

# National Constitution of the ALP

## National Constitution Contents

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# Part A: Objectives and Principles

## Origins

- 1 The Australian Labor Party had 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.

## Objectives

- 2 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 anti-social features in these fields.
- 3 To achieve the political and social values of equality, democracy, liberty and social cooperation inherent in this objective, the Australian Labor Party stands for:
  - (a) 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 relationships which determine their lives;
  - (b) establishment and development of public enterprises, based upon federal, State and other forms of social ownership, in appropriate sectors of the economy;
  - (c) democratic control and strategic social ownership of Australian natural resources for the benefit of all Australians;
  - (d) 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;
  - (e) the right to own private property;
  - (f) recognition and encouragement of the right of labour to organise for the protection and advancement of its interests;
  - (g) 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;
  - (h) 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;
  - (i) the restoration and maintenance of full employment;
  - (j) the abolition of poverty, and the achievement of greater equality in the distribution of income, wealth and opportunity;

- (k) social justice and equality for individuals, the family and all social units, and the elimination of exploitation in the home;
- (l) equal access and rights to employment, education, information, technology, housing, health and welfare services, cultural and leisure activities and the law;
- (m) 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;
- (n) 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;
- (o) the development of a democratic communications system, as an integral part of a free society, to which all citizens have opportunities for free access;
- (p) elimination of discrimination and exploitation on the grounds of class, race, sex, sexuality, religion, political affiliation, national origin, citizenship, age, disability, regional location, economic or household status;
- (q) 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;
- (r) recognition and encouragement of diversity of cultural expression and lifestyle within the Australian community;
- (s) the use, conservation and enhancement of Australia's natural resources and environment so that the community's total quality of life, both now and into the future, is maintained and improved;
- (t) recognition of the need to work towards achieving ecologically sustainable development;
- (u) 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 UN; and a recognition of the inalienable right of all people to liberty, equality, democracy and social justice;
- (v) commitment to and participation in the international democratic socialist movement as represented by the Socialist International; and
- (w) recognition of the right of citizens to work for progressive changes consistent with the broad principles of democratic socialism.

## Principles of Action

- 4 The Australian Labor Party believes that the task of building democratic socialism is a cooperative process that requires:
- constitutional action through the federal and State Parliaments, municipal and other statutory authorities;

- union action; and
- ongoing action by organised community groups.

## Membership and Organisation

- 5 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.
- 6 Australian Labor Party policy is made by National Conferences comprising the federal 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.
- 7 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.

## Part B: Rules

### Name

- 1 The name of the Party shall be "The Australian Labor Party".

### Objectives

- 2 The objectives of the Party are set out in the Basic Principles as determined by the National Conference. To achieve these objectives the ALP will act in accordance with the Principles of Action and Progressive Reforms set out in the Party Platform from time to time.

### Head Office

- 3 The Head Office of the Party shall be known as the National Secretariat and shall be established in Centenary House, Barton, ACT or any other place determined by the National Executive from time to time.

### Composition

- 4 The Party shall consist of branches in each State, the Northern Territory and the Australian Capital Territory (hereinafter referred to as State Branches).

### Structure of Party Organisation

- 5 (a) The Party shall function upon the following basis:
  - (i) National Conference,
  - (ii) National Executive,
  - (iii) Federal Parliamentary Labor Party (FPLP), and
  - (iv) Australian Young Labor.
- (b) The National Conference shall be the supreme governing authority of the Party and its decisions shall be binding upon every member and every section of the Party.
- (c) The National Executive shall be the chief administrative authority of the Party, subject only to the National Conference.
- (d) The Federal Parliamentary Labor Party shall have authority in properly constituted Caucus meetings to make decisions directed towards establishing the collective attitude of the Parliamentary Party to any question or matter in the Federal Parliament, subject to:
  - (i) at all times taking such action which may be possible to implement the Party's Platform and Conference decisions;
  - (ii) on questions or matters which are not subject to National Platform or Conference or Executive decisions, the majority decision of Caucus being binding upon all members in the parliament; and

- (iii) no attitude being expressed which is contrary to the provisions of the Party Platform or any other decision of National Conference or National Executive.
- (e) Australian Young Labor shall function in accordance with the rules that may be approved from time to time by the National Executive and subject to its control and jurisdiction.
- (f) The National Labor Women's Network shall function in accordance with the rules that may be approved from time to time by the National Executive and subject to its control and jurisdiction.
- (g) That a National Indigenous Labor Network be formed from the State Networks with appropriate support from the National Office. The Network's goals will be to:
  - (i) attract and support Indigenous ALP members;
  - (ii) increase the involvement of Indigenous people at all levels of the ALP;
  - (iii) provide a focus for the identification, training and support of Indigenous candidates;
  - (iv) increase awareness of Indigenous issues throughout the ALP;
  - (v) increase commitment of Party members to greater representation of Indigenous people throughout the Party; and
  - (vi) encourage the employment of Indigenous people in staff and Party positions.

## National Conference

- 6 (a) National Conference shall consist of 400 delegates, comprising:
- (i) three delegates being the National President and National Vice-Presidents elected under rule 9(a);
  - (ii) four delegates being the Leader and Deputy Leader of the Federal Parliamentary Labor Party and the Leader and Deputy Leader of the Party in the Senate;
  - (iii) six delegates elected from and by the Federal Parliamentary Labor Party;
  - (iv) delegations from each State consisting of:
    - (a) the State Parliamentary Leader,
    - (b) a base component of 12 persons, and
    - (c) a supplementary component of a number of persons equal to twice the number of House of Representatives electorates in that State as at the previous 31 December;
  - (v) delegations from each Territory consisting of:
    - (a) the Territory Parliamentary Leader,
    - (b) a base component of 2 persons, and
    - (c) a supplementary component of a number of persons equal to twice the number of House of Representatives electorates in that Territory as at the previous 31 December; and
  - (vi) three delegates from Australian Young Labor.

- (b) State Secretaries and members of the Federal Parliamentary Labor Party who are not delegates to National Conference shall be able to attend National Conference with the rights of delegates except that of voting.
- (c) All members of the State or Territory Branch shall be eligible to be elected as delegates from that State or Territory.

## Proxy Delegates

- (d)
  - (i) Each State shall be entitled to a minimum of two proxies up to a maximum equal to half the State's delegation.
  - (ii) The credentials for State Branch proxies shall be circulated in advance and accepted at the commencement of the Conference and no other proxies may be admitted.
  - (iii) It is the responsibility of each State delegation to ensure that the Chair is advised of all changes of delegation during the Conference. No proxy shall participate in the debate of a report in which the delegate he/she is replacing has participated.
  - (iv) State and federal Leaders may each nominate one proxy subject to paragraph (ii) above. Such proxies must be a member of the relevant parliamentary party.
- (e) All delegates must be elected by a system of proportional representation in a single ballot with affirmative action in accordance with rule 10.
- (f) Delegates shall be elected within 12 months prior to the date of National Conference.
- (g) State Branches cannot bind delegates with regard to their vote on any issue before the National Conference.
- (h) National Conference shall be held every three years in a location determined by the National Executive which shall have the responsibility for determining the time of the National Conference.
- (i) Special National Conferences may be held for specially stated purposes and shall be called in the manner prescribed by these Rules.
- (j)
  - (i) The National President and National Vice-Presidents need not be delegates to National Conference, but have the full rights of a delegate except that of voting.
  - (ii) The National Secretary shall not be a delegate to National Conference, but shall have the full rights of a delegate except that of voting.
- (k) The National Secretary, after receiving instructions from the convening authority, shall observe the following procedure for the purpose of establishing the Conference agenda:
  - (i) give the following bodies three months notice to send items to the National Policy Committee: State Branches, Australian Young Labor, and Federal Electorate Councils, and trade unions whose State branches are affiliated with the Party in a majority of States in which they operate, all of which shall have the right to submit items to the National Policy Committee. Bodies so submitting items to the National Policy Committee shall be notified in writing of the Committee's views on such items; and
  - (ii) send to State Branches and other bodies represented at National Conference, agenda and any other documents related thereto at least one month before Conference meets.

