out in Section O, in any lower house selection ballot, primary votes for or preferences distributed to women candidates in ballots must be weighted by a factor of 20% (i.e. valued at

1.2).

**AFFIRMATIVE ACTION FOR LOCAL GOVERNMENT PRESELECTIONS**

**O.3**

- (a) For Local Government preselections the minimum percentage must be achieved for each council where the Party endorses candidates.
- (b) The Administrative Committee must determine the winnable positions for each Local Government preselection at the time of calling for nominations.
- (c) All winnable positions in a council shall be grouped together for the purposes of this Rule.
- (d) If at the close of nominations for a preselection for a group of seats or positions the requirements of O.3(a) to O.3(c) cannot be met, nominations for that group of seats or positions must be reopened.
- (e) If after a ballot for a preselection for the positions the requirements of O.3(a) to O.3(c) are not met, the Administrative Committee may:
  - (i) Reorder the candidates across the local government area (if necessary) to ensure that the minimum number of women are in winnable positions or
  - (ii) Reopen nominations for that group of seats or positions and a fresh ballot (if necessary) conducted.
- (f) The Administrative Committee should consult with local party units in making decisions under rule O.3(e).
- (g) For casual vacancies in a council area, if less than the minimum percentage of the remaining positions are held by women, the vacancy must be filled by a woman.
- (h) Until the Administrative Committee certifies that the NSW Branch has achieved the minimum affirmative action target set out in Section O at a local government level, in any local government selection ballot for councillors or a popularly elected mayor, primary votes for or preferences distributed to women candidates in ballots must be weighted by a factor of 20% (i.e. valued at 1.2).

**AFFIRMATIVE ACTION FOR BRANCH POSITIONS**

**O.4**

- (a) For the election of Branch Executive positions listed in I.19(b), at least the minimum percentage of the total positions must be filled by women as shown in O.4(d).
- (b) For the election of all Branch delegates elected to Electorate Councils, at least the minimum percentage of the position must be filled by women as shown in O.4(d).
- (c) For all Branch alternate delegates elected to Electorate Councils, at least the minimum percentage of the position must be filled by women as shown in O.4(d).
- (d)

**Affirmative Action For Branch Positions**

Number of Positions	40%	45%	50%
2	1	1	1
3	1	1	2
4	2	2	2
5	2	2	3
6	2	3	3
7	3	3	4

- (e) If there are not enough women to meet the minimum percentage requirements in O.4(a) to O.4(c) at the close of nominations for the Branch AGM, the following steps are to be taken:
  - (i) The positions are to be deemed vacant to be filled by a woman from the floor at the AGM.
  - (ii) If the position cannot be filled at the AGM, then the position is to be held vacant until the next ordinary meeting.
- (f) If the position cannot be filled at both the AGM and the next ordinary meeting, then the branch may request a dispensation from the Administrative Committee for the position to be filled by any branch member. In deciding whether or not to grant a dispensation, the Administrative Committee must have regard to:
  - (i) Any reasons given by the Branch for why the position cannot be filled
  - (ii) the Branch membership lists and

- (iii) steps that the Branch is seeking to take to recruit more women into their branch.
- (g) Having a vacant position by the close of the AGM will not stop a Branch from affiliating to an Electorate Council.

#### AFFIRMATIVE ACTION FOR ELECTORATE COUNCIL POSITIONS

##### O.5

- (a) For all Electorate Council Executive positions listed in G.5(f), at least the minimum percentage of the total positions must be filled by women calculated as per Rule O.1(d) and outlined in the table at Rule O.4(d).
- (b) For all NSW Annual Conference Delegates and Alternate Delegates, and Country Conference Delegates and Alternate Delegates, at least the minimum percentage of positions elected together, must be filled by women calculated as per rule O.1(d) and outlined in the table at rule O.4(d).
- (c) If there are not enough women to meet the minimum percentage requirements in O.5(a) and O.5(b) at the close of nominations for the Electorate Council AGM, the positions are to be deemed vacant to be filled by a woman from the floor at the AGM.
- (d) If the position cannot be filled at the AGM, then the Electorate Council may request a dispensation from the Administrative Committee for the position to be filled by any council member. In deciding whether or not to grant a dispensation, the Administrative Committee must have regard to:
  - (i) Any reasons given by the Electorate Council for why the position cannot be filled
  - (ii) the Electorate Council delegate lists and
  - (iii) steps that the Electorate Council is seeking to take to recruit more women in their area.

#### AFFIRMATIVE ACTION FOR UNION DELEGATIONS

##### O.6 Union delegations

For all union delegations to Party conferences and forums, at least the minimum percentage of the delegates must be women, unless the proportion of women who are members of the union is less than the minimum percentage, in which case the number of delegates who are women must be at least equal to that proportion”

## SECTION P

### NSW Parliamentary Party

- P.1 Members elected to the NSW Parliament under the auspices of the NSW Branch (officially representing and supported by the NSW Branch) must form a separate Parliamentary Party.
- P.2 In Parliament only endorsed members of the NSW ALP can join the Parliamentary Labor Party.
- P.3 After 28 March 2015, the Leader of the NSW Parliamentary Party, in the Legislative Assembly, will be elected 50% by a ballot of rank-and-file Labor members and 50% by the State Parliamentary Party, subject to any criteria in the NSW Parliamentary Labor Party rules.
- (a) For the rank-and-file ballot, the Administrative Committee may determine:
- (i) Rules and donation and expenditure limits for campaigning;
  - (ii) Eligibility criteria for voters;
  - (iii) Procedures for voter registration;
  - (iv) Procedures for credentialling voters;
  - (v) Procedures for handling disputes;
  - (vi) How and when voting will take place; and
  - (vii) Any other matters required for conducting a ballot.
- (b) Where a ballot is required of the rank-and-file Labor members, it will be conducted by the Party General Returning Officer or a person to whom they delegate responsibility. The person whom they delegate need not be a person specified in Rule M.8 (b).
- (c) A candidates' forum may be held consistent with the provisions relating to Public Office Selection Forums in Section N.
- (d) The Party Returning Officer will arrange for the ballot papers to be counted in the presence of scrutineers appointed by the candidates, if there are any.
- (e) The Party Returning Officer will be responsible for the Party Ballot, the SPLP will appoint a Parliamentary representative as the Returning Officer of the State Parliamentary Party ballot, and together they will determine the overall result of the ballot.

## SECTION Q

### Parliamentary Levy

Q.1

(a) NSW Members of the State and Federal Parliaments pay a levy of 6% of salaries, including base salaries and additional salaries, to the NSW Branch of the Party.

(b) All Local Government councillors, endorsed by the Party or granted permission by the Administrative Committee to run unendorsed, shall pay a levy on their allowances as follows:

(i) allowances less than \$6000 pa pay no levy;

(ii) allowances over \$6000 pa pay a levy of 3%.

Q.2 These levies are deducted at source via an authority signed by the Members.

Q.3 A person's agreement to pay this levy is a precondition before he/she is allowed to contest an election for the upper or lower houses of State or Federal Parliament or local government. Before nominating for Party selection, all candidates must agree in writing to pay the levy if they are successful.

Q.4

(a) The Levy is paid into the Parliamentary Levy Campaign Account of the NSW Branch. It is used only for campaigning. The General Secretary administers the Levy following the Party Rules, but is accountable to the Administrative, Finance and Parliamentary Levy Advisory Committees of the NSW Branch.

(b) The Local Government levy shall be kept in a separate account and used to assist in local government campaigns. The release of funds will be the responsibility of the General Secretary in consultation with the Assistant General Secretaries.

Q.5 Members of Parliament can draw on funds in the Levy account for genuine campaign expenses, provided these are approved by the NSW Branch Party Officers. Members of Parliament can claim expenses when asked by Party Officers to work outside their electorates or home bases. Campaign expenses include travel, accommodation and daily allowances, when these have not been met from any other source.

Q.6 The Parliamentary Levy Advisory Committee exists as a body to decide about the Levy and is made up of:

- two members elected by the State Parliamentary Labor Party in the Legislative Assembly;
- one member elected by the State Parliamentary Labor Party in the Legislative Council;
- two members elected by the NSW representatives in the Federal Parliamentary Labor Party;
- the General Secretary and Assistant General Secretaries.

The Parliamentary Levy Advisory Committee can check how funds are being used and must ensure that funds are being used fairly. All Members or groups of Members must be treated equally in the distribution of funds from the levy.

## SECTION R

### Labor Advisory Council

- R.1 There is a Labor Advisory Council consisting of:
- (a) The Leader and Deputy Leader of the State Parliamentary Labor Party;
  - (b) Senior members of the State Parliamentary Labor Party appointed by the Leader;
  - (c) The NSW Branch President or nominee;
  - (d) The General Secretary or nominee;
  - (e) The other Party Officers;
  - (f) Union representatives, including union representatives nominated by Unions NSW.
- The procedure and relative composition of the Council will be determined by the Administrative Committee.
- R.2 The role of the Labor Advisory Council is to provide a formal consultative mechanism between the Party and the union movement in NSW.
- R.3 An official meeting of the Labor Advisory Council can only take place when a quorum of not less than one half the membership are present. If the quorum is not present after thirty minutes the meeting will not take place.

## SECTION 5

### Joint Campaign Committee

- S.1 The Joint Campaign Committee consists of:
- (i) The Leader and Deputy Leader of the State Parliamentary Labor Party in the Legislative Assembly and Legislative Council.
  - (ii) The officers of the NSW Branch.
  - (iii) Two members elected by and from the State Parliamentary Caucus.
- S.2 The Parliamentary Leader will chair the Committee and the General Secretary will be the secretary to the Committee.
- S.3 The Committee will meet regularly to develop and review electoral strategies and priorities.
- S.4 An official meeting of the Joint Campaign Committee can only take place when a quorum of not less than one half the membership are present. If the quorum is not present after thirty minutes the meeting will not take place.
- S.5 The Committee will report regularly to the Administrative Committee and the State Parliamentary Labor Party.

## SECTION T

### Country Labor

T.1 Country Labor has the following objectives and will operate in accordance with Schedule K.

- (a) To advocate policies within the Labor movement, which are of concern to Labor's country constituency.
- (b) To support Labor's objectives and platform and in doing so educate members of Country Labor and Trade Unions.
- (c) To endorse candidates for election to public office at a national, state and local level.

(a) The Levy is paid into the Parliamentary Levy Campaign Account of the NSW Branch. It is used only for campaigning. The General Secretary administers the Levy following the Party Rules, but is accountable to the Administrative, Finance and Parliamentary Levy Advisory Committees of the NSW Branch.

(b) The Local Government levy shall be kept in a separate account and used to assist in local government campaigns. The release of funds will be the responsibility of the General Secretary in consultation with the Assistant General Secretaries.

Q.5 Members of Parliament can draw on funds in the Levy account for genuine campaign expenses, provided these are approved by the NSW Branch Party Officers. Members of Parliament can claim expenses when asked by Party Officers to work outside their electorates or home bases. Campaign expenses include travel, accommodation and daily allowances, when these have not been met from any other source.

Q.6 The Parliamentary Levy Advisory Committee exists as a body to decide about the Levy and is made up of:

- two members elected by the State Parliamentary Labor Party in the Legislative Assembly;
- one member elected by the State Parliamentary Labor Party in the Legislative Council;
- two members elected by the NSW representatives in the Federal Parliamentary Labor Party;

- the General Secretary and Assistant General Secretaries.

The Parliamentary Levy Advisory Committee can check how funds are being used and must ensure that funds are being used fairly. All Members or groups of Members must be treated equally in the distribution of funds from the levy.

# Schedules

# SCHEDULE A

NSW  
Labor

MEMBERSHIP FORM

## 4 STEPS TO BECOME PART OF THE LABOR STORY

1. Complete all details, do not leave any sections blank. 2. Complete your political background, all questions must be answered. 3. Tick the appropriate membership fee box and note your affiliated union or concession type if applicable. 4. Complete the payment details and mail your signed form back to NSW Labor, PO Box K408, Haymarket, NSW 1240 or Fax to (02) 9264 2574. Or to apply online please visit [membership.nswlabor.org.au](http://membership.nswlabor.org.au)

### 1 YOUR PERSONAL DETAILS

Mr  Ms  Mrs  Miss  Other

Given Name(s): .....

Surname: .....

Date of Birth: .....

Male  Female

Address (as enrolled): ..... Postcode: .....

Postal Address (if different): ..... Postcode: .....

Occupation: .....

Mobile No: ..... Home No: .....

Email: .....

Are you of Aboriginal or Torres Strait Islander descent?  Yes  No Are you an Auslan user?  Yes  No

### 2 POLITICAL BACKGROUND

Have you previously been a member of any other political party or any affiliate or auxiliary of any other political party?

Yes  No If yes, which: .....

If yes, please provide details (dates, positions held, reasons) (use an additional sheet if necessary)

Have you ever opposed an ALP candidate during an election (ie. by standing as or assisting an opposition candidate)?

Yes  No If yes, please provide details: .....

Have you previously been a member of the ALP?

Yes  No If yes, when did you leave the ALP? ..... Reasons for leaving: .....

Previous Membership Number (if known): .....

### 3 ANNUAL MEMBERSHIP FEE (1 November to 31 October)

Waged (A)

1 YEAR  \$50 3 YEARS  \$135

Waged Member of Affiliated Union (B)\* (Union name) .....

\$30  \$85

\*If you have selected Category (B) you must indicate your affiliated union. Refer to list of affiliated unions over page.

Concession (C)\*\*

\$20  \$55

\*\* If you have selected Concession (C), you must indicate the concession type:  Student  Home Duties  Unemployed  Retired  Pensioner

### 4 PAYMENT FORM

YES. I want to join the Labor Party.

I hereby apply for membership of the Australian Labor Party, NSW Branch. If my application is successful, I undertake to abide by the Pledge and Party Rules. If I am paying a reduced rate subscription I declare that I am entitled to that reduced rate.

Signature: \_\_\_\_\_ Date: / /

Membership fees \$ \_\_\_\_\_

Here's a donation to Labor's Election Fund. \$ \_\_\_\_\_

(Any donations of \$1000 or over must be disclosed under the Election Funding and Disclosures Act 1981 (NSW))

TOTAL: \$ \_\_\_\_\_

#### PAY BY PERSONAL CHEQUE, MONEY ORDER OR CREDIT CARD

I have enclosed a personal cheque/money order for \$ \_\_\_\_\_ made out to the NSW Labor Party.

#### PAY BY CREDIT CARD

Cardholders Name: .....

