

Constitution of the Voluntary Euthanasia Party (VEP) As Amended October 2016

INDEX

Part I – Preliminary	3
1. Definitions	
2. Application of Legislation Act 2001	
3. Party Name	
4. Purpose	
5. Other governance documents	
Part II – Membership	4
1. Membership qualifications	
2. Application for Membership	
3. Processing of membership	
4. Membership entitlements not transferable	
5. Cessation of membership	
6. Resignation of membership	
7. Fee and subscriptions	
8. Members’ liabilities	
9. Disciplining of members	
10. Right of appeal of disciplined member	
Part III – The Executive	7
1. Powers of the Executive	
2. Constitution and membership	
3. Election of the executive	
4. Convenor	
5. Deputy-Convenor	
6. Secretary	
7. Treasurer	
8. Public Officer	
9. Vacancies	
10. Removal of committee members	
11. Committee meetings and quorum	
12. Delegation by committee to subcommittee	
13. Voting and decisions	
14. Foundation Executive	
Part IV – Meetings	11
1. Annual General Meetings – holding of	
2. Annual General Meetings – calling of and business at	
3. General meetings – calling of	
4. Notice	
5. General meetings – procedure and quorum	
6. Presiding member	

7. Adjournment	
8. Making of decisions	
9. Appointment of proxies	
Part V – Finance & Administration	14
1. Funds	
2. Funds – source	
3. Funds – management	
4. Common seal	
5. Custody of books	
6. Inspection of books	
7. Service of notice	
8. Surplus property	
Part VI – Nomination of Candidates for Elected Public Office	16
1. Limitation of nomination without approval	
2. Selection of electorates and candidates	
3. Obligations relating to candidates	
Part VII – Changes to Party Structure	17
1. Amendment of the constitution	
2. Establishing branches	
3. Winding up	

PART I – PRELIMINARY

1. Definitions

In this constitution, unless some other meaning is clearly intended:

committee or executive means the executive of the party described in Part III, although these terms may be used interchangeably.

elected public office means an elected position in a state, territorial or federal parliament or other institutional authority.

financial year means the year ending on 30 June.

majority means more than half of the persons voting.

member means a person who is enrolled as a member of the party or association.

ordinary committee member means a member of the executive who is not an office-bearer of the association as mentioned in section Part III (2)(1)(b).

party means this association, although these terms may be used interchangeably.

policy means a public statement by the party for and on behalf of the members and endorsed candidates and the parliamentary representatives of the party on matters of general and/or specific concern to the people of Australia, which statement shall take the form of a declaration, opinion and/or pledge and shall be determined according to the provisions of this constitution;

present (at meetings) means in person or via phone, internet, or other electronic means.

secretary means the person holding office under this constitution as secretary of the association or, if no such person holds that office, the public officer of the association.

signed means by signature including electronic signature or authorisation.

the Act means the *Associations Incorporation Act 1991*.

the regulation means the *Associations Incorporation Regulation 1991*.

the Electoral Act means the *Commonwealth Electoral Act 1918* and any related regulation.

2. Application of Legislation Act 2001

(1) The *Legislation Act 2001* applies to this constitution in the same way as it would if they were an instrument made under the Act.

3. Party Name

(1) The name of the association is the Voluntary Euthanasia Party.

4. Purpose

(1) The purpose of the Party is to promote dignity, respect and care for all Australians, particularly by promoting legislative schemes and policies that allow for voluntary euthanasia. It will do so by nominating and endorsing candidates for elected public office.

5. Other governance documents

(1) This constitution sets out the principles for the working of the party and all other governance documents are subordinate to it.

PART II - MEMBERSHIP

1. Membership qualifications

- (1) A person is qualified to be a member if—
- (a) the person is a person mentioned in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of the association at any time after incorporation of the association under the Act; or
 - (b) the person—
 - (i) is on the Commonwealth Electoral Roll;
 - (ii) is not a member of another registered political party; and
 - (iii) applies to join as per Part II (2) and (3) of this constitution.

2. Application for membership

- (1) Eligible people under (1) above, join the Party by:
- (a) completing an application form indicating their name and address as it is on the Commonwealth Electoral Roll, their date of birth, and, optionally, their phone number and email address and indicating their willingness to submit to the terms of this constitution;
 - (b) providing payment of any membership fee that has been set by the party; and
 - (c) depositing the application form and any fee with the secretary, either by post or by electronic means.