## National Executive

- 7 (a) The National Executive of the Party, which shall be the chief administrative authority subject only to National Conference, shall be constituted in the following manner:
- (i) the National President and National Vice-Presidents, who are directly elected by Party members in accordance with rule 9(a), have the full rights of a delegate except that of voting, unless elected as a delegate in their own right;
  - (ii) 20 executive members elected by the National Conference;
  - (iii) the National Secretary, who shall be elected by the National Conference, shall not be a delegate but shall have the full rights of a delegate except that of voting;
  - (iv) the Leader of the Federal Parliamentary Labor Party or proxy nominated by the Leader. Such proxy must be a member of the Federal Parliamentary Party;
  - (v) State Secretaries who are not delegates to the National Executive shall be able to attend National Executive meetings with the rights of delegates except that of voting; and
  - (vi) Delegates shall be entitled to nominate their proxy for any meeting or part of a meeting that they are unable to attend and for any ballot in which they are unable to vote.
- (b) (i) The terms of all those elected by the National Conference shall commence at the conclusion of the National Conference at which they are elected. They shall be subject to re-election at each Conference except the National Secretary who shall be subject to re-election at every second Conference.
- (ii) Casual vacancies will be filled by the National Executive in accordance with the principles of proportional representation.
- (iii) Casual vacancies for the positions of National President, National Vice-Presidents and National Secretary shall be filled by a ballot of the National Executive and the National Executive Committee shall institute procedures to hold a ballot.

## Powers and Duties of the National Executive

- (c) Decisions of the National Executive are binding on all sections and members of the ALP subject only to appeal to National Conference. Pending the hearing of any appeal, the decision of the National Executive continues to operate.
- (d) Subject only to National Conference, the National Executive may exercise all powers of the Party on its behalf without limitation, including in relation to the State Branches and other sections of the Party.
- (e) Without limiting the plenary powers of the National Executive under rule 7(d), the National Executive:
- (i) is the administrative authority of the Party responsible for:
    - (a) carrying out the decisions of National Conference;
    - (b) interpreting the National Constitution, the National Platform and decisions of National Conference; and
    - (c) directing federal members;
  - (ii) must convene triennial National Conferences in accordance with these Rules;

- (iii) may convene Special National Conferences for specified purposes;
  - (iv) must convene a Special National Conference for a specified purpose when requested by a majority of State Branches;
  - (v) must elect a National Executive Committee and a National Policy Committee;
  - (vi) may elect such other committees as it may determine from time to time;
  - (vii) must consider any matter submitted to it by a State Branch, Australian Young Labor, the Federal Parliamentary Labor Party or a trade union whose State branches are affiliated with the Party in a majority of States in which it operates (in this rule "affiliated organisation");
  - (viii) may hear and decide appeals from any affiliated organisation or individual member against a decision of a State Branch alleged to be inconsistent with any national decision or matter; and
  - (ix) may hear and decide appeals by any person seeking to be a candidate for a federal election against a decision of a State Branch affecting that person's preselection.
- (f) Without limiting the plenary powers of the National Executive under rule 7(d), if in the opinion of the National Executive any State Branch or section of the Party is acting or has acted in a manner contrary to the National Constitution, the National Platform or a decision of National Conference, as interpreted by the National Executive, the National Executive may:
- (i) overrule the State Branch or section;
  - (ii) intervene in the State Branch or section, and take over and direct the conduct of its affairs; and
  - (iii) conduct any preselection that would otherwise have been decided by the State Branch or section.
- (g) The National Executive must meet at least three times each year. Subject to the National Executive, the National Executive Committee is responsible for convening meetings of the National Executive.
- (h)
- (i) The National Executive may meet by telephone and other electronic means provided each member who wishes to participate in the meeting is able to clearly and simultaneously communicate with every other such member.
  - (ii) A resolution agreed to in writing by all voting members of the National Executive has the same effect as a resolution passed at a meeting of the National Executive. In this rule "writing" includes emails, faxes and other electronic means of representing or reproducing words in a visible form.
  - (iii) The National Executive may conduct elections by postal vote.

## National Executive Committee

- 8 (a) The National Executive Committee (NEC) shall consist of the National Secretary and such other members of the National Executive as may be elected by the National Executive.

- (b) The National Executive Committee shall be responsible for the administration of the Party between meetings of the National Executive.
- (c) They shall meet at least once between each two meetings of the National Executive for the purpose of preparing the agenda and making recommendations to expedite the business of the National Executive.
- (d) Other than in urgent situations which preclude either a special meeting or a resolution without meeting of the National Executive, the NEC shall not have the power to make decisions on behalf of the National Executive.
- (e) Any actions taken by the NEC between Executive meetings shall be reported to the next meeting of the Executive for endorsement.
- (f) The non-parliamentary members of the NEC shall also be members of the companies John Curtin House Limited and ALP Legacies and Gifts.
- (g) Rules 7(d)(i) and (ii) apply to the NEC in the same way as the National Executive.

## National President and National Vice-Presidents

- 9
- (a) The National President and 2 National Vice-Presidents must be directly elected from and by Party members in the 12 months before each triennial National Conference in a single ballot by proportional representation with affirmative action in accordance with rule 10.
    - (i) The candidate first elected holds office in turn as National President, National Junior Vice-President and National Senior Vice-President.
    - (ii) The candidate second elected holds office in turn as National Senior Vice-President, National President and National Junior Vice-President.
    - (iii) The candidate third elected holds office in turn as National Junior Vice-President, National Senior Vice-President and National President.
    - (iv) The term of office in each position is 12 months, beginning at the commencement of National Conference or on the anniversary of that date, except that the term of office in the third position ends at the commencement of the next triennial National Conference.
  - (c) The National President, when available, will chair National Conference and meetings of the National Executive, and conduct such meetings in accordance with the National Conference Standing Orders. The National President will carry out any other duties referred by the National Executive.
  - (d) The National Vice-Presidents in order of seniority will take the Chair in the absence of the National President, and carry out any other duties referred by the National Executive.

## 10 Affirmative Action

The ALP is committed to men and women in the Party working in equal partnership. It is our objective to have equal numbers of men and women at all levels in the Party organisation, and in public office positions the Party holds. To achieve this the Party adopts a comprehensive affirmative action model of 40:40:20, as set out below, whereby a minimum of 40% of relevant positions shall be held by either gender.