Expiry Date: [ ] [ ] / [ ] [ ]

Card Type:  Mastercard  Visa  Amex

Card No: [ ]

I authorise the Australian Labor Party (NSW Branch) to debit my credit card for the amount of my membership fees (for the amount above) and future membership fees as prescribed from time to time under Party rules until further notice. (ABN 36 192 855 036)

Signature: \_\_\_\_\_ Date: / /

OFFICE USE ONLY Receipt No: ..... Membership No: ..... SEC: ..... FEC: ..... Branch: .....



If you are a member of one of the following unions you are entitled to an affiliated union membership.

- Australian Institute of Marine and Power Engineers (AIMPE)
- Australian Manufacturing Workers Union (AMWU)
- Australian Services Union (ASU), Services Branch
- Australasian Meat Industries Employees Union (AMIEU), NSW Branch, Newcastle Branch
- Australian Workers Union (AWU)
- Construction, Forestry, Mining and Energy Union (CFMEU), Construction and General Division, Mining and Energy Division and Forestry Division
- Communications, Electrical, Plumbing Union (CEPU), Postal and Telecommunications Branch, Telecommunications and Services Branch, Plumbers Division
- Community and Public Sector Union (CPSU)
- Electrical Trades Union (ETU)
- Finance Sector Union (FSU)
- Flight Attendants Association Australia (FAAA)
- Health Services Union (HSU)
- Industrial Staff Union (ISU)
- Maritime Union of Australia (MUA)
- Media, Entertainment and Arts Alliance (MEAA)
- Rail, Tram and Bus Union (RTBU)
- Shop, Distributive and Allied Employees Association (SDA), NSW Branch, Newcastle and Northern Branch
- Textile, Clothing and Footwear Union (TCFUA)
- Transport Workers Union (TWU)
- United Services Union (USU)
- United Voice, NSW Branch
- United Voice, Liquor & Hospitality Division

**SCHEDULE C**

**NSW Labor NOMINATION FOR CANDIDATE FOR PUBLIC OFFICE**

**TO: THE GENERAL RETURNING OFFICER, NSW LABOR/COUNTRY LABOR, PO BOX K408, HAYMARKET 1240**

We hereby nominate ..... Membership Number:.....

As the NSW Labor/Country Labor Candidate for.....  
(please circle one)

**RULE N.11(c) MUST BE SIGNED BY NOT LESS THAN FIVE BONA FIDE MEMBERS OF THE ALP RESIDENT IN THE ELECTORATE OR LOCAL GOVERNMENT WARD AREA**

Nominator's Full Name	Membership Number	Nominator's Signature	Name of ALP Branch
<b>SAMPLE ONLY</b>			

**EXPLANATORY NOTES FOR CANDIDATES: CONDITIONS OF LABOR CANDIDATURE**

**A Candidate for NSW Labor/Country Labor selection and endorsement must:**

- be a financial member of the NSW Branch of the ALP;
- be a financial member of a bona fide trade union if eligible for membership;
- have 12 months continuous membership as at the calling of nominations;
- not have any outstanding debts to the NSW Branch of the ALP;
- not be a property developer as defined under the *Election Funding, Expenditure and Disclosure Act 1981* (NSW);
- be eligible under the law to nominate; and
- hold two tickets – the current year and the past year.

**Rule P.3** Acceptance of the Levy shall be a condition of endorsement to contest Party selection for the Legislative Assembly, Legislative Council, House of Representatives, Senate and Local Government. Candidates seeking endorsement to these public offices shall signify their written acceptance of the conditions of the Levy when nominating for Party selection. (Candidates for parliamentary preselection should complete the appropriate authority).

**Rule D.18** All Members of Parliament must be Gold level members of the Chifley Forum.

**IMPORTANT: READ THIS BEFORE LODGING YOUR NOMINATION**

**This nomination must be accompanied by the following (tick once completed):**

- an acceptance of the nomination as set out on the following page;
- a signed copy of the pledges as set out on the following page;
- appropriate signed Parliamentary/Local Government levy deduction authority as set out on page 3 or 4 of this form;
- authority to join Chifley Forum as set out on page 5 of this form;
- a statement as of why the person who is nominating wants to represent the Party;
- integrity disclosure (required if the person nominating is not currently a Member of Parliament)
- two written character references;
- the prescribed nomination fee (payment by cheque, cash, direct deposit or credit card);
- proof of trade union membership (if applicable);
- photocopy of birth certificate or passport (if Australian born); or
- photocopy of naturalisation certificate (if applicable) and certificate of revocation or previous citizenship.

**Submit in full to the Labor Party Office, Level 9, 377 Sussex St, Haymarket or to nominations@nswlabor.org.au**

## SCHEDULE D

### 1 CANDIDATE'S CONSENT AND DECLARATION

I, ..... Party Membership No.: .....

Address: .....

Phone: ..... Mobile: ..... Occupation: .....

hereby consent to the above nomination and DECLARE that: I am a financial member of the NSW Branch of the ALP and have 12 months continuous membership as at the calling of nominations.

	Ticket No	Date of Issue	Branch Membership
Present Year	.....	.....	.....
Last Year	.....	.....	.....

- am enrolled for the electorate of.....
- am a financial member of Union.....
- am an Australian Citizen (if not born in Australia, country of birth and place of naturalisation).....

Signature of Candidate ..... Date .....

### 2 PUBLIC OFFICE CANDIDATE'S PLEDGE

I hereby pledge myself to comply with the Rules of the Australian Labor Party (NSW Branch) and without in any way limiting the generality of the foregoing, pledge myself:

1. As a condition of membership to comply with Rule A.7(a) and Rule P.3 of the said Rules (as determined and altered from time to time by Annual Conference).
2. If returned to Parliament, on all occasions to do my utmost to ensure the carrying out of the principles embodied in the Labor Platform and on all such questions, especially on questions affecting the fate of a Government, to vote as a majority of the Labor Party may decide at a Caucus meeting.
3. To support and to be in attendance to vote fully and loyally, without equivocation, for whatever measure or measures are placed before the Legislative Council of NSW by the Labor Caucus in the form submitted by the said Caucus without any amendment, alteration or addition, unless such amendment, alteration or addition shall be accepted by the Caucus.
4. That if elected to Local Government Office I will fully and loyally support the Party's policy on all matters. I will consult or caucus with other elected Labor representatives pursuant to rule H.1(d)(ii), with the exception of Rule H.1(d)(i)
5. At all times to conduct myself in Local Government public office in the best interests and solidarity of the Party.
6. To support the Party by communicating on a regular basis with the membership of the Party and wherever possible to support Party activities and events of which I am informed.
7. If appointed to the Legislative Council of NSW or to the Senate, I will report to the Administrative Committee according to the timeline set out in Rule D.13.

I undertake to resign from any position or office that would make me ineligible to hold the elected office for which I am nominating in a timely and practical manner as required by the relevant legislation or as directed by the General Secretary. I understand that should I fail or neglect to resign from such position or office, I hereby grant the Australian Labor Party (NSW Branch) an irrevocable power of attorney to resign on my behalf. Further I will take all steps legally required to revoke or renounce any dual citizenship held by me that would make me ineligible to hold the elected office for which I am nominating.

Signature of Candidate ..... Date .....

Signature of Witness ..... Date .....

### 3 PUBLIC OFFICE CANDIDATE'S PLEDGE ON CAMPAIGN FUNDS

I agree that all funds donated, advanced or paid to me or raised on my behalf to assist in my election to the Parliament of the Commonwealth of Australia or the Parliament of New South Wales, or to, in general, support the ALP will be deposited or invested in the name of the Australian Labor Party and the appropriate Federal or State Electoral Council, and dealt with in accordance with Section K (Finance, Property and Funds) of the Rules of the ALP (NSW Branch). I agree to use election funds for bona fide campaign and election purposes to ensure my election as an endorsed candidate for the Australian Labor Party (NSW Branch) ("ALP NSW").

I agree that any public funding payable under the *Election Funding and Disclosures Act 1981* (NSW) or the *Commonwealth Electoral Act 1918* (Cth) belongs to the NSW Branch of the ALP and upon receipt will be immediately paid to the NSW Branch. I acknowledge that, as a candidate for public office, and if I should be elected, as a Member of Parliament or Councillor, the management and disclosure of income and expenditure for my campaign is governed by the *Commonwealth Electoral Act 1918* (Cth) and/or the *Election Funding and Disclosures Act 1981* (NSW).

I pledge that, in my capacity as a candidate, and, if applicable, as a Member of Parliament or Councillor, I will comply with my responsibilities under the aforementioned Acts, and will establish adequate controls to ensure that my campaign team complies with its responsibilities under the aforementioned Acts.

Signature of Candidate ..... Date .....

Signature of Witness ..... Date .....

## SCHEDULE E

### Membership Pledge

I hereby pledge myself to comply with the Rules of the Australian Labor Party (NSW Branch) and without in any way limiting the generality of the foregoing pledge myself as a condition of membership to comply with Rule A.7(c) of the said Rules. I further pledge that I will actively support the Constitution, Platform and Principles of the Australian Labor Party including the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other anti-social features in these fields and the pursuit of social justice and equality in all areas of human endeavour. I also commit to vote and assist in the return of endorsed ALP candidates.

Kaila Murnain, General Secretary

## SCHEDULE F

NSW  
**Labor**

**2017**  
 (02) 9207 2000  
 membership@nswlabor.org.au  
 KAILA MURNAIN **General Secretary**

MEMBER'S SIGNATURE
EXPIRY. 30/11/2017

MEMBER'S  
**TICKET 2017**

I hereby pledge myself to comply with the Rules of the Australian Labor Party (NSW Branch) and without in any way limiting the generality of the foregoing pledge myself as a condition of membership to comply with Rule A.7(a) of the said Rules. I further pledge that I will actively support the Constitution, Platform and Principles of the Australian Labor Party including the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other antisocial features in these fields and the pursuit of social justice and equality in all areas of human endeavour. I also commit to vote and assist in the return of endorsed ALP candidates.

25 years since Paul Keating's historic Redfern Address.

## SCHEDULE G

### Conduct of Ballots at Annual Conference

#### 1. METHOD OF VOTING

There are two methods of voting used under this Schedule, i.e.: “preferential voting” and “proportional representation”. Preferential applies where only one person is to be elected in a single ballot and proportional representation applies where more than one person is to be elected in a single ballot.

#### 2. BALLOT PAPERS

1. To conduct a ballot the General Returning Officer must have ballot papers prepared including names and given names of candidates, a statement of the number of people to be elected, and this instruction:

“Place the number “1” in the square opposite the name of the candidate for whom you desire to give your first preference vote. You may vote for additional candidates by placing consecutive numbers beginning with the number “2” in the squares opposite the names of those additional candidates in the order of your preferences for them. The more boxes you number, the more you maximise the value of your vote.”

2. More than one ballot may appear on a single Annual Conference ballot paper.
3. The names of candidates must appear on a ballot paper in the order determined by lot.
4. Candidates may appoint scrutineers to attend the drawing of positions should they desire to do so.

#### 3. FORMALITY

1. Informal ballot-papers must be rejected by the General Returning Officer at the scrutiny.
2. A voter must place the number “1” in a square opposite the name of a candidate. The voter may vote for additional candidates by placing consecutive numbers beginning with the number “2” in the squares opposite the names of those additional candidates. However:

- (a) if the same preference (other than a first preference) has been recorded on a ballot- paper for more than one candidate, the ballot- paper must be

treated as if those preferences and any subsequent preferences had not been recorded on the ballot-paper,

- (b) if there is a break in the order of preferences recorded on a ballot-paper, the ballot- paper must be treated as if any subsequent preference had not been recorded on the ballot-paper.

#### 3. Notwithstanding anything to the contrary in this schedule:

- (a) a ballot-paper on which the voter has recorded his or her vote by placing in one square the number “1” must not be treated as informal by reason only that:

- (i) the same preference (other than his or her first preference) has been recorded on the ballot-paper for more than one candidate, or
- (ii) there is a break in the order of preferences recorded on the ballot-paper.

- (b) a ballot-paper is not informal by reason only that the voter has recorded a vote by placing a cross or a tick in a square and not placing any mark or writing in any other square, but the ballot-paper is treated as if the cross or tick were the number “1”.

- (c) a ballot-paper is not informal by reason only that the voter has recorded a vote by placing the number “1” or a tick in a square and placing a cross in (or a line through) all or some of the other squares on the ballot-paper, but the ballot-paper is treated as if the marks in those other squares did not appear on the ballot- paper and any such tick were the number “1”.

4. A Party member must not encourage a voter in a Party ballot to cast an informal vote or place a cross or a tick in a square on a ballot-paper.

#### 4. PREFERENTIAL VOTING

##### 1. In this paragraph:

- (a) “continuing candidate”, in relation to a count, means a candidate not excluded at a previous count.

- (b) A reference in this paragraph to an exhausted ballot-paper in relation to any count is a reference to a ballot-paper on which there is not recorded a vote for a continuing candidate.

2. The General Returning Officer must ascertain the total number of first preference votes recorded for each candidate on all ballot-papers not rejected by the General Returning Officer as informal.
  3. If a candidate has a majority of the first preference votes, the candidate must be elected.
  4. If no candidate is elected under subparagraph 3, the General Returning Officer must make a second count:
    - (a) On the second count, the candidate who has the fewest first preference votes must be excluded, and each of the candidate's ballot-papers that is not exhausted must be transferred to the candidate next in the order of the voter's preference and counted to that candidate as a vote.
    - (b) If, on the second count, a candidate has a majority of the votes remaining in the count, the candidate must be elected.
  5.
    - (a) If, on the second count, no candidate has a majority of the votes remaining in the count, the process of excluding the candidate who has the fewest votes, transferring each of the ballot-papers that is not exhausted to the continuing candidate next in the order of the voter's preference and counting it to that candidate as a vote must be repeated by the General Returning Officer until one candidate has a majority of the votes remaining in the count.
    - (b) The candidate who, in accordance with clause (a) above, has a majority of the votes remaining in the count must be elected.
  6. Where, on any count at which the candidate with the fewest number of votes has to be excluded, two or more candidates have an equal number of votes (that number being fewer than the number of votes that any other candidate has or those candidates being the only continuing candidates):
    - (a) such one of those candidates as had the fewest number of votes at the last count at which they did not have an equal number of votes must be excluded, or
      - (b) if they had an equal number of votes at all preceding counts, the candidate whose name is drawn by lot from the names of the candidates who have an equal number of votes must be excluded.
  7. In the event that a fraction arises during the course of a count, the fraction should be rounded to the nearest one tenth (i.e. to one decimal place).
5. PROPORTIONAL REPRESENTATION
- If the method used is to be "proportional representation", then the count shall be conducted as described in the following:
1. After rejecting all informal voting papers, the number of first preferences indicated for each candidate shall be counted and recorded each voting paper having the value of 1,000 points.
  2. Total the number of formal votes and work out the "quota" in accordance with the following formula: Total number of formal votes cast multiplied by 1,000 points divided by the number exceeding by one the number of vacancies to be filled. The result obtained is taken to the next whole number which becomes the "quota".
 