3. Processing of membership

- (1) The secretary has the discretion to accept and process incomplete application forms.
- (2) The secretary must, on payment by the applicant of the amounts mentioned in section 7 of this Part, within the period mentioned in that subsection, enter the applicant's name in the register of members and, on approval of that application at the next executive meeting, the applicant becomes a member of the association.
- (3) The committee (or any subcommittee delegated this role under Part III, section 11) must approve new applicants at each executive meeting, and will refuse to accept an application for membership on the negative votes of any two or more committee members.
- (4) The secretary must inform within 14 days, any applicant who has their application refused by the committee, but there is no requirement to document reasons for that refusal.

4. Membership entitlements not transferable

- (1) A right, privilege or obligation that a person has because of being a member of the association—
- (a) cannot be transferred or transmitted to another person; and
 - (b) terminates on cessation of the person's membership.

5. Cessation of membership

- (1) A person ceases to be a member of the association if the person—
- (a) dies; or
 - (b) resigns from membership of the association; or
 - (c) is expelled from the association; or
 - (d) fails to renew membership of the association.

6. Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this section.
- (a) A member who has paid all amounts payable by the member to the association may resign from membership of the association by first giving notice (of not less than 1 month or, if the committee has determined a shorter period, that shorter period) in writing to the secretary of the

member's intention to resign and, at the end of the period of notice, the member ceases to be a member.

(b) If a person ceases to be a member, the secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

7. Fee and subscriptions

(1) The entrance fee and annual membership fee to the Party may be any amount determined by resolution of the committee; that amount may be zero.

(2) The annual membership fee is payable—

(a) except as provided by paragraph (b)—before 1 July in each calendar year; or

(b) if a person becomes a member on or after 1 July in any calendar year—before 1 July in each succeeding calendar year.

8. Members' liabilities

(1) The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by Part II sections 2 and 7.

9. Disciplining of members

(1) If the committee is of the opinion that a member—

(a) has persistently refused or neglected to comply with a provision of this constitution; or

(b) has persistently and wilfully acted in a manner prejudicial to the interests of the party; the committee may, by resolution—

(i) expel the member from the association; or

(ii) suspend the member from the rights and privileges of membership of the association that the committee may decide for a specified period.

(2) A resolution of the committee under subsection (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under subsection (3), confirms the resolution in accordance with this section.

(3) If the committee passes a resolution under subsection (1), the secretary must, as soon as practicable, serve a written notice on the member—

(a) setting out the resolution of the committee and the grounds on which it is based;

(b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may do either or both of the following:

(i) attend and speak at that meeting;

(ii) submit to the committee at or before the date of that meeting written representations relating to the resolution.

(4) Subject to the Act, section 50, at a meeting of the committee mentioned in subsection (2), the committee must—

(a) give to the member mentioned in subsection (1) an opportunity to make oral representations;

(b) give due consideration to any written representations submitted to the committee by that member at or before the meeting; and

(c) by resolution decide whether to confirm or to revoke the resolution of the committee made under subsection (1).

(5) If the committee confirms a resolution under subsection (4), the secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under section 10

- (6) A resolution confirmed by the committee under subsection (4) does not take effect—
- (a) until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - (b) if within that period the member exercises the right of appeal—unless and until the association confirms the resolution in accordance with section 10 (4).

10. Right of appeal of disciplined member

(1) A member may appeal to the association in general meeting against a resolution of the committee that is confirmed under section 9 (4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

(2) On receipt of a notice under subsection (1), the secretary must notify the committee, which must call a general meeting of the association to be held within 21 days after the date when the secretary received the notice or as soon as possible after that date.

(3) Subject to the Act, section 50, at a general meeting of the association called under Part IV (2) the members present must vote by secret ballot on the question of whether the resolution made under section 9 (4) should be confirmed or revoked.

(4) If the meeting passes a special resolution in favour of the confirmation of the resolution made under section 9 (4), that resolution is confirmed.