## Party Positions

- (a) All elections, other than public office preselections conducted by national and State level Party units for three or more positions, shall comply with the affirmative action model. Not less than 40% of such positions shall be held by women, and not less than 40% by men, provided that sufficient candidates of the relevant gender nominate ("the basic entitlement"). If the calculation to determine the basic entitlement results in a fraction of one half or more then the basic entitlement shall be the next higher whole number, and where it results in a fraction of less than one half it shall be the next lower number.

## Union Delegations

- (b) Union delegations to Party conferences and forums shall comply with the affirmative action model. Not less than 40% of a union's delegation shall be women, and not less than 40% shall be men ("the minimum representation"). Provided that if the level of male or female membership of a union is less than 40%, the minimum representation shall be set at that level.

## Public Office Preselection

- (c) Preselections for public office positions at a State and federal level shall comply with the affirmative action model in this rule 10(c). PRINCIPLES
  - (i) The intention of this rule is to produce an outcome where not less than 40% of seats held by Labor will be filled by women, and not less than 40% by men ("the minimum target").
  - (ii) This minimum target shall apply to any preselection round taking place after 1 January 2012.
  - (iii) The remaining 20% of the seats held by Labor may be filled by candidates of either gender.

### IMPLEMENTATION

- (i) State and Territory Branches shall be required to amend their rules so as to achieve the minimum target by applying these principles to the relevant seats.
- (ii) For the purposes of paragraph (iv), the relevant seats shall include:
  - (a) in relation to lower houses, those seats needed to form government, or those seats held by Labor, whichever is the greater; and
  - (b) in relation to upper houses, at least 50% of seats in the upper house, or those seats held by Labor, whichever is the greater.
- (d) The National Executive shall have the responsibility and the power to enforce rules 10(a)–(c) generally and specifically to determine the outcome in any public office preselection progressively between now and the year 2012 in order to ensure that this rule is complied with.
- (e) Each State and Territory Branch must no later than 1 November each year provide a report to its Administrative Committee or State Executive and to the National Executive on the implementation of rules 10(a)–(c).
- (f) Each State and Territory Branch must ensure that its rules are consistent with this rule, and are submitted to the National Executive for approval by 1 November 2003.

Transitional Provisions - Former Rule 12 to Continue to Apply

- (g) Any preselection round held after the date this rule is adopted by National Conference, but prior to 1 January 2012, shall comply with the provisions of rule 12 as it was immediately prior to the adoption of this rule ("the former rule"), except that the references in the former rule to the year 2002 shall be read as references to the year 2011.

## National Labor Women's Network

### Membership

- 11 (a) (i) There will be a National Labor Women's Network.
- (ii) Every woman member of the Party is automatically a member of the National Labor Women's Network.
- (iii) There will be no membership fee at the national level

### Role of the NLWN

- (b) The role of the National Labor Women's Network is:
- (i) to encourage women to join and participate in the Australian Labor Party;
- (ii) to increase the numbers of women in the Party;
- (iii) to maintain and expand e-communication between Labor women;
- (iv) to devise and promote training programs to improve the skills, confidence and participation of Labor women throughout the ALP;
- (v) to sponsor and expand the NLWN political work experience program;
- (vi) to develop and promote women within branches and other structures of the ALP as well as to elected office;
- (vii) to organise, in conjunction with the host State or Territory, the National Labor Women's Conferences;
- (viii) to administer travel subsidy to the National Labor Women's Conferences;
- (ix) to promote contact between the ALP and women's organisations in the community;
- (x) to assist in the development of policy and ensure women participate in policy making; and
- (xi) to nominate representatives to women's forums, including international women's forums.

### National Executive

- (c) (i) The NLWN Executive will consist of 15 women members of the ALP elected by each triennial National Conference in a single ballot by proportional representation, but so that at least one candidate elected is from each State and Territory (in so far as there are nominations from each State and Territory).
- (ii) At its first meeting after each triennial National Conference, the NLWN Executive will elect from its members a Convenor, Deputy Convenor, Secretary and any other officers it thinks appropriate. The Convenor and Deputy Convenor will be

elected in a single ballot. The NLWN Executive may fill vacancies in officer positions from its members.

- (iii) The National Executive may fill vacancies in the membership of the NLWN Executive in accordance with the principles of proportional representation and State and Territory representation in rule 11(c)(i).
- (iv) Women members of the ALP National Executive and the Federal Minister or Shadow Minister for the Status of Women shall be ex-officio members of the NLWN Executive.
- (v) Nominees for the NLWN Executive do not have to be delegates to the National Conference at which they are elected.
- (vi) Members of the NLWN Executive shall be able to nominate their proxy for NLWN Executive meetings.
- (vii) The NLWN Executive will provide an annual report of its activities to the National Executive, State and Territory Branches and State and Territory women's organisations.
- (viii) The NLWN Executive will meet monthly by telephone and twice a year, face to face, with travel funded through the National Secretariat.
- (ix) Accounts and financing will be run through the National Secretariat, within an annual budget, allocated by the National Executive.

### State Women 's Groups and Interaction

- (d)
  - (i) The NLWN will coordinate contact with State and Territory branches of the Labor Women's Network , other Labor women's organisations and women's contact officers.
  - (ii) The NLWN will regularly meet with State and Territory representatives of the LWN by telephone conference.
  - (iii) The structure of State and Territory Labor Women's Networks will be determined by each State and Territory although uniformity is desirable.
  - (iv) The NLWN will continue to develop materials, share programs and information to assist and support State LWNs. Transitional Provision(e) That the current term of the LWN Executive be extended to the next National Conference, and the Executive expanded to 10 members to ensure representation by all States and Territories.

## Finance

- 12
- (a) To meet the general expenses of the Party, each State Branch shall pay each year, to the National Executive through the National Secretary, a sum representing a rate per thousand adult members, and a rate per thousand pensioner and student/junior members. The total due shall be paid in four quarterly instalments on 1 January, 1 April, 1 July and 1 October. The National Executive shall have the power to fix sustentation fees.
  - (b) In the event of a State Branch being six months in arrears in its contributions to the Party, the National Executive may decide that such Branch shall not be entitled to be represented at any meeting of the National Executive or National Conference, or be

consulted on any question that may be subject to a ballot of State Branches, until such arrears are paid.

- (c) Upon request, State and Territory Branches shall report financial information to the National Secretary in a standard format determined by the National Executive.
- (d) The National Executive shall determine an annual budget for travel costs and administer an equalisation pool for such costs associated with National Conferences and the National Executive.
- (e) The National Executive shall meet the expenses of the National President attending National Conference and the expenses of any officers associated with any duty being carried out on behalf of the National Executive.
- (f) Each Branch shall pay to the National Executive not later than 31 December of each year the appropriate fee, to be determined by the National Executive, for international affiliations or activities associated therewith.
- (g) The National Executive shall authorise the National Secretary to negotiate banking facilities on behalf of the National Executive of the Party and determine the manner in which the Party's accounts shall be operated including the signatories to the Party's bank accounts.
- (h) Fundraising by the Labor Party at State, Territory and national levels and by the Labor Party candidates for public office shall be governed by the ALP Code of Conduct for Fundraising as approved by the National Executive.
- (i) All accounts conducted for candidates whether at Commonwealth, State or municipal elections shall include the Australian Labor Party in their title. Furthermore, they shall be controlled by that level of Party organisation with the identical relevant signatories, be audited at the July meeting of such Party organisations and such annual accounts shall be forwarded to the Party State Branch for inclusion in the Party's annual account reporting process to the Australian Electoral Commission.