Example: To elect six candidates from a total of 923 formal votes polled.

$$923 \times 1,000 = 923,000 \text{ divided by } 7 (6 + 1) = 131,857.1429 = 131,858 \text{ points}$$
  3. Any candidate who has a value of first preferences equal to or greater than the quota shall be recorded as elected and any surplus over the quota transferred in the following manner (the "surplus" is the total number of points in excess of the quota held by that candidate at the time of the candidate's election).
    - (a) Distribute the first preference voting papers of the elected candidate to the next preference shown for an unelected candidate. First preference voting papers of the elected candidate that have no continuing preference cease to be included in the counting process after the election of the candidate and do not participate in the transfer.
    - (b) Calculate the transfer value of each voting paper according to the following formula.
 

Transfer Value = Surplus of Points to be

transferred

Number of Voting papers participating in transfer

- (c) The number of voting papers transferred to each unelected candidate, according to Section 3(a), is then multiplied by the transfer value, and the whole number remaining after any fraction is rounded off to the nearest whole number, is the number of points that are transferred to that unelected candidate.
  - 4. If the progress total of any candidate becomes equal to or greater than the quota by the transfer of a surplus, he/she shall be recorded as elected and any surplus over the quota transferred in the following manner. (the "surplus" is the total number of points in excess of the quota held by that candidate at the time of the candidate's election)
    - (a) The voting papers allotted to the elected candidate in the last transfer shall be distributed to the unelected candidates according to the continuing preference. The voting papers allotted to the elected candidate in the last transfer that have no continuing preference, the first preference voting papers of the elected candidate and other voting papers allotted to the elected candidate prior to the last transfer do not participate in the new transfer and cease to be included in the counting process.
    - (b) The transfer value shall be obtained by dividing the surplus by the number of voting papers participating in the transfer (ie. the number of voting papers allotted to the elected candidate in the last transfer).
    - (c) The number of voting papers transferred to each unelected candidate according to Section 4(a) is then multiplied by the transfer value and the whole number remaining after any fraction in the result is rounded off to the nearest whole number, is the number of points that are transferred to that unrelated candidate.
  - 5. No votes shall be transferred to any candidate whose progress points total exceeds the quota or who has been excluded in accordance with section 7
- below.
  - 6. If more than one candidate has a surplus, the surpluses shall be transferred in order of size, beginning with the largest, provided that no surplus shall be transferred before a surplus that arose earlier in the counting.
  - 7. If after the transfer of all surpluses, any vacancies remain unfilled, the candidate whose progress points total is lowest shall be excluded and all voting papers allotted to him/her shall be distributed to the unelected candidates in accordance with the continuing preference shown on the voting papers, and at a value determined as follows:
    - (a) Voting papers with first preference indicated for the excluded candidates shall be transferred at their full value (1,000 points for each such voting paper).
    - (b) The other voting papers of the excluded candidate shall be distributed at the value at which they were transferred to him/her.  
  
The voting papers allotted to the candidate that have no continuing preference do not participate in the new transfer and cease to be included in the counting process.
  - 8. If the progress points total of any candidate becomes equal to or greater than the quota by the transfer of votes resulting from the exclusion of a candidate, he/she shall be recorded as elected and any surplus transferred according to Section 4.
  - 9. The process of excluding the candidate with the lowest progress points total and allotting his/ her voting papers to the remaining unelected candidates shall be repeated and any surpluses transferred until all vacancies are filled or until the number remaining unfilled is equal to the number of remaining candidates in which case those candidates shall be recorded as elected.
  - 10. Immediately after each transfer of voting papers and immediately after each election or exclusion of a candidate where there is no such transfer the quota must be recalculated in accordance with the following formula:

The total value (i.e. in points) of the votes remaining in the count divided by the number exceeding by one the number of vacancies yet to be filled. The result obtained is taken to the next whole number which becomes the new “quota”.

11.

- (a) In this section, “affirmative action rules” means any Party Rule that mandates a minimum number of candidates of either or both genders must be members of a body elected by Annual Conference by proportional representation.
- (b) Prior to declaring the result for an election under this schedule the General Returning Officer must verify that the proposed declaration would satisfy the provisions of the affirmative action rules. If those rules would not be satisfied by the proposed declaration the General Returning Officer must adjust the proposed declaration to give effect to the affirmative action rules in accordance with the principles of proportional representation and make the declaration accordingly.
- (c) If, under (b) above, it is not possible to so adjust the proposed declaration because there is an insufficient number of candidates of the required gender for a given group participating in the ballot, the General Returning Officer must, as part of the declaration for the ballot, declare the relevant positions as casual vacancies. Such casual vacancies must be filled in accordance with Party Rules.

12. The General Returning Officer may adopt an expedited process in lieu of the counting process prescribed by this schedule if:

- (a) the Assistant General Returning Officers and scrutineers present are all in agreement on the process; and
- (b) the outcome of the declaration is unaffected by the expedited process.

## 6. DISPOSAL OF BALLOT MATERIALS

After the declaration of the ballot, the Returning Officer must seal all ballot papers and material in the ballot box or other secure container and retain the ballot box for at least seven days.

## 7. PROCEDURES FOR CHALLENGES

In any ballot conducted under this Schedule the following applies:

1. Where a challenge has been made to inclusion or non-inclusion of a person on the voting list for a ballot within time provided for by the NSW Branch Rules, and that challenge has not yet been finally determined in accordance with those Rules, the person concerned must be included on the voting list provisionally (i.e. subject to “challenge”). This means that:
  - (a) They may be issued with a ballot paper in accordance with the Rules, but that ballot paper (once completed) must be placed in a blank envelope that does not bear the voter’s name and handed directly back to the Returning Officer who will seal it in a second envelope marked with the voter’s name and place it in the ballot box.
  - (b) If it is apparent that the challenge votes may affect the outcome of the ballot, the Returning Officer must not declare the ballot and must instead seal all ballot material in the ballot box and deliver the ballot box into the custody of either the General Returning Officer or the General Secretary (or a representative of the General Secretary)
  - (c) The Returning Officer may declare the ballot prior to the resolution of the challenges if, after counting other ballot papers, it is clear that the challenge votes will not affect the outcome of the ballot.
  - (d) The subsequent count and declaration of the ballot (after the challenges have been determined) may be made by the General Returning Officer or a person authorised by him/her.
2. Where, during the conduct of a ballot, it is alleged that the requirements of the party Rules are not being adhered to, the matter must dealt with (in the first instance) by the Returning Officer. In the event that the matter is not resolved and it is alleged that the issue requires urgent resolution to ensure the integrity of the ballot process, the General Returning Officer or the General Secretary (or a representative of the General Secretary appointed in relation to that ballot) may be consulted, and may give instructions to determine the issue consistent with the Party Rules.

## SCHEDULE H

### Conduct of Ballots at all other Party Units

#### 1. BALLOT PAPERS

- (a) Positions on all ballot papers shall be drawn by lot. Candidates may appoint scrutineers to attend the drawing for positions should they desire. The full names, including given names, of candidates shall appear on ballot papers. In the event of more candidates being nominated than there are vacancies to be filled, a ballot shall be taken on the preferential system. Preferential system shall mean that a voter must vote for all candidates in order of his/her preference.
- (b) The Returning Officer must tell voters that for their ballot papers to be counted in the vote, they must number all the candidates. For example, if there are six candidates, the candidates must be numbered 1 to 6. This requirement is satisfied if the Returning Officer includes written advice to this effect on the ballot paper itself.

#### 2. FORMALITY

- (a) Informal ballot-papers must be rejected by the Returning Officer at the scrutiny.
- (b) A voter must vote for all candidates in order of the voter's preference in accordance with this Rule. A vote must not be regarded as formal unless either:
  - (i) all squares are numbered consecutively from "1", without repetition of any number; or
  - (ii) all squares are numbered consecutively from "1", without repetition of any number, but the last square in the numerical sequence is left blank.
- (c) A Party member must not encourage a voter in a Party ballot to cast an informal vote.

#### 3. PREFERENTIAL VOTING FOR ELECTION OF ONE CANDIDATE

A candidate who received a number of first preference votes greater than half the total number of formal ballot papers shall thereupon be declared elected.

If no candidate has received an absolute majority of first preference votes, the Returning Officer shall proceed with the scrutiny, as follows:

- (a) The candidate who received the fewest first preference votes shall be excluded, and each ballot paper counted to him/her shall be counted to the candidate next in order of the voter's preference.
- (b) Then if no candidate has an absolute majority of votes, the process shall be repeated by excluding the next candidate who has the fewest votes, and counting each of his/her ballot papers to the unexcluded candidates next in the order of the voter's preference, until one candidate has received an absolute majority of votes and is elected.
- (c) In the event that a fraction arises during the course of a count, the fraction should be rounded to the nearest one tenth (i.e. to one decimal place). This requirement does not apply to the weighting factor used to proportionately adjust the relative value of groups of votes, but does apply to product of that equation. For example, if there is a requirement for a group of 30 votes and a group of 23 votes to be equal, the 23 would be weighted up by multiplying by a weighting that is precise as is practicable (say 1.3043478) and the product of that equation (29.999999) would then be rounded to 30.0 or 30).

#### 4. PREFERENTIAL VOTING FOR ELECTION OF MORE THAN ONE CANDIDATE

In any case where two or more candidates are to be elected, the Returning Officer shall act in accordance with the following procedure:

- 1. The votes shall be classified into two categories as follows:
  - (a) Votes marked 1, 2, 3, etc., according to the number of vacancies shall be termed the "primary" votes and have equal value in the first count.
  - (b) Preference votes shall be termed the "secondary" votes and shall have rank according to their numerical order.
- 2. The "primary" votes shall first be counted and a list shall be prepared of the candidates in order according to the "primary" votes cast for them. The candidate who is last on the list thus compiled shall be excluded from the election.
- 3. Each ballot paper on which such excluded candidate received a number 1 vote shall then be scrutinised and the next available preference following the "primary" vote as

- defined in 1(a) shall be added to the total credited to each unexcluded candidate on the first count.
4. The candidate next last on the list shall then be excluded. Each ballot paper on which such candidate received a number 1 vote shall then be scrutinised and the next available preference vote to the “primary” vote as determined in 1(a) shall be added to the total credited to the respective remaining candidates. Should the next available preference vote be cast in the favour of an excluded candidate, it shall be disregarded and the next available preference vote cast in favour of a remaining candidate shall be added to the total credited to that candidate. This process of exclusion and distribution of preference votes shall be repeated until only the number of candidates required to fill the vacancies remain.
  5. In the case of two or more candidates being equal during the progress of the count, you eliminate the candidate with the lowest number (first preference) votes. If there should still be equality then the Returning Officer should draw, in the presence of scrutineers, and the candidate whose name is drawn will remain in the ballot.
  6. In determining which candidate is next in order of preference the votes which have been counted for any candidate who has been excluded shall not be considered and the order of voter’s preferences shall be determined on the next available preference which ballot paper has not been previously transferred.
  7. All candidates must be voted for.
  8. No Returning Officer or scrutineer shall be allowed to nominate for any position in any ballot in which he/she is acting as Returning Officer or scrutineer, except in the case of the General Returning Officer and the Assistant General Returning Officers. In calling for nominations, the Returning Officer shall be deemed to have participated in the ballot, except in the case of the General Returning Officer and the Assistant General Returning Officers. Where the Returning Officer is renominating for that position, they must arrange for the Deputy Returning Officer or another member of the Branch Executive to receive these nominations.
5. **PREFERENTIAL VOTING FOR ELECTION OF MORE THAN ONE CANDIDATE FOR PUBLIC OFFICE TO DETERMINE THE ORDER OF CANDIDATES SELECTED**

In any case where two or more candidates are to be elected the Returning Officer shall act in accordance with the following procedure:

    1. In relation to the count of first preference votes, he/she shall:
      - (a) arrange all the formal ballot papers against the names of the respective candidates by placing in a separate bundle all those on which a first preference is indicated for the same candidate; and
      - (b) count the first preference votes given for the candidates on all ballot papers.
    2. If any candidate has more than half the total number of first preference votes, he/she shall be declared elected. If, however, no candidate has an absolute majority, a process of elimination of those candidates with the lowest number of first preference votes and the distribution of their preferences will continue until such time as one candidate attains an absolute majority and is then declared elected. When a candidate is excluded, all ballot papers counted to him/ her and contained in his/her bundle at the time of his/her exclusion must be transferred to the unexcluded candidates next in order of the voter’s preference. This process will be repeated, until one candidate has received an absolute majority to the votes in the election.
    3. **Second vacancy**
      - (a) In filling the second vacancy the returning officer will:
        - (i) re-arrange the whole of the ballot papers under the names of all candidates (including the elected candidate) in accordance with the first preference votes indicated thereon;
        - (ii) transfer each ballot paper on which a first preference is indicated for the ELECTED CANDIDATE to the bundles of the candidates next in order of the voter’s preference; and when that is concluded,
        - (iii) count the ballot papers in the bundle of each unexcluded candidate, and

- (iv) if a candidate thus attains an absolute majority of votes cast, he/she shall be declared elected.
- (b) If no candidate has received an absolute majority of votes, the returning officer will exclude the candidate who has received the fewest votes and will transfer each ballot paper distributed to him/her at the time of his/her exclusion, to the continuing candidates (ie, not the candidate elected in the first count) next in order of the voter's preference. This procedure will continue until one candidate has an absolute majority and is declared elected.

4. Third vacancy

- (a) The procedure in filling the third vacancy is similar to that followed in filling the second vacancy. The returning officer will:
  - (i) re-arrange the whole of the ballot papers under the names of the respective candidates (including the two elected candidates) in accordance with the first preference votes indicated thereon;
  - (ii) transfer each ballot paper on which a first preference vote is indicated for the candidate first elected to the bundle of each continuing candidate (ie, any candidate not being the second elected candidate) next in the order of the voter's preference;
  - (iii) transfer each ballot paper on which a first preference vote is indicated for the candidate second elected to the parcel of each continuing candidate (ie, any candidate not being the candidate first elected) next in order of the voter's preference;
  - (iv) count the ballot papers contained in the bundle of each (continuing) candidate; and
  - (v) if a candidate thus attains an absolute majority of votes cast, he/she shall be declared elected.
- (b) If no candidate then has an absolute majority of votes, the returning officer excludes the candidate who has received the fewest votes, and transfers each ballot paper which has been counted to him/her to each continuing candidate (that is, to any candidate not

being an elected candidate) next in the order of the voter's preference. If no candidate then has an absolute majority of votes, the returning officer excludes that candidate who has the fewest votes, and transfers each ballot paper which has been counted to him/her (ie contained in his bundle at the time of his/her exclusion) to the continuing candidate (ie, any candidate not being an elected or excluded candidate) next in the order of the voter's preference, and so on, stage by stage, until one candidate has received an absolute majority of votes and is elected to fill the third vacancy.