PART III - THE EXECUTIVE

1. Powers of the executive

- (1) The executive, subject to the Act, the regulation, the Electoral Act, this constitution and to any resolution passed by the association in general meeting—
- (a) controls and manages the affairs of the Party;
 - (b) may exercise all functions that may be exercised by the association other than those functions that are required by this constitution to be exercised by the association in general meeting; and
 - (c) has power to perform all acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

2. Constitution and membership

- (1) The executive consists of—
- (a) the office-bearers of the association;
 - (b) 3 ordinary committee members; each of whom must be elected under section 3 or appointed in accordance with subsection (4); and
 - (c) a representative of any branch of the party as recognised by this constitution in Part VII section 2 and registered with the AEC.
- (2) The office-bearers of the association are—
- (a) the convenor;
 - (b) the deputy-convenor;
 - (c) the treasurer;
 - (d) the secretary; and
 - (e) the public officer.
- (3) Each member of the committee holds office, subject to this constitution, until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) If there is a vacancy in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed holds office, subject to this constitution, until the conclusion of the next annual general meeting after the date of their appointment.

3. Election of the executive

- (1) Nominations of candidates for election as office-bearers of the party or as ordinary committee members—
- (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (b) must be given to the secretary of the association not less than 7 days before the date fixed for the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations may be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of office-bearers and ordinary committee members must be conducted at the annual general meeting in the way the committee may direct.

(7) A member may hold more than one position on the executive but not so the executive comprises fewer than three people.

4. Convenor

- (1) The convenor must:
- (a) chair and preside over all meetings of the party referred to in this constitution;
 - (b) be the registered officer for the purposes of the Commonwealth Electoral Act;
 - (c) be the public-spokesperson of the party; and
 - (d) be a signatory to the party's main bank account.

5. Deputy-Convenor

- (1) The deputy-convenor must:
- (a) chair and preside over a meeting of the party in the absence of the Convenor; and
 - (b) represent the party as public-spokesperson, as required.

6. Secretary

- (1) The secretary of the party must, as soon as practicable after being appointed as secretary, notify the association of his or her address.
- (2) The secretary must keep minutes of—
- (a) all elections and appointments of office-bearers and ordinary committee members;
 - (b) the names of members of the committee present at a committee meeting or a general meeting; and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the person presiding at the meeting or by the person presiding at the next succeeding meeting.
- (4) The secretary must -
- (a) be the secretary for the purpose of the Commonwealth Electoral Act;
 - (b) be responsible for all communication and decisions relating to all Australian political entities, with the exception of those delegated to the registered officer under the Commonwealth Electoral Act;
 - (c) maintain the party's website;
 - (d) be a signatory to the party's main bank account;
 - (e) be responsible for the day-to-day administration of the party and conduct of correspondence; and
 - (f) represent the party as public-spokesperson, as required.

7. Treasurer

- (1) The treasurer of the association must—
- (a) collect and receive all amounts owing to the association and make all payments authorised by the association;
 - (b) keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association;
 - (c) be a signatory to the party's main bank account;
 - (d) be the party agent for the purposes of the Electoral Act; and
 - (e) represent the party as public-spokesperson, as required.

8. Public Officer

- (1) The public officer of the association must—
- (a) reside in the ACT;
 - (b) manage the party's postal box;
 - (c) maintain association records as required under the Act;
 - (d) lodge notifications and returns required by the ACT Registrar General; and

(e) be willing to host a government inspection if required.

9. Vacancies

(1) For this constitution, a vacancy in the office of a member of the committee happens if the member—

- (a) dies;
- (b) ceases to be a member of the association;
- (c) resigns the office;
- (d) is removed from office under section 9 (Removal of committee members);
- (e) becomes bankrupt or personally insolvent;
- (f) suffers from mental or physical incapacity;
- (g) is disqualified from office under the Act, section 63 (1);
- (h) is subject to a disqualification order under the Act, section 63A; or
- (i) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

10. Removal of committee members

(1) The association in general meeting may by resolution, subject to the Act, remove any member of the committee from the office of member of the committee before the end of the member's term of office.

11. Committee meetings and quorum

(1) The committee must meet at least 3 times in each calendar year at any place and time that the committee may decide.

(2) Additional meetings of the committee may be called by any member of the committee.

(3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.

(4) Notice of a meeting given under subsection (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business may be transacted at the meeting, except business that the committee members present at the meeting unanimously agree to treat as urgent business.

(5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.

(6) No business may be transacted by the committee unless a quorum is present and, if within half an hour after the time appointed for the meeting a quorum is not present, the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the meeting, the meeting is dissolved.

(8) At meetings of the committee, if the Convenor and the Deputy-Convenor are absent—1 of the remaining members of the committee may be chosen by the members present to preside.