## National Policy Committee

- 13
- (a) At its first meeting after each triennial National Conference, the National Executive must appoint a National Policy Committee consisting of a Chair, Deputy Chair and seven other members, all of whom have considerable experience in policy development.
  - (b) The Committee will be responsible for:
    - (i) coordinating development of the Party Platform;
    - (ii) conducting ongoing reviews of the Platform;
    - (iii) preparing the draft Platform for consideration by National Conference;
    - (iv) actively participating in the formulation of policy at National Conference;
    - (v) taking into account all policy resolutions passed by State and Territory Conferences;
    - (vi) considering all policy resolutions sent to it by State and Territory Policy Committees and other constituent units; and

- (vii) in conjunction with State and Territory Policy Committees, conducting regular policy forums in which rank and file participation is encouraged.
- (c) The Committee has power to co-opt non-voting members with particular expertise to the Committee when examining specific policy areas.
- (d) The Committee will work closely with the convenors of the State and Territory Policy Committees, and will be resourced by the National Secretariat.

## Federal Parliamentary Labor Party

- 14
- (a) No State Branch may direct or discipline members of the FPLP in regard to matters affecting the National Platform or policy or upon legislation before the parliament or any matters the subject of consideration by the FPLP.
  - (b) The power of direction, advice and/or guidance is reserved for the National Conference and between Conferences, the National Executive.

## Membership Recruitment

- 15
- (a) It is an abuse of Party rules for an individual or group/s to fund Party membership for other individuals or groups of individuals who would otherwise be unwilling to pay their own subscriptions.
  - (b) It is an abuse of Party rules for an individual or group/s to encourage reduced-rate membership to people that may not be eligible for that category of membership.
  - (c) It is an abuse of Party rules for an individual or group/s to recruit members who do not live at the claimed addresses in an attempt to gain advantage at local Party meetings or the outcome of Party ballots.
  - (d) It is a requirement of Party rules for members, where eligible, to join or transfer to the branch or sub-branch which has geographical coverage, in accordance with State or Territory Branch rules, of the address at which the member is enrolled to vote. Members must, at the time of joining or transferring to the branch or sub-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.
  - (e) It is a requirement of the Party rules for members to personally apply for membership and renew membership by signing their own membership application or renewal form and either:
    - (i) organising to post the form back to State Branch office with an appropriate fee;
    - (ii) by personally attending the State Branch office or arranging a person to attend on their behalf and paying their membership fees (identification shall be necessary); or
    - (iii) subject to the rules of a State Branch, by personally attending their local branch meeting and paying their fees to the Secretary during the meeting. In this regard, the money shall be receipted to the member and the member's attendance recorded in any attendance book. The Secretary shall forward such moneys to the State Branch office along with the signed membership renewal forms.

- (f) A Party member may also renew their membership by phone or the internet using their personal credit card or by signing a standing authority for the renewal of membership via their personal credit card or bank account.
- (g) Notwithstanding the above, a Party member's membership may also be renewed by a family member resident in the same household.
- (h) All records associated with the payment of membership fees shall be available to any full-time officer of the State Branch upon request.
- (i) In order to prevent the "bulk renewal" of other members, the National Executive must prescribe membership application and renewal forms for use by all State and Territory Branches that:
  - (i) require the signature of the applicant or member authorising the application or renewal; and
  - (ii) contain a declaration by any applicant or member paying a reduced-rate subscription that they are entitled to that reduced rate. The declaration must also indicate the basis on which the member is claiming this entitlement. State or Territory Branches may also set standard requirements of evidence to be met by members claiming this entitlement.
- (j) All State and Territory Branches must implement an appropriate cap or limitation/ review procedure relating to the number of members that may validly apply to join the ALP at a local branch or sub-branch meeting. Members who seek to transfer into a branch or sub-branch shall be included/counted for the purposes of determining the number of members to which the cap or limitation applies.
- (k) Involvement in such abuses will be considered as behaviour likely to bring the Party into disrepute and will result in disciplinary action which may include expulsion under the rules of the Party.
- (l) All State and Territory Branch rules must, where necessary, establish a tribunal to effectively resolve disputes concerning membership. All State dispute tribunals will operate according to due process and according to the national membership principles and rules.
- (m) All State and Territory Branch rules must contain a procedure that permits a decision to admit a person as a Party member to be reviewed, where there is an allegation that the person was ineligible to become a Party member.
- (n) All State and Territory Branch rules must permit 50 members or 25% of the members in a federal electorate, whichever is the lesser, to petition the Administrative Committee or State Executive to investigate any allegations of breaches of this rule in that electorate.
- (o) In order to ensure that these rules are given effect, the State and Territory Branches of ALP be required to amend, where necessary, their rules to reflect these National Rules. Such amended rules will be presented to the National Executive no later than 1 November 2003.
- (p) The National Executive must continue: (i) to monitor and enforce compliance with this rule; and (ii) to review the operation of this rule to ensure the integrity of the Party's membership processes.
- (q) All States and Territory Branches must provide to the National Executive a complete current Branch membership list by no later than 31 July of each year.

## National Life Membership

- 16
- (a) The National Executive can award national life membership of the Australian Labor Party.
  - (b) Nominees for national life membership must be longstanding members of the Party and have provided distinguished service to the Party at a national level.
  - (c) Only the National Executive, State Branches, federal electorate bodies and nationally affiliated unions can make nominations for national life membership. Nominations should describe the background and history of service of the nominee particularly their contribution at a national level.
  - (d) Nominations for national life membership must be forwarded to the National Secretary at least one month prior to a meeting of the National Executive.
  - (e) National life membership shall only be awarded with the unanimous support of the National Executive.

## Australian Labor Advisory Council

- 17
- (a) There will be an Australian Labor Advisory Council (ALAC), consisting of the Leader and senior members of the Federal Parliamentary Labor Party, the National President and National Secretary or their nominees, and representatives of the Australian Council of Trade Unions.
  - (b) The role of ALAC will be to provide a formal consultative mechanism between the Party and the union movement.
  - (c) The National Policy Committee must consult with ALAC in relation to Party policy relevant to ALAC's role, and resolutions of ALAC relevant to Party policy must be considered by the National Policy Committee.
  - (d) ALAC must meet at least twice each year, the meetings to be resourced by the National Secretariat.