- 5. Further vacancies shall be filled one by one in the manner provided in the last preceding sub-section referring to the filling of the third vacancy, provided that at all times a ballot paper on which a first preference for any elected candidate is marked, shall be placed in the bundle of each continuing candidate next in order of the voter's preference.
- 6. In this schedule "continuing candidate" means a candidate not already elected or excluded from the count.
- 7. In this schedule "an absolute majority of votes" means a greater number than one-half of the whole number of formal ballot papers.
- 8. If at any stage of the count, two or more candidates have an equal number of votes and one of them has to be excluded, the tie shall be broken by a draw from the hat, the candidate whose name is drawn being the candidate who remains in the ballot.
- 9. Notwithstanding anything contained in the preceding provisions of this schedule, two or more candidates lowest in the poll may be excluded from any count at the same time provided:
  - (a) that the total number of votes of the lowest candidates does not in the aggregate exceed in number the votes of the candidate next higher in the poll;
  - (b) that the number of continuing candidates is not thereby reduced below the number to be elected; and
  - (c) that in the filling of a second or any subsequent vacancy, the votes of the elected candidate or candidates have

already been distributed as provided in this schedule.

10. In the event that a fraction arises during the course of a count, the fraction should be rounded to the nearest one tenth (i.e. to one decimal place). This requirement does not apply to the weighting factor used to proportionately adjust the relative value of groups of votes, but does apply to product of that equation. For example, if there is a requirement for a group of 30 votes and a group of 23 votes to be equal, the 23 would be weighted up by multiplying by a weighting that is precise as is practicable (say 1.3043478) and the product of that equation (29.999999) would then be rounded to 30.0 or 30).

## 6. PROCEDURES FOR CHALLENGES, ETC

In any ballot conducted under this Schedule the following applies:

1. Where a challenge has been made to inclusion or non-inclusion of a person on the voting list for a ballot within time provided for by the NSW Branch Rules, and that challenge as not yet been finally determined in accordance with those Rules, the person concerned must be included on the voting list provisionally (i.e. subject to "challenge"). This means that:
  - (a) they may be issued with a ballot paper in accordance with the Rules, but that ballot paper (once completed) must be handed directly back to the Returning Officer or Presiding Officer (as applicable) by the voter, the Returning Officer or Presiding Officer must place the paper in a sealed envelope that does not bear the voters name and then in second sealed envelope marked with the voter's name. The enveloped vote must then be placed in the ballot box.
  - (b) If it is apparent that the challenge votes may affect the outcome of the ballot, the Returning Officer must not declare the ballot and must instead seal all ballot material in the ballot box and deliver the ballot box into the custody of either the General Returning Officer or the General Secretary (or a representative of the General Secretary).
  - (c) The Returning Officer may declare the ballot prior to the resolution of the

challenges if, after counting other ballot papers, it is clear that the challenge votes will not affect the outcome of the ballot.

- (d) The subsequent count and declaration of the ballot (after the challenges have been determined) may be made by the General Returning Officer or a person authorised by him/her.
2. Where, during the conduct of a ballot, it is alleged that the requirements of the party Rules are not being adhered to, the matter must dealt with (in the first instance) by the Returning Officer. In the event that the matter is not resolved and it is alleged that the issue requires urgent resolution to ensure the integrity of the ballot process, the General Returning Officer or the General Secretary (or a representative of the General Secretary appointed in relation to that ballot) may be consulted, and may give instructions to determine the issue consistent with the Party Rules.

## SCHEDULE I

### Rules of Debate

The following rules of debate shall be observed at all meetings.

1. THE CHAIR
 

A Chair shall preside at all meetings.

  - (a) The Chair's interpretation of the rules of debate shall be final unless overruled by the meeting.
  - (b) Dissent from the Chair's ruling. Any member dissatisfied with the Chair's ruling may move a motion of dissent in the following terms: "That the Chair's ruling be dissented from." In such case only the mover shall be permitted to speak, except the Chair who may state his/her reasons for the ruling given. The motion shall thereupon be put to the meeting by the Vice-Chair, without further discussion, in the following form: "The motion is that the Chair's ruling be upheld."
  - (c) The Chair may not move, second or speak on any motion without leaving the chair. Having left the chair he/she may not resume it until that debate has concluded.
  - (d) Whenever the Chair rises, whether during

debate or not, any member speaking or proposing to speak, shall resume his/her seat so that the chair may be heard in silence.

- (e) Chair's leave. No member shall leave a meeting without permission from the chair.

2. ADDRESSING THE MEETING

- (a) Address while standing.

Any member desiring to propose a motion or an amendment, or to discuss any matter under consideration, must rise and address the Chair.

- (b) Call to first risen.

The right of speaking on any subject shall belong to the member who first rises to address the Chair. When two or more members rise together the Chair shall call upon the member deemed by the Chair to have risen first.

- (c) Speakers once only.

No member shall speak without consent at the meeting. Any member proposing or seconding a motion shall be held to have spoken.

- (d) Speakers' times.

In debate, the mover shall be allowed five (5) minutes for speaking in support of his/her motion; subsequent speakers three (3) minutes, and the mover three (3) minutes in reply. The time for discussion to be limited to twenty (20) minutes for each question, unless extended by resolution.

- (e) Speakers' in succession.

No more than two (2) members shall speak in succession on one side, either for or against any question before the meeting, and if, at the conclusion of the second speaker's remarks, no member rises to speak on the other side, the motion or amendments shall be put to the meeting after the mover has replied.

- (f) Right of Reply.

The mover of the original motion shall have the right of reply. No further discussion shall be allowed after the mover has replied.

- (g) State and Federal Members' Reports.

At branch meetings, reports from State and Federal Members of Parliament

(including questions) are limited to 10 minutes each.

- (h) Local Councillors' Reports.

At branch meetings, reports from Councillors are limited to 5 minutes each, including questions. The total amount of time spent hearing from all Councillors (including questions) is not to exceed 15 minutes.

3. POINT OF ORDER

The member addressing the meeting shall not be interrupted unless called to order or a point of order is taken. When a point of order is taken, the member speaking shall sit down and the member taking the point of order shall outline his/her reasons for taking it to the Chair. The Chair may either invite further submissions or rule upon it immediately. The Chair must give a ruling before the debate is resumed.

4. MOTIONS

- (a) Must be duly proposed and seconded before debate may commence.

- (b) Lapsed Motions. Any motion or amendment not seconded shall not be further debated, but shall lapse.

- (c) Amendments. The question having been proposed may be amended by leaving out, substituting or adding words. Any number of amendments may be proposed and discussed simultaneously with the original motion. When amendments have been put and lost the original motion shall then be put to the meeting. When amendments have been put and carried, the amendment shall become part of the motion, and shall then be put to the meeting. At the close of debate, amendments shall be put in the order they have been moved.

- (d) Direct negatives disallowed. No amendment shall be received by the Chair which shall be a direct negative to a motion, or which does not preserve the substance of such motion.

5. QUESTION BE PUT

A member shall have the right at any time during the debate to move "That the question be now put," and it shall be submitted by the Chair to the vote without discussion and if affirmed the Chair shall put the question under discussion to the meeting without further

debate after the mover has replied.

#### 6. ADJOURNED MOTION

A member shall have the right at any time during the debate to move "That this motion be now adjourned" and the adjournment motion shall be submitted by the Chair to vote without discussion. If the adjournment motion is affirmed, the motion adjourned shall be listed for discussion under "motions of which due notice has been given" at the next meeting.

#### 7. PUTTING THE MOTION

Immediately the debate on a question shall be concluded the Chair shall put the question to the meeting in a distinct and audible manner. The question being put, shall be resolved in the affirmative or negative by the voices, unless a show of hands is requested.

#### 8. EQUAL VOTING

In the event of the voting on any motion being equal the Chair shall declare the motion lost.

#### 9. NO FURTHER SPEAKERS

No member shall speak on any motion after the same has been put by the Chair.

#### 10. NOTICE OF MOTION

A member may give notice of motion for the purpose of:

- (a) rescinding and/or amending any motion carried at a meeting of the Branch; or
- (b) placing business on the business paper for the next Branch meeting. The notice of motion shall be read to the meeting and handed to the Chair. The Chair shall not allow discussion on the notice of motion at the meeting at which the notice is given. The notice of motion shall take precedence in the order in which it stands in the minute book in relation to other similar notices unless otherwise ordered by the meeting which finally determines the notice. Should the mover in whose name the notice of motion stands be not present, then the said motion shall lapse.

The submission of a notice of motion to rescind does not nullify the decision of the motion it seeks to rescind until the motion itself is carried at the subsequent meeting. A rescission motion that is defeated shall not be moved again until three months have passed.

#### 11. SUSPENSION OF STANDING ORDERS

It shall be competent for a majority of members present at a meeting to suspend so much of standing orders as is necessary to allow the consideration of any business, except for the consideration of business already dealt with at the meeting.

#### 12. RECOMMITTAL

Any matter already dealt with by the meeting may be recommitted to the meeting by unanimous consent.

#### 13. EXCLUSION FROM THE MEETING

The Chair may, at any time, exclude a member who:

- (a) attends the meeting in an intoxicated condition; or who
- (b) is guilty of unruly or disorderly conduct.

#### 14. GRANTING OF LEAVE

Whenever a procedural motion is proposed, the Chairman may ask the meeting whether there is any objection to the motion and provided that no member present objects, the motion will be declared carried. If there is an objection, the ordinary rules of debate will apply.

#### 15. VISITORS

When visitors are admitted, the Chair may direct that seating accommodation shall be provided for them apart from members.

#### 16. CLOSURE OF MEETINGS

Night meetings shall terminate not later than 10.00 pm. It shall be competent for any member to propose an extension of time providing such extension or extensions shall not exceed time beyond one half- hour. Night meetings shall definitely close no later than 10.30 pm and all business transacted after that hour will be null and void. This shall not apply to meetings of the Administrative Committee or Tribunals or Policy Committees.

#### 17. DISCLOSURE OF FINANCIAL INTERESTS

- (a) Members:
  - (i) who have a substantial financial interest in a matter being considered or about to be considered at a meeting, and
  - (ii) whose interest appears to raise a conflict with the proper performance of the Member's duties in relation to the consideration of the matter, must

disclose the nature of the interest at a meeting if they intend to participate in debate or vote on the matter.

- (b) An interest is not “substantial” (and therefore does not have to be disclosed) merely because a member:
  - (i) holds a modest proportion of the shares of a publicly listed company;
  - (ii) is a member of a non-profit organisation; or
  - (iii) is employed by a trade union, a government agency, Member of Parliament or the Party.
- (c) A disclosure by a Member at a meeting that the Member:
  - (i) is a member, or is in the employment, of a specified organisation, or
  - (ii) is a partner, or is in the employment, of a specified person, or
  - (iii) has some other specified interest relating to a specified organisation to a specified person;

is a sufficient disclosure of the nature of the interest.

**Example 1:**

Smithsville Branch is debating a motion to tell ALP Councillors that the Branch opposes a local re-development. John, a member of the Branch, knows that he is a business partner of the developer concerned. John cannot participate in debate or vote on the motion without declaring his relationship with the business partner. He does not need to disclose the commercial details of that relationship.

**Example 2:**

Smithsville Branch is debating a motion to tell the Federal ALP that it opposes a policy proposal made by a Labor spokesperson on the Environment. It is not necessary for Bob, a Branch member, to disclose the fact that he works for the Department of Environment and Conservation when he votes on the motion.

## SCHEDULE J

### NSW YOUNG LABOR

#### Part One: Purpose

##### 1. OBJECTIVES

- (a) To advocate progressive policies within the Labor Movement by way of Party and public meetings, pamphlets and papers.
- (b) To support the objectives and platform of the Party and in doing so educate members of Young Labor, trade unions and other Party bodies.
- (c) To provide a voice for young people both within the Party and in the general community.
- (d) To assist in the election to public office of endorsed Labor candidates at a national, state and local level.
- (e) To promote and adopt mechanisms which encourage the participation of women, indigenous, rural and culturally diverse communities in Young Labor and the wider Party.
- (f) To publish material of any kind, whether written, audio or visual, that may assist in achieving the above objectives.
- (g) To be the co-ordinating body of Young Labor in NSW.
- (h) To advise the Party on matters of policy and the views of young people.
- (i) To undertake any other duties referred to it by the NSW Branch Annual Conference or Administrative Committee.

#### Part Two: Membership

##### 2. AGE

- (a) To be a member of and be eligible for election to a position in Young Labor, a person must:
  - (i) Be a member of the Australian Labor (NSW Branch); and
  - (ii) Not have attained the age of 26 years as at 1 January in the year of their membership or election.
- (b) Any member of, or person elected to a position in, Young Labor who attains the age of 27 years in the ensuing 12 months shall be eligible to retain office until the

next Annual Conference.

- (c) Each month, following NSW Branch Administrative Committee, the General Secretary shall send the Young Labor Secretary and Young Labor Assistant Secretaries a complete list of names, addresses, ticket numbers, categories of membership and membership fees paid relating to Party members satisfying the criteria in subsection (a).

**Part Three: Conferences**

3. CONFERENCES

- (a) Young Labor shall hold an Annual Conference each year in metropolitan Sydney.
- (b) Young Labor shall hold a Rural and Regional Conference every second year outside of Sydney.
- (c) Young Labor may hold a Policy Conference once per year in Western Sydney.
- (d) Prior to 31 December in each year the NSW Branch Administrative Committee shall, in consultation with the Executive, set dates for the next year's conference(s).
- (e) Conference shall consider agenda items submitted by Young Labor Associations, Branches, affiliated trade unions, NSW Branch Annual Conference, NSW Branch Administrative Committee and other Party Units.
- (f) A Conference may only take place when a quorum of at least forty (40) delegates are present.
- (g) A Young Labor Association or affiliated trade union shall pay a fee for each of its Delegates to Conference, Rural and Regional Conference and Policy Conference, the fee being determined by the NSW Branch Administrative Committee in consultation with the Executive.
- (h) Alternate Delegates shall be entitled to attend Conference and take part in the business of Conference without the right to vote unless acting as a full delegate.
- (i) Conference delegates are to be notified at least seven (7) days in advance of the agenda items and proposed order of business of a Conference.

- (j) Any Policy Caucus report must be presented to the Executive at least seven (7) days in advance of Conference in order for it to be placed on the agenda.