12. Delegation by committee to subcommittee

(1) The committee may, in writing, delegate to 1 or more subcommittees (consisting of the member or members of the association that the committee considers appropriate) the exercise of the functions of the committee that are specified in the instrument, other than—

- (a) this power of delegation; and
- (b) a function that is a function imposed on the committee by the Act, the Electoral Act, by any other commonwealth, state or territory law, or by resolution of the association in general meeting.

(2) A function, the exercise of which has been delegated to a subcommittee under this section may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, that may be specified in the instrument of delegation.

(4) Despite any delegation under this section, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, in writing, revoke wholly or in part any delegation under this section. A subcommittee may meet and adjourn as it considers appropriate.

13. Voting and decisions

(1) Questions arising at a meeting of the committee or of any subcommittee appointed by the committee are decided by a majority of the votes of members of the committee or subcommittee present at the meeting.

(2) Each member present at a meeting of the committee or of any subcommittee appointed by the committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.

14. Foundation Executive

(1) At the commencement of the Party there will be a Foundation Executive, exercising all powers of the Executive as set out in this Constitution in Part III with exception of the application of Part III (9).

(2) The members of the Foundation Executive, as appointed upon registration of the Party, shall remain in office until the first annual general meeting.

(3) The Foundation Executive will consist of at least the positions set out in Part III section (2)(2).

(4) The Foundation Executive shall adopt this constitution at its first meeting by vote with a majority prevailing, thus signalling the commencement of the party.

PART IV - MEETINGS

1. Annual general meetings—holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and between the months of October and December, call an annual general meeting of its members.
- (2) The association must hold its first annual general meeting—
 - (a) within 24 months after its incorporation under the Act; and
 - (b) within 5 months after the end of the first full financial year of the association.
- (3) Sections (1) and (2) above have effect subject to the powers of the registrar-general under the Act, section 120, in relation to extensions of time.

2. Annual general meetings—calling of and business at

- (1) The annual general meeting of the association must, subject to the Act, be called on the date and at the place and time that the committee considers appropriate. In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is—
 - (a) to confirm the minutes of the last annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the committee reports on the activities of the association during the last financial year;
 - (c) to elect members of the committee, including office-bearers; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).
- (2) An annual general meeting must be specified as such in the notice calling it in accordance with section 24 of the Act (Notice).
- (3) An annual general meeting must be conducted in accordance with the provisions of this part.

3. General meetings—calling of

- (1) The committee may, whenever it considers appropriate, call a general meeting of the association.
- (2) The committee must, on the requisition in writing of not less than 25% of the total number of members, call a general meeting of the association.
- (3) A requisition of members for a general meeting—
 - (a) must state the purpose or purposes of the meeting;
 - (b) must be signed by the members making the requisition;
 - (c) must be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by 1 or more of the members making the requisition.
- (4) If the committee fails to call a general meeting within 1 month after the date when a requisition of members for the meeting is lodged with the secretary, any 1 or more of the members who made the requisition may call a general meeting to be held not later than 3 months after that date.
- (5) A general meeting called by a member or members mentioned in subsection (4) must be called as nearly as is practicable in the same way as general meetings are called by the committee and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

4. Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, send by prepaid post or by email to each member at the member's

address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

(2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.

(3) No business other than that specified in the notice calling a general meeting may be transacted at the meeting except, for an annual general meeting, business that may be transacted under section (2).

(4) A member desiring to bring any business before a general meeting may give written notice of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

5. General meetings—procedure and quorum

(1) No item of business may be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.

(2) Five members present (who are entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within 30 minutes after the appointed time for the start of a general meeting a quorum is not present, the meeting if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the members present (being not less than 3) constitute a quorum.

6. Presiding member

(1) The Convenor, or in the absence of the Convenor, the Deputy-convenor, presides at each general meeting of the association.

(2) In the absence of the Convenor and the Deputy-convenor, the members present must elect 1 of their number to preside at the meeting.