## National Appeals Tribunal

- 18
- (a) The National Executive must:
    - (i) at its first meeting after each triennial National Conference; and
    - (ii) whenever there is a vacancy in a position; by a three-quarters majority of all voting members appoint three persons to form the panel for the National Appeals Tribunal.
  - (b) A member of the panel may only be removed by a three-quarters majority of all voting members of the National Executive.
  - (c) In respect of each appeal, the Tribunal is constituted by a member of the panel determined by lot under the supervision of the National Secretary.
  - (d) The Tribunal is responsible on behalf of the National Executive for hearing all appeals by members, affiliated unions and constituent units of the Party that relate to:
    - (i) compliance with the National Constitution; or

- (ii) enforcement of the rights and obligations of members, affiliated unions and constituent units under the National Constitution; and making recommendations to the National Executive in relation to those appeals.
- (e) No appeal may be heard by the Tribunal until all practicable avenues of appeal have been exhausted under the rules of the relevant State or Territory Branch.
- (f) The Tribunal must:
  - (i) comply with the rules of procedural fairness in conducting hearings;
  - (ii) (subject to paragraph (i)) conduct its hearings as expeditiously as possible; and
  - (iii) give the National Executive and all parties to the appeal written reasons for its recommendations.
- (g) The National Executive:
  - (i) must promptly consider all recommendations of the Tribunal; and
  - (ii) may make any decision in relation to the appeal it thinks fit.
- (h) The Tribunal:
  - (i) must prescribe guidelines for the conduct of appeals, including the granting of leave by the Tribunal to hear appeals; and
  - (ii) may otherwise regulate its own procedure; subject to these Rules and any direction of the National Executive.
- (i) In this rule "National Constitution" has the same meaning as in rule 19. (j) The powers of the National Executive under this rule are in addition to, and not in derogation from, those contained in rule 7(c).

## National Constitution Not Enforceable in Law

- 19
- (a) In this rule "National Constitution" means all national constituent instruments of the Party, and includes the national Objectives and Principles, the national Rules, the National Principles of Organisation, and all resolutions of National Conference and the National Executive relating to the structure and organisation of the Party.
  - (b) It is intended that the National Constitution and everything done in connection with it, all arrangements relating to it (whether express or implied) and any agreement or business entered into or payment made or under the National Constitution, will not bring about any legal relationship, rights, duties or outcome of any kind, or be enforceable by law, or be the subject of legal proceedings. Instead all arrangements, agreements and business are only binding in honour.
  - (c) Without limiting rule 19(b), it is further expressly intended that all disputes within the Party, or between one member and another that relate to the Party be resolved in accordance with the National Constitution and the rules of the State and Territory Branches and not through legal proceedings.
  - (d) By joining the Party and remaining members, all members of the Party consent to be bound by this rule.

## Part C: National Principles of Organisation

- 1 Policy at the national, State and Territory level shall be determined by the national, State and Territory conferences respectively. Such decisions shall be binding on every member and every section of the Party, or of the relevant State or Territory Branch.
- 2 On matters that are not subject to National Platform or Conference or Executive decisions, or their State and Territory equivalents, the majority decision of the relevant Parliamentary Labor Party shall be binding upon all members of the parliament.
- 3 In all parliaments, the parliamentary leadership, the Ministry and Shadow Ministry shall be elected by the Parliamentary Labor Party.

### Election of Delegates to National Conference

- 4 State and Territory Branch delegates to National Conference (including proxy delegates) must be elected in accordance with the rules of that State or Territory Branch, subject to rule 6.

### Composition of State Conferences

- 5
  - (a) In all States the State Conference shall comprise 50 percent union representatives and 50 percent constituency Party representatives. (This shall not bind Territory Branches until the proportion of unions affiliated is equivalent to that in the States. This principle shall apply to all State level Party units comprised of direct representatives of unions and constituency units.)
  - (b) State Branches should increase or maintain the size of State Conferences, which should have greater rank and file involvement.

### Membership

- 6
  - (a) Membership of the ALP is open to all residents of Australia who are prepared to accept its objectives and who have associations with no other political party or proscribed organisation. This right to join shall not be impaired other than in circumstances in which it can be demonstrated clearly that an individual cannot meet the requirement outlined above.
  - (b) Members of the Party are encouraged to be members of a union or to employ union labour. State and Territory Branch rules should require members of the Party to be members of a union or to employ union labour to the maximum extent permitted by law.
  - (c) To further encourage union members to join the Party, State and Territory Branches should offer discounts in membership subscriptions for members of affiliated unions.

### Affiliation of Unions

- 7
  - (a) All bona fide unions shall have the right to affiliate to the ALP. This right to affiliate shall not be impaired unless it can be demonstrated clearly that the relevant organisation is not a bona fide union or that the organisation has engaged in conduct that renders it unsuitable to be affiliated.

- (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 30 June as conducted by the appropriate Electoral Commission/s, and
  - (ii) the number of members identified in paragraph (i) above for whom the union received an amount of dues in relation to the period between 1 April and 30 June inclusive for that year.
- (c) Each affiliated union must by 4.00 p.m. on the last Friday in February each year provide to the State or Territory Branch 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, 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 (except that affiliation figures before 2002 must not be used to determine a union's rolling average).
- (e) Each State and Territory Branch (other than the Queensland Branch) must amend its rules to implement clauses 7(b)–(d) above in accordance with the model adopted by the National Executive for the Queensland Branch on 12 April 2002.

8 Each State and Territory Branch should develop an equitable basis of determining union entitlement for representation at relevant State level Party units. This shall not prevent State Branches making reasonable special arrangements for the representation of small unions.

## Union Delegations

9 Subject to rule 10(b), it shall be the right of each union to determine the criteria and procedures for selection of its delegates, subject to those delegates being members of that union and financial members of the Party.

## State and Territory Labor Advisory Councils

- 10 (a) Labor Advisory Council (LAC), consisting of the Leader and senior members of the State or Territory Parliamentary Labor Party, the State or Territory President and Secretary or their nominees, and representatives of the Trades and Labour Council or equivalent body in that State or Territory.
- (b) The role of the LAC will be to provide a formal consultative mechanism between the Party and the union movement in that State or Territory.

## Dialogue with Local Union Activists

11 All Labor MPs must establish dialogue with local union activists in their electorates, including frequent meetings with those union activists who work in their area. Senators and MLCs must be invited to attend such meetings.

## Members' Rights

- 12 The following are to be established as minimum standards:
- (a) The process of joining the Party shall be simplified and all unnecessary impediments to that process shall be removed from State and Territory Branch rules.
  - (b) Subject to any attendance requirements in the State or Territory, full membership rights in all States and Territories shall begin to accrue in accordance with the relevant State or Territory requirements and those rights shall accumulate, to a maximum, following two years consecutive membership. These rights include: being eligible for preselection; standing and voting for or standing on, the various Party bodies and executives.
  - (c) Each State and Territory Branch must adopt rules that establish an appeals process in relation to compliance with and enforcement of Branch Rules by members, affiliated unions and constituent units of the Branch, such rules to be submitted to the National Executive for approval by 1 November 2003. The appeals process must include compliance with the rules of procedural fairness, expedited hearings and written reasons for decision.