4. ANNUAL CONFERENCE POWERS

- (a) The NSW Young Labor Annual Conference is the principal policy-making and governing body of Young Labor in NSW. Annual Conference has the power:
  - (i) To make and propose policy on behalf of NSW Young Labor.
  - (ii) To receive and consider reports from the Executive and Policy Caucuses.
  - (iii) To elect:
    1. Members of the Executive except those members who satisfy the criteria in 7(d)(vii).
    2. Such standing committees as the Executive may determine from time to time;
    3. Delegates and Alternate Delegates to the NSW Branch Annual Conference;
    4. Delegates and Alternate Delegates to NSW ALP Country Conference;
    5. Delegates and Alternate Delegates to Australian Young Labor National Conference; and
    6. Such other officials as the Executive may determine from time to time.
- (b) Annual Conference elections shall be conducted as outlined in Schedule G and by the requirements of the NSW Branch Rules on affirmative action.

DELEGATES

- (c) Annual Conference is made up of delegates as follows:
  - (i) Each Young Labor Association shall be entitled to elect one delegate for each full State electorate included in its boundaries.
  - (ii) The Chair, Deputy Chair and Secretary of each Policy Caucus shall be a delegate.
  - (iii) Each Young Labor University Network shall be entitled to elect three (3) delegates.
  - (iv) At least 40% of the delegates to Annual Conference must be union delegates. All other delegates are approximately 60%

of the total.

- (v) The procedure for determining trade union representation at Annual Conference shall be, subject to this Schedule, the same procedure used for determining trade union representation at the NSW Branch Annual Conference.

5. RURAL AND REGIONAL CONFERENCE POWERS

- (a) The NSW Young Labor Rural and Regional Conference shall decide policy on areas of concern to young people residing outside of Sydney.
- (b) Decisions of Rural and Regional Conference shall be referred to Annual Conference and/or Policy Conference.

DELEGATES

- (c) The Rural and Regional Conference shall consist of:
  - (i) Eight (8) delegates from each Young Labor Association in Rural and Regional NSW;
  - (ii) Members of the Executive and Policy Caucuses as non-voting delegates; and
  - (iii) Delegates from affiliated trade unions, provided that they live outside of Sydney.
- (d) There shall be thirty (30) delegates from affiliated trade unions to Rural and Regional Conference. The size of a union's delegation to the Rural and Regional Conference shall be directly proportional to its membership.
- (e) The definition of "Rural and Regional" shall be the definition used by the NSW Branch Administrative Committee following recommendation by the NSW Young Labor Executive.

6. POLICY CONFERENCE POWERS

- (a) The Policy Conference shall have policy-making powers equal to Annual Conference.
- (b) The Policy Conference shall not have the power to elect the Officials and Delegates in 4(a)(iii). This power shall rest solely with the Annual Conference.

DELEGATES

- (c) The Policy Conference shall consist of the delegates to the most recent Annual Conference.

**Part Four: Management and Administration**

7. EXECUTIVE POWERS

- (a) The NSW Young Labor Executive is responsible for the management and administration of Young Labor in NSW in between Annual Conferences.
- (b) The Executive shall adopt procedures to facilitate the business of Young Labor.
- (c) The Executive shall be the only body to issue Charters and determine boundaries for Young Labor Associations and Young Labor University Networks, subject to the approval of the NSW Branch Administrative Committee.

MEMBERSHIP

- (d) The Executive shall consist of:
  - (i) The President;
  - (ii) The Senior Vice-President;
  - (iii) Two (2) Junior Vice-Presidents;
  - (iv) The Secretary/Treasurer;
  - (v) Two (2) Assistant Secretaries;
  - (vi) Seven (7) general members; and
  - (vii) One representative from each Young Labor Association.

Positions (i) to (v) shall be the Young Labor Officers.
- (e) Any member of the Executive who is absent from three (3) consecutive meetings without the permission of the Executive shall cease to be a member of the Executive.

MEETINGS

- (f) A meeting of the Executive can only take place when a quorum of a majority of members is present. If a majority of members is not present after thirty minutes the meeting will not take place. Quorum may consist of any member of the Executive who has sought the permission of the Secretary/Treasurer with at least 24 hours notice to teleconference with the Executive.
- (g) The Executive must meet at least once within any three month period.

8. YOUNG LABOR REVIEW COMMITTEE POWERS

- (a) The Young Labor Review Committee deals with issues relating to:

- (i) Credentials;
- (ii) Disputes; and
- (iii) Any matters referred to it by the Executive, except that the Executive cannot refer matters that are within the purview of the Young Labor Policy Platform, Rules and Agendas Committee.

#### MEMBERSHIP

- (b) The Young Labor Review Committee shall consist of members appointed by the Party Officers from time to time.

#### MEETINGS

- (c) The Young Labor Review Committee will meet from time to time as required.
- (d) Decisions of the Young Labor Review Committee are subject to and can be superseded by any decision of the Internal Appeals Tribunal
- (e) Where a decision of the Young Labor Review Committee is inconsistent with a decision of the Internal Appeals Tribunal, the decision of the Internal Appeals Tribunal shall prevail to the extent of the inconsistency.

### 9. YOUNG LABOR POLICY PLATFORM, RULES AND AGENDAS COMMITTEE

#### POWERS

- (a) The Young Labor Policy Platform, Rules and Agendas Committee may:
  - (i) Review all agenda items submitted for Annual Conference, Policy Conference, and Rural and Regional Conference;
  - (ii) Accept submissions from any Party member, Young Labor Association, affiliated trade union or other Party Unit regarding the determination of recommendations; and
  - (iii) Determine recommendations on agenda items.
- (b) The Committee will state the reasons for its decisions.

#### MEMBERSHIP

- (c) The Young Labor Policy Platform, Rules and Agendas Committee shall consist of the Young Labor Officers.

#### MEETINGS

- (d) The Young Labor Policy Platform, Rules and Agendas Committee will meet from time to time as required.

### Part Five: Branches

#### 10. YOUNG LABOR ASSOCIATIONS - PROCEDURE OPERATION

- (a) Young Labor Associations (YLAs) shall be branches of NSW Young Labor, and shall seek to fulfil the objectives of Young Labor at a local level.
- (b) Except as provided in this Schedule, the Rules and procedures of the Party concerning Branches shall apply to YLAs in respect of registration, transferring, credentialing, notice, meetings (including the annual meeting), elections, executive, officers and other matters.

#### MEMBERSHIP

- (c) The membership of a YLA shall consist of those Party members who have been admitted to a YLA by registration.
- (d) YLA members and those wanting to register with a YLA must:
  - (i) Satisfy the criteria in 2(a); and
  - (ii) Live within the boundaries of the YLA.
- (e) A new member of the Party who satisfies the criteria in 10(d) will be informed about his/her YLA. The Secretary of the local YLA is told when a new member satisfying the criteria in 10(d) joins the Party.

#### MEETINGS

- (f) The YLA Secretary shall:
  - (i) Notify each YLA member by circular of the time, date and venue of a YLA meeting at least seven (7) days prior to the meeting; and
  - (ii) Notify the Young Labor Secretary at least fourteen (14) days prior to the meeting of the time, date and venue of a YLA meeting.
- (g) The Young Labor Secretary may:
  - (i) Include notice of the meeting in the Young Labor Journal or equivalent mechanism; and
  - (ii) Where possible, notify persons satisfying the criteria in 10(d) by circular or the Young Labor website.

- (h) YLAs can send correspondence to any FEC, SEC or LGC within the boundaries of the YLA.
- (i) If a meeting has not been called in the previous three (3) months, the Executive may call a meeting of the YLA.

AGMs

- (j) YLAs shall hold an Annual General Meeting prior to June 30 each year.
- (k) The Young Labor Review Committee may appoint a representative to act as the Returning Officer for the Annual General Meeting.
- (l) At its Annual General Meeting, a YLA shall elect:
  - (i) Office Bearers of the YLA;
  - (ii) Delegates and Alternate Delegates to Young Labor Conference;
  - (iii) The YLA Representative to the Young Labor Executive; and
  - (iv) One (1) non-voting delegate to each FEC, SEC and LGC within the boundaries of the YLA. These delegates are elected by all members who can vote in the YLA but must themselves live in the electorate for which they are elected.

11. YOUNG LABOR ASSOCIATIONS – FORMATION

- (a) To form a YLA the following procedures shall be followed:
  - (i) An application shall made to the Secretary of Young Labor at least one month in advance of the intended formation meeting by three members of the Party fulfilling 10(d). The Young Labor Executive or Officers shall appoint a representative to chair the formation meeting. The boundaries in the application shall be based on specific State electorates which shall be named.
  - (ii) A formation meeting should be called and advertised in the official journal of the Party, Young Labor Journal or a local newspaper. At least two (2) week’s notice of the meeting shall be given in the advertisement.
  - (iii) At least one month’s notice of the formation meeting shall be given to the

General Secretary and to the Secretary of the State Electorate Council(s) within the proposed boundaries.

- (iv) The Officers shall appoint a representative to act as Returning Officer and credential the intending members at the formation and charter meetings.
- (v) The assembled formation meeting consisting of at least fifteen (15) eligible persons shall accept the platform and constitution of the Party and Young Labor and resolve to establish a YLA.
- (vi) The meeting should then elect a President (for the time being) and a Secretary (for the time being).
- (vii) The President and Secretary should fill in the Form of Declaration and send it to the Young Labor Secretary. A copy should also be sent to the General Secretary.

- (b) The Executive representative at the formation meeting shall report to the Young Labor Executive the:
  - (i) Date and place of the formation meeting; and
  - (ii) List of eligible members present at the formation meeting.

- (c) If a proposed YLA satisfies the criteria in subsection (a), the Executive shall recommend to the NSW Branch Administrative Committee that the YLA be issued with a Charter. The Executive shall recommend to the NSW Branch Administrative Committee the boundaries to be set for the YLA based on State electorate boundaries.

- (d) The NSW Branch Administrative Committee may decide, at its absolute discretion, to grant, alter or withdraw the Charter of any or all YLAs.

12. YOUNG LABOR YOUTH COUNCIL

PURPOSE

- (a) The purpose of the Young Labor Youth Council (Council) is to facilitate policy development and discussion between conferences.

MEMBERSHIP

- (b) Any Party member who satisfies the criteria in 2(a) may:

- (i) Attend the Council; and
- (ii) Register as a voting delegate.
- (c) The Executive may, by a resolution of the Executive, permit other participants of the Council to register as voting delegates.
- (d) Only delegates registered under subsections (b) or (c) may vote on motions.
- (e) Members of affiliated trade unions satisfying the criteria in 2(a) may attend the Council as non- voting delegates.
- (f) The Executive or Officers may, at their discretion, permit persons satisfying the criteria in 2(a) to attend as observers.

#### MEETINGS

- (g) The Council will hold meetings in both the Sydney Central Business District and other areas. Each meeting shall focus on one policy issue or area.
- (h) A Council meeting is only deemed to take place if a quorum of fifteen (15) voting delegates, including five (5) members of the Executive, is present. If a quorum is not established after 30 minutes the meeting is deemed not to have taken place. The quorum must be maintained at all times during the period in which the attendance book is open for signature.
- (i) The Young Labor Officers shall be the Officers of the Council.
- (j) The Council does not hold an Annual General Meeting, elect office bearers, send delegates to conferences or electorate councils, or have special meetings.
- (k) The Council will meet four times a year with one meeting each year to be held outside the Sydney CBD area.
- (l) The Executive shall adopt procedures to facilitate the business of the Council.
- (m) Decisions of the Council shall be referred to Annual Conference, Policy Conference and/or Rural and Regional Conference.

#### 13. POLICY CAUCUSES OPERATION

- (a) Annual Conference may elect Policy Caucus(es) from time to time.
- (b) The Executive determines and may alter the areas of responsibility for each Policy Caucus.
- (c) The Executive cannot increase the

number of Policy Caucuses without the permission of the Annual Conference, Policy Conference, NSW Branch Administrative Committee or NSW Branch Annual Conference.

- (d) Decisions of Policy Caucuses shall be referred to Annual Conference, Policy Conference and/ or Rural and Regional Conference.

#### MEMBERSHIP

- (e) The Officers of each Policy Caucus shall be elected by Annual Conference and include a:
  - (i) Chair and Deputy Chair, to be elected in a single ballot; and
  - (ii) Secretary.
- (f) Any Party member who satisfies the criteria in 2(a) may:
  - (i) Attend a Policy Caucus; and
  - (ii) Register as a voting delegate.
- (g) The Executive shall be registered voting delegates of every Policy Caucus.
- (h) The Officers of each Policy Caucus shall be registered voting delegates of the Policy Caucus for which they are an Officer.
- (i) Members of affiliated trade unions satisfying the criteria in 2(a) may attend a Policy Caucus as non-voting delegates.

#### MEETINGS

- (j) The Policy Caucus Secretary shall:
  - (i) Notify each Policy Caucus member by circular of the time, date and venue of a Policy Caucus meeting at least seven (7) days prior to the meeting; and
  - (ii) Notify the Young Labor Secretary at least fourteen (14) days prior to the meeting of the time, date and venue of a Policy Caucus meeting.
- (k) The Young Labor Secretary shall:
  - (i) Include notice of the meeting in the Young Labor Journal; and
  - (ii) Where possible, provide notice on the Young Labor website.
- (l) An official meeting of any Policy Caucus can only take place when at least seven (7) delegates are present.
- (m) A Policy Caucus may hold a public

meeting, but before doing so, it must obtain the approval of the Executive.

- (n) Decisions of a Policy Caucus shall be referred to Annual Conference, Policy Conference and/or Rural and Regional Conference.
- (o) Reports of Policy Caucuses are presented to Annual Conference and Policy Conference by the person who is Chair of each Caucus.
- (p) Policy Caucuses prepare reports which are printed and circulated to YLAs and affiliated trade unions as soon as practicable.
- (q) Policy Caucuses are required to hold at least two meetings each year.
- (r) A Policy Caucus may hold a meeting in conjunction with the Young Labor Youth Council, but must seek permission from the NSW Young Labor Executive

14. NSW YOUNG LABOR NETWORKS

- (a) The NSW Young Labor Executive may establish or abolish NSW Young Labor Networks.
- (b) NSW Young Labor Networks are to provide an opportunity for groups within our community to engage with the youth wing of the Labor Party.
- (c) NSW Young Labor Networks are to support the objectives and principles of the Party and NSW Young Labor.
- (d) The NSW Young Labor executive has the discretion to define and clarify who can be a member of a NSW Young Labor Network.
- (e) The procedure and structure of a Network is to be established in consultation and at the direction of the NSW Young Labor Executive.