7. Adjournment

(1) The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in subsections (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

8. Making of decisions

(1) A question arising at a general meeting of the association is to be decided on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association,

is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- (2) At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person or by proxy at the meeting.
- (3) If the poll is demanded at a general meeting, the poll must be taken—
 - (a) immediately if the poll relates to the election of the person to preside at the meeting or to the question of an adjournment; or
 - (b) in any other case—in the way and at the time before the close of the meeting that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.
- (4) Subject to subsection (3), on any question arising at a general meeting, a member has 1 vote only.
- (5) All votes must be given personally or by proxy but no member may hold more than 5 proxies.
- (6) If the votes on a question at a general meeting are equal, the person presiding is entitled to exercise a second or casting vote.
- (7) A member and any proxy is not entitled to vote at any general meeting of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable for the then current year.

9. Appointment of proxies

- (1) Each member is entitled to appoint another member as proxy by notice given to the secretary no later than two hours before the time of the meeting for which the proxy is appointed.

PART V - FINANCE AND ADMINISTRATION

1. Funds - purpose

(1) The party is a not for profit organisation.

2. Funds—source

(1) The funds of the association must be derived from entrance and annual membership fees paid by members, donations and, subject to any resolution passed by the association in general meeting and subject to the Act, any other sources that the committee decides.

(2) Donations received must be reported in accordance with relevant commonwealth, state and territory law by the Treasurer.

(3) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.

(4) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

3. Funds—management

(1) Subject to any resolution passed by the association in general meeting, the funds of the association must be used for the objects of the association in the way that the committee decides.

(2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the committee or employees of the association, being members of the committee or employees authorised to do so by the committee.

4. Common seal

(1) The common seal of the association must be kept in the custody of the secretary.

(2) The common seal must not be attached to any instrument except by the authority of the committee and the attaching of the common seal must be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the secretary.

5. Custody of books

(1) Subject to the Act, the regulation and this constitution, the secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

6. Inspection of books

(1) The records, books and other documents of the association must be open to inspection at a place in the Australian Capital Territory, free of charge, by a member of the association at any reasonable hour on provision of reasonable written notice.

7. Service of notice

(1) For this constitution, the association may serve a notice on a member by sending it by post to the member at the member's address or email address shown in the register of members.

Note B- For how documents may be served, see the Legislation Act, pt 19.5.

8. Surplus property

(1) At the first annual general meeting of the association, the association must pass a special resolution nominating—

(a) another association for the Act, section 92 (1) (a); or (b) a fund, authority or institution for the Act; and
(b) in which it is to vest its surplus property in the event of the dissolution or winding up of the association.

PART VI - NOMINATION OF CANDIDATES FOR ELECTED PUBLIC OFFICE

1. Limitation of nomination without approval

(1) No member may stand as an endorsed candidate for election to a national or state parliament, local government or other institution without the approval of the committee, though branches may select candidates they recommend for that approval.

2. Selection of electorates and candidates

(1) The committee has the final authority to decide whether the party stands candidates in specific electorates. This includes by-elections.

(2) The committee may endorse candidates at any time up to the close of nominations.

(3) The committee can withdraw endorsement at any time up to the election date.

(4) The committee's decision is final.

3. Obligations relating to candidates

(1) Preselected candidates and elected representatives must promote the policies and purposes of the party.

(2) Endorsing of a candidate does not indicate a commitment by the party to expend any monies, *inter alia* for filing fees, advertising, or staff, related to the candidate.

PART VII - CHANGES TO PARTY STRUCTURE

1. Amendment of the constitution

- (1) This constitution may be amended by a motion or series of motions at an annual general meeting or a special general meeting, subsequent to the first annual general meeting, provided that:
- (a) The text of the proposed amendment(s) has been circulated to all members one-month before the holding of the meeting;
 - (b) The motion or motions receive a majority of two-thirds of the members present and voting;
 - and
 - (c) No two series of amendments to this constitution can be considered within a six-month period.

2. Establishing branches

- (1) In order to establish branches -
- (a) the executive may so determine to initiate a process to establish branches in the various states and territories of Australia; and
 - (b) a proposal to establish a new branch, including its founding constitution, which must indicate that it is subordinate to this constitution and the party, must be approved by a majority of the executive of the party.

3. Winding up

- (1) The party may be dissolved by a vote of three-quarters of members present and voting at an Annual General Meeting or Special General Meeting.
- (2) The notice requirement for a motion to dissolve the party is six months.
- (3) If the party is to be dissolved and upon winding up there remains, after satisfaction of all debts and liabilities, any property whatsoever, this must not be paid to or distributed among the members of the party but must be given or transferred to some other institution or institutions with objectives similar to those of the party.