## Organisation and Training

- 13 (a) In addition to geographically based local branches within State and federal electorates, State and Territory Branches should consider different forms of rank and file organisation, such as:
- (i) occupation, workplace and employment related branches,
  - (ii) university and TAFE campus branches, and
  - (iii) policy forums (including online forums).
- However, any attendance requirements in State and Territory Branch rules will continue only to be met through attendance at geographically based local branches.
- (b) The number of local branches in metropolitan areas should be consolidated to provide for larger meetings and better branch organisation.
  - (c) Branches should be involved in local community activities, and should provide regular updates and suggestions of events in which members might participate.
  - (d) Local branches and MPs should institute, and participate in, regular joint community consultation processes in their electorates to raise the profile of the ALP and provide feedback on policy and Party initiatives.
  - (e) MPs and State and Territory Branches should respond to branch correspondence promptly so that branch members know their contribution has been considered.
  - (f) State and Territory Branches should ask branches to nominate either a women's officer or contact person to assist the development of equitable participation for women in the Party.
  - (g) State and Territory Branch rules should provide for a forum of all members within each federal electorate to be held at least once each year.

- (h) The Federal Electorate Council (FEC), or combinations thereof, shall be encouraged to appoint a Women's Contact Officer, Community Activities Officer and a Policy Development Officer when electing or appointing its executive.
- (i) The Community Activities Officer and Women's Contact Officer shall assist the local branches to identify the major issues within the community, within which they should be active and assist in the development of either endorsed or unendorsed (depending on the State Branches) candidates for local government or other community bodies.
- (j) The State Branches shall assume within their organisational structure the responsibilities of coordinating the Women's Contact Officers, Community Activities Officers and the Policy Development Officers.
- (k) The Policy Development Officer at a State Office level and at State and federal electorate level shall be responsible for coordinating policy input on local, State or federal matters, as appropriate, and work within a defined relationship between those electorate based Policy Committees and State and Territory Policy Committees and/or the National Policy Committee.
- (l) Each State Branch shall develop training programs for Branch executives, candidates and activists, as well as introductory programs for new Party members and mentoring and development programs targeting women. The National Secretariat shall assist in the development of such programs.
- (m) State and Territory Branches should form supporters clubs, and explore the possibility of the creation of an associate class of membership as a way of broadening involvement in the Party.

## State and Territory Policy Committees

- 14
- (a) State and Territory Branches should expand and improve the system of State and Territory Policy Committees, which should be linked to any policy forums that have been established.
  - (b) All Party members should be eligible to attend State and Territory Policy Committee meetings to contribute specialised knowledge and expertise on policy issues. However, final decisions on policy documents should continue to be taken by elected Committee members. Committees should, where feasible, conduct forums and consultations in regional centres.
  - (c) Resolutions passed by Party units should be circulated to the relevant Ministers and Shadow Ministers, State and Territory Policy Committees and the National Policy Committee for consideration and response.

## Preselections

- 15
- (a) Any member who meets the membership eligibility requirements shall be entitled to participate in voting for a candidate in any preselection covered by the applicable boundaries within which they reside, subject to clause 15(c).
  - (b) The only residential boundaries that can affect that right are those devised by either federal, State or municipal electoral commissions. That is, the entitlement is guaranteed by the publicly known and independently drawn boundaries of respective electoral commissions. Therefore, if you live within the respective electorate and meet other criteria within the rules you are eligible to vote in the preselection.

- (c) To ensure the integrity of preselection ballots, no member shall receive a vote in any preselection unless that member is 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.
- (d) In order to ensure that MPs are fulfilling local responsibilities, State and Territory Branches must:
  - (i) introduce a system of compulsory candidate forums during preselection processes; and
  - (ii) develop a system of reporting to federal electorate bodies the activities of their MP.

## Australian Young Labor

- 16 Every State and Territory Administrative Committee or State Executive should consider co-opting a non-voting member or members of Young Labor.

## Indigenous Labor Network

- 17 That each State and Territory Branch form an Indigenous Labor Network. Membership should be open to all Indigenous people who are members of the ALP. Non-Indigenous ALP members can nominate to be associate members.

## Implementation of National Principles of Organisation

- 18 The National Executive will monitor the implementation of these National Principles of Organisation in consultation with the State and Territory Branches. These Principles will apply equally to all State and Territory Branches unless otherwise stated.

## State and Territory Branch Rule Changes

- 19 All State and Territory Branch rules must be revised in accordance with these National Principles of Organisation as amended at the Special Rules National Conference held in October 2002, and be submitted to the National Executive for endorsement no later than 1 November 2003.
- 20 That, pursuant to rule 7(c)(i), the National Executive be empowered to amend the rules of any State Branch as required to implement the National Principles of Organisation.

# Part D: Resolutions to Implement National Principles of Organisation

## General Membership System

- 1 (a) Each State should adopt a system to allow applications to be processed and accepted by the head office thus allowing potential expansion of a general membership system.
- (b) A general member initially has only the right to take up at their initiative the process of becoming a full member through the Branch membership system. The general members are to be encouraged to contribute to the Party in whatever way they can and they are bound to assume the responsibilities of supporting the Party both privately and publicly.
- (c) Any general member of five years or more standing could be considered for preselection provided the majority request of all Party members in their respective electorate was made and/or the majority request of that State Branch Administrative Committee or Executive was made. (for guidance to the State Branches)

## Party Communications

- 2 The National Secretary shall be requested to prepare an annual budget for internal Party communications, to include methods of financing, as well as expenditure. The National Executive shall liaise with the State and Territory Branches with the objective of improving internal Party communications. (for direction to the National Secretariat)

## Responsibilities of National Executive

- 3 That the responsibilities of National Executive be clarified to ensure appropriate powers to manage the Party's:
  - (a) finances,
  - (b) education and training for memberships,
  - (c) liaison with the trade union movement,
  - (d) liaison with community organisations,
  - (e) campaign technique development for Party members and constituent units, and
  - (f) Party communication; and to organise the Manning Clark Labor History Memorial Lecture at each National Conference of the Party.

## Review of Campaign Techniques

- 4 That National Conference instructs the National Executive and State Administrative Committees to undertake a review of campaign techniques to ensure continued electoral success. The following principles are central to such a review:
  - (a) the need for redevelopment of campaign skills within safe Labor seats;

- (b) the need for continuous workplace campaigns to be developed in consultation with the trade union movement;
- (c) improved liaison with community organisations; and (d) continued development of ministerial involvement at the local level.

## National Organisation - Ongoing Review

- 5
- (a) That the National Executive take responsibility for an ongoing process of organisational review. The National Executive should establish a Standing Committee to initiate proposals, or receive submissions from members and affiliates, on the Party's rules, structures and political effectiveness.
  - (b) That an ongoing National Organisational Review Committee (ORC) be established with appropriate delegated powers under the guidance of the National Executive to continue the process of improving the effectiveness, participation and accountability of the Party's organisation.
  - (c) That the ORC undergo a consultative process with State Branches, union affiliates, Party units and members on strategies to achieve the following objectives:
    - (i) strategies to increase the level of ALP branch membership;
    - (ii) strategies to encourage more trade unions to affiliate to the ALP and to involve unions more effectively in the Party's decision-making processes;
    - (iii) strategies the ALP should consider in order to defeat coalition party proposals to undermine the existing arrangements for trade union affiliation; and
    - (iv) strategies to increase the participation of women at all levels within the ALP.
  - (d) That the National Secretariat provide adequate resources for the Committee to meet its objectives.