15. YOUNG LABOR UNIVERSITY NETWORKS - PROCEDURE OPERATION

- (a) Young Labor University Networks (University Networks) shall be branches of NSW Young Labor and shall seek to fulfil the objectives of Young Labor at a university and campus level.
- (b) Except as provided in this Schedule, the Rules and procedures of the Party concerning Branches shall apply to University Networks in respect of

registration, transferring, credentialing, notice, meetings (including the annual meeting), elections, executive, officers and other matters.

MEMBERSHIP

- (c) The membership of a University Network shall consist of those Party members who have been admitted to a University Network by registration.
- (d) University Network members and those wanting to register with a University Network must:
  - (i) Be an enrolled student and/or employee of the University covered by a University Network; and
  - (ii) Satisfy the criteria in 2(a).

MEETINGS

- (e) The University Network Secretary shall:
  - (i) Notify each University Network member by circular of the time, date and venue of a University Network meeting at least seven (7) days prior to the meeting; and
  - (ii) Notify the Young Labor Secretary at least fourteen (14) days prior to the meeting of the time, date and venue of a University Network meeting.
- (f) The Young Labor Secretary shall:
  - (i) Include notice of the meeting in the Young Labor Journal;
  - (ii) Where possible, notify persons satisfying the criteria in 14(d) by circular or the Young Labor website.

AGMs

- (g) University Networks shall hold an Annual General Meeting prior to June 30 each year.
- (h) The Young Labor Review Committee may appoint a representative to act as the Returning Officer for the Annual General Meeting. At its Annual General Meeting, a University Network shall elect:
  - (i) Office Bearers of the University Network; and
  - (ii) Delegates and Alternate Delegates to Young Labor Conference.

16. YOUNG LABOR UNIVERSITY NETWORKS - FORMATION

- (a) To form a University Network the

following procedures shall be followed:

- (i) An application shall made to the Secretary of Young Labor at least one month in advance of the intended formation meeting by three members of the Party fulfilling 14(d). The Young Labor Executive or Officers shall appoint a representative to chair the formation meeting. The application must name the University proposed to be covered by the University Network.
  - (ii) A formation meeting should be called and advertised in the official journal of the Party, Young Labor Journal or a local newspaper. At least two (2) week's notice of the meeting shall be given in the advertisement.
  - (iii) At least one month's notice of the formation meeting shall be given to the General Secretary.
  - (iv) The Officers shall appoint a representative to act as Returning Officer and credential the intending members at the formation and charter meetings.
  - (v) The assembled formation meeting consisting of at least fifteen (15) eligible persons shall accept the platform and constitution of the Party and Young Labor and resolve to establish a University Network.
  - (vi) The meeting should then elect a President (for the time being) and a Secretary (for the time being).
  - (vii) The President and Secretary should fill in the Form of Declaration and send it to the Young Labor Secretary. A copy should also be sent to the General Secretary.
- (b) The Executive Representative at the formation meeting shall report to the Young Labor Executive the:
    - (i) Date and place of the formation meeting; and
    - (ii) List of eligible members present at the formation meeting.
  - (c) If a proposed University Network satisfies the procedure in subsection (a), the Executive shall then consider the application for formation. The Executive may decide to recommend to the NSW Branch Administrative Committee that

the University Network be issued with a charter, or not to recommend it be issued with a Charter, at its absolute discretion.

- (d) The NSW Branch Administrative Committee may decide, at its absolute discretion, to grant, alter or withdraw the Charter of any or all Young Labor University Networks.

## Part Six: Communications

### 17. YOUNG LABOR JOURNAL

- (a) NSW Young Labor shall circulate a journal once per week where this is practicable.
- (b) As well as any matters decided by the Executive, the Journal will contain notice of meetings of:
  - (i) Annual Conference, Policy Conference or Rural and Regional Conference;
  - (ii) YLAs;
  - (iii) Young Labor Council;
  - (iv) Policy Caucuses; and
  - (v) University Networks

### 18. YOUNG LABOR WEBSITE

- (a) NSW Young Labor may, with the approval of the Party Officers, establish a Home Page / Website or online interface representing NSW Young Labor, provided this material is consistent with Party Rules and Policy.

## Part Seven: Miscellaneous

### 19. MISCELLANEOUS

- (a) NSW Young Labor shall be under the control and direction of the NSW Branch Administrative Committee and shall be responsible to that body.
- (b) All Branches referred to in Part Five shall be under the control and direction of the Executive.
- (c) Before 1 July in each year the General Secretary gives to each YLA a part of the membership fees for their registered membership. The amount shall be set, from time to time, by the NSW Branch Administrative Committee.
- (d) The Young Labor President and/or Secretary shall be the only persons to make public statements, subject to the following:

- (i) The statement is authorised by the Executive; and
- (ii) The statement is not in contravention of Party Policy.
- (e) All media statements, publications and campaign activities undertaken by Committees referred to in Part Four and Branches referred to in Part Five shall require permission from the Officers or Executive, and advance notification shall be given to the Young Labor Secretary of any such statements, publications or activities.
- (f) Any member of the Executive or the NSW Branch Administrative Committee may attend and speak at Conferences of Young Labor and meetings of YLAs, Young Labor Council, Policy Caucuses or University Networks, but shall not vote unless a delegate to that Conference or Party Unit.
- (g) Unless otherwise expressly stated in this Schedule, the Rules of the Australian Labor Party (NSW Branch) shall apply in matters concerning NSW Young Labor.

20. ALTERATION OF SCHEDULE

- (a) This Schedule may only be altered by the NSW Branch Annual Conference or the NSW Branch Administrative Committee.
- (b) By-laws may be set from time to time by the Executive for ratification by the NSW Branch Administrative Committee providing these by-laws do not contravene or contradict any Rules in this Schedule.
- (c) Young Labor may propose an alteration to this Schedule if the proposed alteration receives the approval of Annual Conference and is circulated at least fourteen (14) days in advance of the Annual Conference to delegates, YLAs, University Networks and affiliated trade union.

**SCHEDULE K**

**Constitution of Country Labor**

1. OBJECTIVES

- (a) To advocate policies within the Labor movement which are of concern to Labor's country constituency.
- (b) To support Labor's objectives and platform and in doing so educate members of Country Labor and trade unions.
- (c) To endorse candidates for election to public office at a national, state and local level.
- (d) To publish material of any kind, whether written, audio or visual, that may assist in achieving the above objectives.

2. COMPOSITION

- (a) Country Labor is made up of: Trade unions affiliated with the NSW ALP; and
- (b) Individual members of the NSW ALP who live in a country area.

3. COUNTRY LABOR CONFERENCE

- (a) The Country Labor Conference is held at a time each year and in a country area decided by the NSW ALP Administrative Committee.
- (b) The Country Labor Committee is responsible for arranging the Country Labor Conference. The Country Labor Committee works out the agenda and recommends a meeting place to the Administrative Committee.

This recommendation is not binding.

- (c) Before 15 February each year the ALP (NSW Branch) General Secretary will send out a circular to all ALP Party Units, including SECs, FECs and affiliated trade unions, inviting them to submit items for the Country Conference agenda. Any agenda items must be in the hand so of the ALP (NSW Branch) General Secretary twenty-eight days before the Conference begins. Country items will come first on the agenda.
- (d) The Chair and Secretary of the Country Labor Conference will be the Chair and Secretary of the Country Labor Committee.
- (e) The Country Labor Conference is made

up of:

- (i) Three delegates from each country SEC of the NSW ALP.
  - (ii) Three delegates from each country FEC of the NSW ALP.
  - (iii) Up to three delegates from each union affiliated with the NSW ALP provided that they live in the country [see 3(g)].
  - (iv) Country Members of Parliament [see 3(j)]
  - (v) Members of the Administrative Committee who live in country areas.
  - (vi) Members of the Country Labor Committee.
  - (vii) Four delegates from NSW Young Labor, provided that they live in the country.
- The Administrative Committee decides what is meant by the term “country” in this Constitution.
- (f) Delegates to the Country Labor Conference are elected for just that Conference and can be different delegates from the Party Units’ delegates to the NSW ALP Annual Conference.
  - (g) Each year the Administrative Committee decides on the number of delegates from trade unions affiliated to the NSW Branch of the Australian Labor Party at the Country Labor Conference. The maximum number of delegates per union is three [see Rule 3(e)(iii)]. The size of a union’s delegation at the Country Labor Conference will be directly proportional to membership.
  - (h) It is the right of each union to determine the criteria and procedures for selection of its delegates in accordance with these rules, subject to those delegates being members of that union and financial members of the NSW Branch of the Australian Labor Party.
  - (i) Not less than the “minimum percentage” of a union’s delegation to the Country Labor Conference must be women. Provided that if the level of male or female membership of a union is less than “ the minimum percentage”, the minimum representation must be set at that level.
  - (j) The following ALP Members of Parliament can attend the Country Labor Conference as full delegates:

- (i) Members of the House of Representatives and NSW Legislative Assembly who represent NSW country areas.
- (ii) Members of the Senate and the NSW Legislative Council who live in NSW country areas. Other MPs can attend and speak at the Conference but cannot vote unless they are representing an SEC, FEC or affiliated trade union.

### 3. COUNTRY LABOR COMMITTEE

- (a) The Country Labor Committee consists of:
  - (i) A Chair;
  - (ii) A Deputy Chair;
  - (iii) A Secretary; and
  - (iv) The Country Labor Organiser; and
  - (iv) Fifteen members.
- (b) The Annual Conference elects the Country Labor Committee.
- (c) The Chair and Deputy Chair must be elected in a single ballot. The first elected is the Chair and the second elected is the Deputy Chair.
- (d) A meeting of the Country Labor Committee may take place only when a majority of members, including at least one NSW ALP Party Officer, are present.
- (e) The Country Labor Committee is responsible for:
  - (i) Implementing Country Labor’s objectives as set out in Section R and this Schedule;
  - (ii) Making recommendations to the Conference Policy and Agenda Committee regarding policy motions affecting country areas submitted to Annual Conference; and
  - (iii) Organising the Country Labor Conference, including deciding the agenda and order of business, and making recommendations to Country Labor Conference regarding policy motions submitted to Country Labor Conference.

### 4. MISCELLANEOUS

- (a) Country Labor shall be under the control and direction of the Administrative

Committee and shall be responsible to that body.

- (b) The ALP NSW Branch Administrative Committee is responsible for the management and administration of Country Labor in between meetings of Annual Conference.
- (c) The Secretary of Country Labor is the General Secretary of the Australian Labor Party (NSW Branch). The registered officer and deputy registered officer will be determined by the General Secretary in consultation with the Party Officers.
- (d) The spokesperson for Country Labor is the Chair of the Country Labor Committee.  
The Country Labor spokesperson shall be the only person(s) to make public statements, subject to the following:
  - (i) The statement is authorised by the Executive.
  - (ii) The statement is not in contravention of ALP policy.
  - (iii) The statement may concern the activities of Country Labor.
- (f) Any member of the NSW ALP Administrative Committee may attend and speak at the Country Labor Conference, but shall not vote unless a delegate to that Conference.
- (g) Unless otherwise specifically stated in this Constitution, the Rules of the Australian Labor Party – NSW Branch shall apply in all matters concerning Country Labor.
- (h) The NSW Administrative Committee will be responsible for the preselection and endorsement of Country Labor candidates at the Federal, State and Local Government levels.

7. ALTERATION OF CONSTITUTION

- (a) This Constitution may only be altered by the NSW ALP Annual Conference.
- (b) Country Labor may propose an alteration to this Constitution if the proposed alteration receives the approval of the Country Labor Conference and is circulated for at least fourteen days in advance of the Country Labor Conference to delegates, country ALP SECs and FECs and affiliated unions.

**SCHEDULE L**

**Women’s Participation**

The NSW Branch supports the increased participation and activism of women in the ALP and in public office.

1. PRINCIPLES

In order to create the environment necessary to achieve this, the following principles have been adopted:

(a) Accessibility of Meetings

Meetings of branches and other Party forums should be held in venues that are accessible and appropriate to encourage the participation of women, including women who are too young to enter licensed premises or parents who may need to bring their children with them to meetings. Unless unavoidable, meetings should not be held in licensed premises or in non-ground floor premises unless ramps or lifts are available. The timing of meetings should also take into account the reluctance of some women and older members to attend meetings held late at night.

Wherever possible, branch members should be consulted about the regular time, date and venue of meetings. There should be as much advance notice of meetings as possible. This allows those with child and family responsibilities to make appropriate arrangements to attend.

(b) Meeting Conduct

Persons chairing meetings should try to ensure a gender balance when calling speakers and should be alert to the need to encourage new speakers, particularly women, to participate in debates. Sexist language will not be tolerated from Branch members or Branch and Party Officials at meetings or other Party forums. Sexist language is language which excludes or denigrates women on the basis of their gender, or falsely assumes all people are men.

(c) Provision of Child Care

Child care facilities must be provided at all Party Conferences, Regional Assemblies, at training seminars or forums where adequate notice is given of the need for child care.

All Party Units and meetings should make welcome parents with children.

(d) Harassment and Intimidation

Harassment and intimidation is contrary to the Party's commitment to social justice and will not be tolerated in any Party meeting or forum. All members should be able to participate in a wide range of activities in the Party free from the fear of harassment and intimidation. The Executives of all Party Units are responsible for ensuring an environment free of any form of harassment or intimidation.

Harassment and intimidation is unwelcome, unsolicited and usually unreciprocated behaviour by one member to another member or members. This behaviour:

- targets the other member's status and gives the other member reasonable cause to feel offended, humiliated or intimidated;
- can create a frightening, hostile, offensive or distressing environment;
- may be based on some real or perceived attribute or difference, including gender, race, disability, sexual preference, age, status as a parent and spiritual belief;
- can lead to a loss of members both those who observe this behaviour as well as those directly involved; or
- can cause members to transfer to other branches or cease their involvement in or support for the ALP.

Members who harass or intimidate other members may be charged and subject to disciplinary action by the Administrative Committee.

# Index

## Administrative Committee

Authorisation to President and General Secretary to issue Branch Charter ..... D6

Authority to

- appoint representatives to supervise selection ballots ... ..... N25
- arrange for parliamentary and local government selection ballots..... N1(a)

call for

- branch records ..... I27(a)
- local government caucus records ..... H3(a)(ii)

call nominations for

- Annual Conference elections ..... B3
- Branch Annual General Meeting ..... I20(a)
- Electorate Council Annual General Meeting ..... G5(a)
- public office..... D4

call special conferences ..... D1(c)

consider applications for affiliation by Unions ..... A4(a)

constitute electorate councils ..... G1(a)

define geographic areas for Regional Assemblies ..... F5

direct that members be allowed to join a Branch ..... A31

discipline members ..... A33

endorse SPLP policy speech ..... P6

fill casual vacancies on all Party Committees ..... D11

hear charges regarding expenditure without authority ..... ..... K16(d)

inspect membership application forms ..... A11(a)

to suspend members ..... A33(c)

investigate defunct branches ..... I3

nominate life members ..... A9(b)

permit a member to nominate in more than one lower house selection ballot..... N1(d)

permit members to resign from public office ..... A7(a)(vi)

propose changes to Party Rules and Platform ..... B8(n)

recommend life membership nominations to Conference ... ..... A9(e)

refer to Internal Appeals Tribunal

- appeals against admission of applicant to join Party ..... ..... A32
- appeals by members omitted from central roll ..... A30
- five or more applications to register at one branch meeting..... A19
- determine breaches of local govt. caucus decisions ..... ..... H2(a)

refuse endorsement in local government ..... H1(c)

report to Annual Conference ..... D4(c), D8(c)

Rule on application to join from former members of other political organizations..... A6(c)

select

- for casual vacancies, by-elections, etc ..... N4
- local government candidates ..... H14, H15
- where no electorate council functioning ..... D4(a)
- where no local action taken..... D5(c), D5(d)

send proposed changes to Rules and Platform to Party Units ..... B10

suspend or withdraw candidates for breaches of Rules during selection ballots..... N39

suspend selection ballots ..... N41

take complete charge of selection ballots ..... N25

withdraw candidates unfit for public office..... N15, N16

Central roll

- access to..... A29
- General Secretary to maintain ..... A29
- members omitted from, appeals to be referred to the Internal Appeals Tribunal ..... A30

Composition of and quorum for meetings ..... D2

General responsibility and powers ..... D1

Elections at ..... M6(b), Schedule H

Members of, right to address all Party meetings ..... D10

Not to interfere in selection ballots providing Rules adhered to..... D4(b)

Proxies ..... D2(c)

Term of office..... B6(b)

Vote by facsimile and email ..... D12(a)

Vote by proxy ..... D12(d)

## Affiliation Fees

Trade Unions ..... A40

Young Labor Council..... Schedule J3(g)

## Affirmative Action

Generally ..... Section O

Local Government ..... O3

Lower House Seats ..... O4

Internal Appeals Tribunal ..... J5

Review Tribunal ..... J5  
 Requirement for a woman presidential officer ..... B6(a)(iii)  
 Party positions ..... O4, O5  
 Preselections for Public Office ..... O2, O3  
 Proportional representation ballots.....Schedule G(5)(11)  
 Weighting in selection ballots ..... O2(j), O2(h)  
 Women’s Participation .....Schedule L

**Age Limits**

Maximum age for Young Labor ..... Schedule J2  
 Minimum age for Party membership ..... A5

**Agenda Committee**

Eligibility .....B12(d)  
 Powers .....B12(e)  
 Quorum.....B12(c)

**Annual Conference**

Agenda Items for ..... B9  
 Alternate delegates to ..... G5(b), G10(f), M3, M4  
 Authority to  
     amend Rules and Platform .....B2(i)  
     appoint Party Auditor ..... B2(iv)  
     approve or reject applications by Unions to affiliate.....  
     .....A4(c)  
     permit branches with fewer than fifteen members.... G1(d)  
     select ALP candidate for  
         Senate.....B2(iii), N2  
         Legislative Council .....B2(iii)  
 Casual vacancies among positions elected by .....B6(b), D9  
 Conscience vote ..... B2(v)  
 Credentials of delegates to ..... B11, B22-26, G5(b)  
 Election of  
     Administrative Committee .....B2(ii), B6(a)(viii)  
     Agenda Committee .....B6(a)(xiii)  
     National Conference Delegates .....B2(ii), B6(a)(vii)  
     Organisers ..... B6(c)  
     Organising, Recruitment & Training Committee .....  
     .....B6(a)(xiv), B15(d)  
     Party Officers ..... B2(ii),B6(a)(i-v)  
     Policy Committee .....B21  
     Platform Committee..... B20  
     Rules Committee .....B18  
     Trustees .....B2(ii), B6(a)(vi)

Women’s Forum.....B2(ii), B14  
 Direct Election of Electorate Council Delegates..... B26(d), M9  
 Eligibility to  
     be a union delegate to..... B24(a), B24(b), B25(a), B25(f)  
     be a delegate .....B25(a)  
     nominate for positions ..... B4  
     of nominators..... B5  
 Notification of Platform/Rule Changes ..... B10  
 Powers of .....B2  
 Representation at .....B22-26  
 Review Tribunal  
     decisions of, subject to..... J10  
     reports of, to be presented to .....J9(b)  
 To be held annually ..... B1

**Appeals**

Against  
     applicant’s admission to Party membership .....A32  
     expulsion or suspension for incurring expenditure  
     without authority ..... K16(d)  
     failure or refusal of a branch to allow applicant to join....A31  
     voting lists .....A35, A37  
 To the Internal Appeals Tribunal and Review Tribunal,  
     generally ..... J1  
 To the Internal Appeals Tribunal..... J2(a), J2(b)  
 To the Review Tribunal .....J2(c), J2(d)

**Applications for Membership**

See Membership of the Party

**Auditor**

Branch  
     election of.....I19(a)  
     responsibilities .....K14  
 Electorate Council  
     election of..... G5(b), G6  
     responsibilities .....K14  
 NSW Branch  
     appointment of and responsibilities..... B2(iv)

**Australian Labor Party (NSW Branch)**

Composition of, by affiliates and members ..... A3  
 Official title ..... A1  
 Unincorporated Entity .....A1, A3  
 Not For Profit Clause .....K18  
 Dissolution Clause .....K19

**Delegates**

To Annual Conference .....B22-26

electorate councils ..... G1

local government committees .....H11

regional assemblies .....F3

To National Conference

    annual conference .....B6(a)(vii)

    Federal Electorate Councils.....G5(d-e)

**Deposits**

For charges to be heard by the Internal Appeals Tribunal ....

.....A33(b)

For protests against

    conduct of ballot in branch or electorate council .....

    .....A36(a)(ii)

    conduct of ballot in selection for public office A38(a)(ii)

    list of eligible voters - branch or electorate council .....

    .....A35(a)(ii)

    public office selection ballot.....A37(a)(ii)

For charges to be heard by the Review Tribunal.....J1(d)(ii)

Generally .....J1(d)

**Discipline**

Appeals against decisions to be heard by Review Tribunal ..

.....J2(c)

Automatic expulsion for

    breach of conditions of membership .....A7(b)

Breaches of local government caucus decision ..... H2(a)

Charge laid by any member against another ..... A33(a)

Deposit required .....A33(b)

Exclusion from meeting for disorderly conduct .....

.....I17, Schedule I(13)

Expelled member readmission - Review Tribunal .....

.....A8(b), A34(a)

Expulsion or suspension for unauthorised expenditure....K16(d)

Local Government ..... H2(a)

Readmission before endorsement for public office

preselection .....N10(a)

Suspended members

    remain subject to Rules and principles of Party..... A34(c)

    retain continuity unless otherwise determined.....A34(b)

Suspension pending hearing ..... A7(c)

Unworthy conduct - includes certain conduct..... A33(h)

**Disorderly Conduct**

Liable to exclusion from meeting .....I17, Schedule I(13)

**Elections**

Administrative Committee may vote by facsimile ..... D12(a)

Alternate delegates to Annual Conference .....M3

Ballot papers .....Schedule G(2), Schedule H(1)

Community Selection Ballots Trial ..... N47

Conduct of ballots

    at Annual Conference .....B6, B7, M6(a), Schedule G

    by branches ..... I19, M6(b), Schedule H

    by electorate councils ..... G5-6, G8, M6(b), Schedule H

    by local government caucuses.....H18, M6(b), Schedule H

    by State Parliamentary Labor Party .....P3

    by Young Labor Council ..... M6(a), Schedule G, Schedule J

    of selection ballots ..... M6(b), N25-41, Schedule H

Credentialing and Ballot Protests.....A35-A39

Direct election of Annual Conference Electorate Council

Delegates .....B26, M9

Disputes during conduct of ballot.....Schedule H6(2)

Formality .....Schedule G3, Schedule H2

Positions on ballot paper ..... Schedule G(2), Schedule H(1)

Secret ballots .....D12, M5

Voting systems to be used..... M6, Schedule G, Schedule H

**Electorate Councils**

Administrative Committee members may address..... D10

Alternate delegates to .....I9(a), I25(f)

Annual Conference

delegates to

    direct election.....B26, M9

    election by Electorate Council .....B26

    term of office ..... B26(a)

    eligibility to be delegate to ..... B26(b)

Annual General Meeting and election of Officers.....G5, G6

Casual vacancies - officers and delegates, filling of.....G7, G8

Central Policy Branch - No Delegates .....G1(g)

Declaring position vacant..... G7

Delegates to, assume office from 1st April ..... G2

Elections .....M6(b), Schedule H

Eligibility to hold office .....G6(c)

Executive.....G5(f)

Forums .....G3

May propose changes to Rules and Platform ..... B8

Media .....G18

Order of business at meetings of ..... G3(i)

Powers of  
 FEC's ..... G16  
 generally .....G13  
 SEC's..... G14

Power to  
 act as a local campaign committee ..... G13(d)  
 appoint organisers ..... G13(a)  
 consider business..... G13(b)

Protests against  
 conduct of ballot in electorate council elections ..... A36  
 list of eligible voters in electorate council elections ..... A35  
 validity of notice or nomination..... A35

Quorum..... G4(c)

Regularity of meetings .....G4(a)

Representation at  
 from branches ..... G1(a)  
 from composite branches ..... G1(c)  
 from branches with fewer than 15 members.....G1(d)

Telephone conferences ..... G4(d)

**Electorate Council Officers**

Assistant Secretary, Electorate Council  
 duties in absence of Secretary ..... G10

Auditors, Electorate Council  
 duties of..... K14(a)

Community Activities Officer – FEC  
 duties of ..... G5(c)

Executive – Members of .....G5(f)

Fundraising Officer  
 duties of ..... G11(b)

Policy Development Officer – FEC  
 duties of ..... G5(c)

Political Education Officer – FEC  
 duties of ..... G5(c)

President, Electorate Council  
 address to Annual General Meeting ..... G5(a)  
 duties of ..... G9  
 may issue press statement with Secretary .....G18

Returning Officer, Electorate Council  
 conduct of annual election of officers and delegates G6  
 casual elections of officers and delegates ..... G8  
 selection ballots..... N24

Secretary, Electorate Council  
 annual report to be presented to AGM Meeting .....  
 ..... G5(a)  
 duties of ..... G10

may be granted \$30 petty cash ..... G12(a)  
 may issue press statement with President.....G18

Treasurer, Electorate Council  
 duties of.....G11, K13, K3(b)  
 to receive monies from Secretary after each meeting.....  
 ..... G10(c)  
 to sign all cheques .....G11(a)

Vice-Presidents, Electorate Council  
 duties of, in absence of President .....G9

Women’s Contact Officer – FEC  
 duties of..... G5(c)

**Expulsions**

See Discipline

**Fees**

Membership Fees  
 Administrative Committee/Annual Conference to  
 determine..... A22(a)  
 Life Members ..... A9(h), A22(d)

Union Affiliation Fees  
 general conditions relating to .....A40

YLC Delegates Fees  
 to Young Labor Youth Council .....Schedule J3(g)

**Finance, Land And Property**

Administrative Committee to present  
 certified Financial Report to Annual Conference.....D8(b)  
 audited Balance Sheet to Annual Conference .....D8(d)

All accounts for payment to be endorsed by President ..... K4

All cheques to be countersigned by General Secretary .....K2

All property, etc, vested in three (3) Trustees .....K1

Auditor to be appointed by Annual Conference..... B2(iv)

Authority to incur expenditure in the name of the Party .....K16

Banking ..... K10

Branch funds, property, delivered to General Secretary on  
 request ..... I27

Branch property to be vested in branch executive ..... K3(a)

Branch Secretary to advise General Secretary when new  
 account open ..... K12

Campaign funds – belong to the Party ..... K3(c)

Custody of property on dissolution of a Party Unit ..... K5

Dissolution Clause .....K19

Electorate Council  
 audited balance sheet to be presented .....G11(a)  
 treasurer to keep accurate accounts .....G11(a)

funds to be paid to Treasurer..... G10(c)  
 Financial year .....D8(f)  
 Incurring expenditure without authority ..... K16(d)  
 Land owned by ALP or a branch .....K6(a)  
 Not For Profit Clause .....K18  
 Petty cash  
     branch secretary ..... I26(a)(i)  
     council secretary ..... G12(a)  
 Private bank accounts, use of, for Party funds ..... K9  
 Prize limit without authority \$1000 .....K17  
 Purposes for which Party funds may be used ..... K2(a)  
 Special funds of Party Units to be held by Treasurer .....K3(b)  
 Trustees  
     election of.....B2(ii)  
     removal from office .....K6(b)  
 Unincorporated Association ..... A1

**Finance and Compliance Committee, NSW**

Membership of .....B16  
 Responsibilities of.....D8  
 Terms of.....B16  
 Withdrawal of funds .....K11, K13

**General Returning Officer**

Administrative Committee ..... A43(e), N25  
 Assistant General Returning Officers ..... M1  
 Election of by Annual Conference .....M1  
 Duties of, at Annual Conference ..... A43(e)  
 Generally .....M2  
 May be present during polling ..... M5(b)  
 May delegate functions ..... M8(b)  
 NSW Young Labor Council ..... A43(e)  
 Selection ballots  
     Administrative Committee may instruct .....N25  
     breaking of seals by .....N38(b)  
     can challenge votes .....N37  
     draft list to be presented to.....N22  
     is Returning Officer for ..... A43(e)  
     to prepare voting list .....N22  
     to send ballot papers ..... N26

**Internal Appeals Tribunal**

Authority to hear  
     membership disputes .....A30(a)

appeals against an individual membership application ..  
     .....A32(b)  
 charge against a member ..... A33  
 credential and ballot protests .....A35-A39  
 Associate Members .....J6  
 Composition of .....J3  
 Decisions of, to be report to Annual Conference .....J9  
 Election of members by Administrative Committee .....J3  
 Jurisdiction of .....J2  
 Powers of .....J7  
 Procedural fairness applies to .....J12, J13  
 Procedures .....J11  
 Right of Appeal ..... J1

**Interpretation of Rules**

General.....A43

**Joint Campaign Committee**

Chair .....S2  
 Composition .....S1  
 Quorum .....S4  
 Report .....S5  
 Role.....S3

**Labor Action Committees**

Charter .....I29(b)-(h)  
 Duties ..... I29(i)-(l)  
 Objectives ..... I29(a)  
 Powers.....I29(m)-(r)

**Labor Advisory Council**

Composition .....R1  
 Quorum ..... R3  
 Role.....R2

**Legislative Council**

Candidate selection.....B2(iii)