## 6 Preselections

That the matter of preselections be referred to the ongoing organisational review process.

## Internal Party Relationships

- 7
- (a) The National Secretariat shall coordinate a regular program of ministerial visits to FEC meetings, coordinated through the State Branch offices, to report on the work of the Government and then receive views of Party members. Such FEC meetings to be open to all Party members.
  - (b) That a representative delegation from the State Administrative Committee shall combine with the parliamentary leadership and Caucus representatives to form a State political coordination committee. Such a committee shall meet regularly, to discuss key strategic issues facing the Parliamentary Party. *(for guidance to the National Secretariat and State Branches)*

## 8 Basic Principles

- (a) The National Executive establish a Committee for the purpose of revising the Basic Principles of the Party including its objectives.

- (b) The Committee, in conducting its revision, should invite submissions from any interested Party member or interested unit and conduct appropriate seminars on the subject, prior to finalising any recommendations on changes.

## 9 Preselections

State and Territory Campaign Directors should consult the Leader and the National Campaign Director before the selection of candidates in both target and safe Labor seats to discuss quality potential candidates. This process should begin at least 18 months prior to the next election. It is the responsibility and obligation of Party officers and other influential figures within the Party to ensure that quality candidates are preselected in all seats. The Party must also actively identify and encourage candidates from a wide range of occupations and life experiences.

## National Public Office Training Program

- 10 The National Secretariat, in conjunction with State and Territory Secretaries, should conduct a pilot National Public Office Training Program and report to the National Executive by 1 July 2003. The NPOTP would involve former Labor leaders and ministers and would be responsible for: running training schools for candidates, those who aspire to be candidates, and younger Party members; overseeing mentoring programs; and running skills workshops. Better training and professional development should also be examined for elected members.

## Part E: Register of Conference Decisions

### Members Initiating Legal Proceedings (decision of the 1955 Conference)

- 1 This Conference resolves that as a general principle it cannot concede the right of any member of the Party to initiate legal proceedings for the purpose of establishing the constitutional behaviour of the Labor Movement. We emphasise that, with a few isolated exceptions, the history of our Party discloses we have functioned on a basis of complete determination in accordance with our own rules and our own interpretation of them. We insist we must continue to create our own procedures, taking care of our own business without the introduction of lawyers and law courts.

### Union Elections (decision of the 1963 Conference)

- 2 Conference believes that industrial legislation should provide for trade unions to properly determine their own internal policies in accordance with their rules and constitutions and deplors interference in trade unions activities by any government, outside individuals or organisations. Conference accordingly calls upon all trade unionists to refrain from interference in the internal affairs of another trade union.

### Grievance Procedures (decision of the 1979 Conference)

- 3 That Conference believes that the procedures of the Party at State and national level provide adequate opportunity for people who are dissatisfied to seek redress of grievance and calls upon all members of the Party in respect of matters in dispute to refrain from making comment outside the Party.

### Affirmative Action (decision of the 1981 Conference)

- 4 (a) That Conference:
  - (i) asserts its support for affirmative action to ensure greater representation of women in the Party structures and amongst its representatives at all levels of government;
  - (ii) endorses the Guidelines for Implementation of an Affirmative Action Programme in the ALP, June 1981, produced by the Working Party on Affirmative Action, drawn from the State Women's Groups and requests each State and Territory Branch to implement an affirmative action programme in keeping with these guidelines; and
  - (iii) requests the National Executive to monitor regularly progress in each State Branch and to report to each National Conference.
- (b) That all Party publications and Party ballot papers be given an indication of sex by use of given names.
- (c) That it be the policy of the ALP to investigate, instigate, and fund the provision of childcare facilities at all conferences and large assembly meetings of the Party.
- (d) That it be the policy of the ALP that all Party literature and publications should be free of sexist terms and sexist overtones; similarly all Party conferences, meetings etc.

should be free of sexist comments, terms and overtones of any kind and all officers, MPs and members of the Party should be advised accordingly.

## Abortion (decision of the 1984 Conference)

- 5 Conference resolves that the matter of abortion can be freely debated at any State or federal forum of the Australian Labor Party, but any decision reached is not binding on any member of the Party.

## Conduct of Ballots (decision of the 1994 Conference)

- 6 Procedures for conduct of ballots if required:
- (a) that ballots for multiple vacancies be conducted in accordance with the rules of the Victorian Branch;
  - (b) that ballots for single vacancies be conducted under the optional preferential system; and
  - (c) that ballots for multiple vacancies be conducted in accordance with rule 10(a).

## ALP Code of Conduct for Fundraising (decision of the 1994 Conference)

### 7 Preamble

Australia's political and economic stability is dependent on the strength of our democracy. The Labor Party believes that democracy in Australia will be strengthened by moderate and equal financial contributions from corporate Australia to both sides of politics.

- 8
- This code of conduct establishes the conditions that govern fundraising by the Labor Party at State, Territory and National levels. It is binding on all Labor Party branches, units and candidates for public office.
  - Funds are raised by the Organisational wing of the Labor Party to assist candidates for public office to gain and/or maintain office.
  - Funds are needed for policy development, Party administration and, most importantly, campaigning. All these political tasks must be carried out Federally and in each State and Territory.
  - Each State, Territory and National Secretary of the Labor Party has a responsibility to raise funds.
  - Campaign responsibilities can overshadow the need for adequate funds to support a strong and effective party organisation. Lack of funding for party maintenance and administration not only drains the Party's ability to develop policy and membership, but also undermines Labor's ability to campaign effectively and therefore undermines the stability of Australia's political system.

### Organisation of Fundraising

- The Party's National Director of Fundraising is the National Secretary. State and Territory Directors of Fundraising are the relevant State or Territory Secretary.
- Each State and Territory Branch and the National Secretariat raise funds cooperatively but separately.
- Each State and Territory Branch and the National Secretariat has a Finance Committee and a Fundraising Director. These individuals and their committees and/or donation collectors have sole responsibility for fund raising for their respective Branches. Each Branch organises its efforts independently and according to its own methods.

- State and Territory Finance Committees, all of whose members act in a voluntary capacity, collect funds from individual unions and corporations. Such funds supplement the Party's income from normal membership dues and affiliation fees.
- The National Secretariat collects funds for national campaigning, maintenance of the National Secretariat and the support of various State Branches. These funds support the National Secretariat's role of national policy development, assistance to the Federal Parliamentary Party and maintenance of the Party's professional and voluntary organisation throughout Australia.
- State, Territory and National offices shall operate systems of "centralised banking".
- All local campaign and other party accounts will be held under the relevant State or Territory central banking system with the relevant Tax File Number.

## Conditions

- The Labor Party observes a fundraising code of conduct. This code is fundamental to the integrity of the Party and its organisational and Parliamentary members.
  - Parliamentarians can, and should, voice the Party's needs for funds or services and on occasions sign appeal letters.
  - on reasonable request, Parliamentarians can, and should, speak or appear at Labor Party fundraising events.
  - Members of the Parliament or candidates should not accept money or services on the Party's or their own behalf, above the amount of \$3000 from any one source. Donations that are accepted must be held in appropriate Labor Party central banking accounts styled in the form: Australian Labor Party Campaign Account.
  - Any funds held in accounts, or otherwise not under a State or Territory central banking system with the relevant Tax File Number, will be regarded by the Australian Labor Party and any other interested party as "personal accounts".
  - Cheques should be made payable to the Australian Labor Party named account, not individuals.
  - It is the legitimate responsibility of the relevant Fundraising Director, Finance Committee members and/or collectors to accept money on behalf of the Party.
  - On the written authority of the relevant State, Territory or National Secretary, Parliamentarians or Candidates may act as fundraising agents for the Labor Party.
  - Members of parliamentary executives may not be asked to act as fundraising agents or collectors.
  - The detail of donations shall be publicly disclosed as per the requirements of the Commonwealth Electoral Act 191 - The Labor Party does not accept funds that are subject to conditions of any kind.
  - Under no circumstances will the Labor Party accept funds which, even if only by inference, are intended to obtain the Party's support for specific actions, attitudes or public statements.
  - Donors have a right to put views to the Party-but a right to no more than that.
  - The Labor Party never raises funds on behalf of any other Party or Organisation.
  - Under no circumstances will the Labor Party or any of its endorsed candidates accept donations from the tobacco industry.
  - Candidates for public office who act outside these guidelines will be liable to sanctions by the relevant Labor Party Caucus or State or Territory Administrative Committee or other interested parties.

## National Conference Decisions

9

8. That decisions of National Conference are equally binding on all members of the Party whether determined as Platform or as a decision of Conference. However, decisions of Conference which relate to matters of policy lapse if they are not reaffirmed by the subsequent Conference. Decisions of Conference which relate to organisational, administrative or rules matters continue in force until a subsequent Conference otherwise determines.

# Part F: National Conference Standing Orders

## Chair of Conference

- 1 The National President shall preside over Conference. In the President's absence the senior officer present shall preside. If no officers are present a delegate shall be appointed by Conference to preside.

## Credentials

- 2 (a) Each body represented at National Conference or National Executive shall lodge with the National Secretary the names and addresses of its delegates as early as practicable before the meeting. These names and addresses shall be sent by the National Secretary to all members of the National Executive and other bodies represented at the National Conference as soon as possible.
- (b) Any body or delegate may challenge the credentials of any delegate by lodging with the National Secretary the grounds of objection in writing within 14 days of being notified of the nomination of that delegate.
- (c) The grounds of the objection shall be conveyed to the delegate challenged and to the body nominating the delegate by the quickest possible means. The National Executive shall hear and determine the challenge. An appeal shall lie to the National Conference. Pending the outcome of any such appeal, the decision of the National Executive shall stand.

## Session Times

- 3 Conference shall meet each day from 9.30 a.m. to 12.45 p.m., and 2.15 p.m. to 5.30 p.m., subject to Conference at any time, determining on motion or amendment without debate, and without rescission of any previous decisions as to meeting times, to meet at any other times.

## Order of Business

- 4 The agenda of the National Conference shall be as distributed by the National Executive pursuant to rule 6(j)(ii). The order of business shall be as determined by Conference from time to time.
- 5 No discussion shall be allowed except on motion or amendment duly proposed and seconded.
- 6 Any member desiring to propose a motion or amendment, or to discuss any matter under consideration, must address the Chair. No member shall address the Conference unless called by the Chair of Conference.
- 7 All questions shall be determined in the following manner:
  - (a) the mover of the motion shall have seven minutes to present argument in support of the motion and five minutes to reply;
  - (b) the seconder of such motion, and all other speakers, shall be limited to five minutes;

- (c) the movers and seconders of motions and amendments must exercise the right to speak at the time of moving and not subsequently, subject to the right of reply by the mover of the motion;
- (d) Conference on motion without debate may extend the time of any speaker; such extension of time shall not exceed five minutes. Conference may agree to further extensions on the same basis;
- (e) the Chair shall call attention to the time of all speakers one minute before such time expires. Motions for extensions may be made when the Chair so calls, but no later;
- (f) after the motion has been moved and seconded, and no speaker rises to oppose or move an amendment, the Chair shall proceed to put such motion to a vote of Conference;
- (g) all votes of Conference shall be subject to the following procedure:
  - (i) the Chair shall call upon those who support the question to say "Aye" and those who are opposed to say "No"; and
  - (ii) the Chair shall then declare the question carried or lost;
- (h) any delegate not satisfied with the Chair's decision may, by standing in their place, call for a show of hands. The Chair shall proceed to determine the question by calling upon those who support the motion to raise their hands, and those opposed to act similarly. The Chair shall appoint two tellers to take the count and they shall be representative of the opposing viewpoints. When the tellers are agreed upon their count the Chair shall declare the result by quoting the figures for and against;
- (i) when any question voted upon by Conference results in equal numbers for and against, the Chair shall declare such question lost; and
- (j) any motion or amendment affecting the Pledge, Platform or Constitution of the Party shall be declared lost if less than a majority of delegates credentialled to the Conference vote for it.

## Amendments

- 8 (a) At any time during debate on any motion it shall be competent for any delegate to move an amendment. All amendments must be seconded. Motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place, providing that the effect of any proposed amendment is not to establish a direct negative to the question contained in the motion.
  - (b) Any number of amendments may be proposed and discussed simultaneously with the original motion, notwithstanding standing order 14. At the close of debate amendments shall be put in the order they have been moved.
- 9 No member shall speak more than once to any question before the Chair, unless by way of personal explanation or with the consent of the Conference. Such consent shall not be given unless by a majority of those present.
- 10 At any time during debate on any question it shall be competent for the Chair to accept a motion "that the question be adjourned," "that the question be put", or "that the next business be proceeded with", provided at least two speakers have spoken for and against. A member having spoken to the question shall not be competent so to move. Such motions shall be immediately put without debate,

provided that in the event of Conference agreeing "that the question be now put" the mover of the original motion shall have the right of reply.

- 11 On Conference agreeing "that the question be now put" it shall mean not only the question contained in the motion, but in any and all amendments.
- 12 No question shall be debated for a longer period than one and a half hours, subject to Conference agreeing on motion or amendment put without debate to extend such time. A two-thirds majority of those present shall be required to approve any such extension.
- 13 Motions directed towards the re-consideration of any decision reached by Conference shall fail unless carried by a three-fourths majority of the delegates credentialled to Conference.
- 14 Not more than two delegates in succession shall speak for or against any question.
- 15 All questions involving an interpretation of policy on any section of the Platform or the direction of members of the parliament in accordance with the principles and methods of the Party, shall be subject to decision by Conference on the basis of these Standing Orders and not by ruling of the President.
- 16 Questions other than those contained on the Agenda shall not be discussed unless agreed to by two-thirds of the delegates credentialled to Conference, and no delegate shall canvass the subject matter of the proposed new business when seeking Conference approval for discussion of same.
- 17 Rulings given by the Chair on any question shall be subject to a motion calling upon Conference to disagree with any ruling. In the event of such motion, the mover shall be permitted not more than five minutes to support the motion and the Chair shall be permitted not more than five minutes to defend the Chair's ruling. There shall be no other speakers. The Vice-President or any other delegate appointed by Conference shall occupy the Chair during the currency of such motion.