**Levies**

On branches by electorate councils ..... G12(b)  
 Parliamentary Levy ..... Section Q  
 Local Government Levy.....Q1(b)

**Life Membership**

Eligibility .....A9(a)  
 Nominations ..... A9(b)  
 Preselection voting rights.....N19(f)

**Local Government**

Affirmative Action .....O3  
 Assemblies .....H12  
 Councillors to report to branches .....  
 ..... H1(f), Schedule I2(h)  
 Candidates Pledge .....Schedule D(1)  
 Caucus  
     ALP councillors to ..... H1(e), H2, H16  
     breach of, expulsion ..... H2(a)  
     for breach of, to be reported ..... H2(a)  
     deadlock, broken by casting vote of Chair ..... H2(c)  
     general .....H18  
     matters on which ALP Councillors ..... H1(e)  
     officers of, elected annually ..... H3  
     selection of Labor candidate for mayor .....H3(b)  
 Disputes ..... H2(a)  
 Elections to local government bodies  
     caucus of Labor councillors for ..... H5  
 Labor Councillors to vote for endorsed ALP candidates ..... H6  
 Day labour to apply in councils ..... H7  
 Endorsement  
     conditions of ..... H1(c)  
     ALP candidates for ..... H1(a)  
     refusal by Administrative Committee to .....H1(d), H14  
     affirmative action.....H1(b)  
 Local Government matters not to monopolise  
     business at branch meetings .....H1(f), Schedule I2(h)  
     Mayor – Candidate selected for full term of Council.....H3(b)  
 Progress associations, conditions for prescription..... H9  
 Selection of candidates by Administrative Committee.....H15  
 Union rates to be paid for all council work ..... H8

**Local Government Committees**

Branches to form .....H11(a)  
 Cannot direct councillors as to how they shall vote ..... H11(e)  
 Composition of ..... H11(b)  
 Councillors cannot be delegates to .....H11(e), I19(c)(v)  
 Elections .....M6(b), Schedule H  
 Functions and powers of ..... H11-13

Local Government Assembly .....H12  
 Power to draw up local ALP local government policy .....H12  
 To be governed by rules and standing orders of SEC’s.....  
 ..... H13(b)  
 To meet with councillors at least every three months.....  
 ..... H1(f)(ii)

**Membership of the Party**

Application form .....A12, A14, A21, Schedule A  
 Appeals against  
     acceptance of application ..... A32(a)  
     rejection of application ..... A32(b)  
 Continuity of membership  
     members under suspension .....A34(b)-(c)  
     regaining of .....J2(a)(ix)  
     retention of ..... A28  
 Date membership commences from .....A12  
 Disputes  
     appeals to Administrative Committee .....A30-A33  
     by applicant .....A30-A33  
     against applicant .....A32  
     conduct of members..... A33  
 Expelled members, readmission of .....A8(b), A34(a)  
 May visit other branch meetings ..... I18  
 Membership in another political organization.....A6(a)  
 Membership pledge ..... Schedule E  
 Membership renewal .....A24-A28  
 Minimum age to join ..... A5  
 Previous membership in another political organisations .....  
 .....A6(c)  
 Procedure to join..... A10  
 Transfers ..... I9

**Membership Renewal**

Credit card deduction for renewal ..... A26(c)  
 Family member may renew dependent member .....A26(d)  
 Forwarding of Renewal Notice .....A25  
 Issue of Membership Ticket upon receipt of renewal notice  
 .....A27(c)  
 Member must personally renew ..... A26(a)  
 Membership Sub-Committee .....A15  
 Procedure for renewing membership ..... A24-A28  
 Renewal Form ..... Schedule B  
 Ticket dated upon receipt of renewal.....A27(c)

**Membership Tickets**

Eligibility to join Branch upon receipt of ticket .....A17  
 Expiration date of .....A24(b)  
 Fees ..... A22-A23  
 Issued upon membership commencing.....A12(e)(i)  
 Life members tickets.....A9(h)

**Members of Parliament**

Affirmative action .....O2  
 Branch membership of .....A18  
 Levy imposed upon .....Q1(a)  
 Representation at Annual Conference .....B22(e)-(f)  
 Representation on Administrative Committee .....D2(a)(iv)  
 Union activists ..... A42(c)

**National Conference Delegates**

Election Of.....B2(ii), B3, B6(a)(vii), G5(d)  
 Proxy Delegates.....D16

**Nominating for Public Office**

Against official Party candidates .....A7(a)  
 Candidates to sign acceptance of Parliamentary Levy .....Q3  
 Failing to nominate after selection as ALP candidate...A7(a)(v)  
 Administrative Committee decides no candidate..... A7(a)(ii)

**Nominations for Public Office**

(See also Selection Ballots)

Administrative Committee power  
 to call .....D5(a)  
 to endorse or not endorse .....D5(b)  
 suspend ..... N41

Administrative Committee may declare candidate unfit for public office .....N13-N14

Affirmative Action for women ..... O2, O3

Candidate Review Committee. ....N13

Disclosure .....N12

Elections within twelve months of previous election .....N6

Eligibility  
 of nominators.....N9(c)  
 proof.....N11  
 to nominate for selection .....N9

For casual vacancies, by-elections .....N4

For Local Government .....H1, H15

For the Australian Senate ..... N2

For the NSW Legislative Council .....N3

May be called over different periods .....N1(c)

Nominating  
 for more than one electorate.....N1(d)  
 must use official form .....N1(e)

Procedure to call .....N7

To be called at least one year prior to election .....N1(b)

Where there is no electorate council .....D5(c)

Where no nominations received .....D5(d)

Withdrawing without permission of Administrative Committee..... N16

**NSW Policy Forum**

Generally .....B19

**Officials and Full-Time Officers, Party**

Eligible to nominate for ..... B4

General Secretary to  
 be a member of the Finance and Compliance Committee .....B16(a)  
 countersign all cheques .....K2  
 take proceedings against branch secretary for recovery of Party property .....I27

Party Officers  
 election by Annual Conference ..... B6(a)(i)-(v)  
 membership of the Administrative Committee..... D2(a)(i)  
 prepare state policy speech .....P6  
 responsibilities..... D1(e)

Membership records - may inspect.....A11

Organisers, election by Annual Conference ..... B6(c)

**Ombudsman**

Appointment of .....E2

Responsibilities .....E3

**Organisers**

Local, power of electorate council to appoint..... G13(a)

Party election of, by Annual Conference..... B6(c)

**Organising, Recruiting & Training Committee**

Referral of matters .....D14(a)

Report.....D14(c)

**Parliamentary Levy**

Administration of .....Q4

Condition of endorsement .....Q3

Levy for NSW Members of the New South Wales  
and Australian Parliaments ..... Q1  
Members of Parliament entitlement to draw on levy funds ... Q5  
Parliamentary Levy Advisory Committee..... Q6

**Party Journal**

All members to receive a copy who have a valid email ..... L3  
Contents ..... L4  
To be distributed between each meeting of Administrative  
Cttee..... L2  
Using data for submissions..... L5

**Platform Committee**

Composition of ..... B20  
NSW Policy Forum ..... B19(m)(ix)  
Representation at Annual Conference..... B22(i)

**Platform/Policy**

Members pledged to uphold ..... Schedule E  
NSW Policy Forum ..... B19  
Party Units may propose changes to ..... B8  
Power to change vested in Annual Conference ..... B2(i)  
Public office candidates pledged to uphold .....  
..... N9(d), Schedule D(2)

**Pledges**

Membership pledge ..... Schedule E  
Public office candidate’s pledge ..... N9(d), Schedule D2  
Pledge on campaign funds..... N9(d), Schedule D3

**Policy Branches**

Central Policy Branch ..... See Central Policy Branch  
Online Policy Branches ..... I28(o)-(t)  
Regional Policy Branches ..... I28(h)-(n)

**Policy Committees**

Election of ..... B21(c)  
Meetings of ..... B21(h)  
Purpose ..... B21(i)  
Quorum..... B21(k)  
Representation at Annual Conference..... B22

**Political Parties**

Membership of other parties..... A6,A7(a)(iv)

**Polling Procedures**

Advertising of poll ..... N28  
Appeals against breaches ..... N39  
Central polling place ..... N24  
Deputy Returning Officers ..... N23, N24, N26  
General Returning Officer to take charge ..... N25  
Prepoll voting ..... N28(c)  
Scrutineers ..... N30, N31

**Press**

Not to be admitted to branch meetings ..... I15  
Not to be admitted to electorate council meetings..... G18

**Press Statements**

May be issued by president and secretary of  
Branch ..... I15  
electorate council ..... G18  
Young Labor ..... Schedule J18(d)

**Progress Associations / Community Organisations**

Members may join ..... H9

**Proxies**

Administrative Committee ..... D2(c)  
Agenda Committee ..... B13  
Policy Committee ..... B21(r)  
Rules Committee ..... B18(e)  
Voting ..... D12(d)  
Women’s Forum ..... B14(f)

**Protests**

Against conduct of ballot in  
branch and electorate council elections ..... A36  
selection for public office ..... A38  
Against list of eligible voters in  
branch and electorate council elections ..... A35  
selection ballot for public office..... A37

**Quorums**

Administrative Committee ..... D2(e)  
Branch ..... I14  
Central Policy Branch..... I28(c)  
Party Officers..... D1(e)(iii)  
SEC/FEC ..... G4(c)  
Internal Appeals Tribunal ..... J11(b)  
Review Tribunal..... J11(b)

**Regional Assemblies**

Composition of .....F3  
 Definition of regions ..... F4  
 Elections .....M6, Schedule H  
 Organisation of ..... F7-F13

**Resignations**

From Party membership to avoid expulsion .....A8(a)  
 From public office without permission .....A7(a)(vi)

**Returns**

From branches to NSW Branch Office and electorate  
 councils .....I25(c)  
 From electorate councils to NSW Branch Office.....G10(d)  
 From unions to NSW Branch Office.....A40

**Review Tribunal**

Associate members .....J3, J6  
 Authority to hear  
     appeals against Administrative Committee decisions  
     regarding discipline .....A33(g)  
     appeals against disciplinary action for incurring  
     expenditure without authority ..... K16(d)  
     challenges to credentials of Annual Conference  
     delegates .....B11(c)  
 Composition of ..... J3  
 Decisions of, to be reported to Annual Conference ..... J9  
 Election of members by the Administrative Committee .... J3  
 Readmit expelled members .....A8(b), A34(b)  
 Powers of ..... J7  
 Procedure fairness applies to ..... J12,J13  
 Procedures .....J11

**Rules**

Amendment to  
     Elections .....A43(c)  
     Annual Conference composition .....A43(d)  
     Legal status of .....C2(vii)  
     Members pledged to uphold ..... Schedule E  
     Party Units may propose changes to ..... B8  
     Power to change vested in Annual Conference .....B2(i)  
     Public Office candidates pledge to uphold .....  
     .....N9(d), Schedule D

**Rules Committee**

Election by Annual Conference .....B18  
 Responsibilities of.....B18(c)

**Selection Ballots**

(See also Nomination for Public Office)

Administrative Committee  
     power to supervise ..... N29  
     to arrange for ..... O2, O3  
 Affirmative Action .....N26, N7, N8  
 Ballot papers, preparation of.....  
     ..... N26, Schedule G(2), Schedule H(1)  
 Branch Secretary to prepare draft list .....N21  
 Breaches of the Rules, new ballot may be ordered, etc . N39  
 Candidates  
     not to take official part in .....N17  
     conduct of, during ballot .....N18  
 Forums ..... N18(a)  
 Community Selection Ballots .....N44  
 Credentialling for ..... A37, N21, N22  
 Disputes during conduct of ballot .....Schedule H(6)(2)  
 Electoral enrolment required to vote.....N19(a)(ii), N20  
 Eligible voters  
     branch secretary to draw up list .....N21  
     Central Policy Branch Members .....N19(d)(iii), N19(h)  
     conditions to be satisfied ..... N19,N20  
     life members ..... N19(f)  
     list of, to be available to candidates .....N22  
     ten year continuous members ..... N19(f)  
 Formality ..... Schedule G(3), Schedule H(2)  
 Fowler ..... N42  
 General Returning Officer  
     breaking of seals by .....N38(b)  
     can challenge votes .....N37  
     draft list to be presented to .....N21  
     is Returning Officer ..... A43(e)  
     may be instructed by Administrative Committee .....N25  
     to prepare certified voting list .....N22  
     to send ballot papers ..... N26  
 Joint selection ballots .....Section O, N41  
 Legislative Council – Candidate Selection .....B2(ii)  
 Polling places and hours of polling .....N27-29  
 Procedures during conduct of polling ..... N23-38

Protests  
 against conduct of ballot ..... A38  
 against list of voters .....A37  
 Public Office Selection Forums ..... N45  
 Returning Officer – Assisted by representative of electorate council .....N23  
 Scrutineers, appointment of, by candidates ...N29, N30, N31  
 Senate – Candidate Selection .....B2(iii)

**Standing Orders – Rules of Debate**

Of Branches and Electorate Councils .....Schedule I

**State Parliamentary Labor Party**

Composition of .....P2  
 Deputy Leader, election of ..... P4  
 Election of Parliamentary Leaders .....P3  
 May propose changes to Rules and Platform ..... B8  
 Ministry, appointment of .....P5  
 Parliamentary Levy ..... Section Q  
 Policy speech, responsibility for .....P6  
 Representation on Administrative Committee ..... D2(a)  
 Representation at Annual Conference ..... B22(f)

**Suspensions**

See Discipline

**Sydney City Council**

Selection of Mayoral candidate .....H4

**Telephone Conferences**

Electorate Council Telephone Conference ..... G4(d)

**Transfer of Membership**

Branch transfers ..... I9

**Trustees**

All property to be vested in .....K1  
 Casual vacancies among ..... K6(c)  
 Election of by Annual Conference .....B2(ii), B6(a)(vi)  
 Removal from office .....K6(b)  
 Roles and Powers ..... B17  
 To sign cheques with General Secretary .....K2  
 To be members of Finance and Compliance Committee .....  
 ..... B16(ii)

**Unions**

Activists to be involved by MPs ..... A42

Affiliation fees and process .....A40  
 Affirmative action for .....Schedule K3(i)  
 Annual Conference delegates from ..... B23  
 Challenge to credentials .....B11(d)  
 Delegates to be Party members .....B23(a), Schedule K3(i)

**Website**

Home pages and website .....L6

**Women’s Forum**

Election of ..... B2(ii), B14(c), B14(d)  
 Objectives ..... B14(b)  
 Proxies ..... B14(f)  
 Report to Annual Conference and Administrative Committee ..... B14(a)  
 Term of office .....B14(e)

