



## **Australian Greens Victoria By-laws**

Current as at 30<sup>th</sup> January, 2016

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Please note that references with **yellow highlights** refer to old versions of the Constitution and are therefore possibly inaccurate.

# 1 Disputes and Grievance Procedure

## Modification History

Action	Body	Date
Approved	State Conference	2004-08-21
Updated	State Executive	2009-07-23
Updated	State Executive	2011-10-27
Updated	State Council	2013-10-05

1. These by-laws are made pursuant to clauses 76.6 and 76.7 of the Constitution, and the clauses referred to herein are references to clauses of the Constitution unless stated to the contrary.

## Disputes Panel

2. There shall be 9 positions on the Disputes Panel, which will be filled by election at the Annual State Conference after the State Council representative's election and the election of AGV members to the State Executive. All Greens party members may nominate for the positions on the Disputes Panel, but only State Councillors may vote. Following the election the candidates shall be ranked in order and shall fill the positions on the Disputes Panel in that order, subject to the following restrictions:
  - a) No more than three of the nine positions may be filled by Greens party members who are not and have never been members of State Council.
  - b) If five of the positions are filled by members of the same gender, no further positions shall be filled by members of that gender unless all eligible candidates of the other gender have been elected.
  - c) No member of State Executive shall be on the Disputes Panel.
3. A vacant position on the Disputes Panel may be filled by State Council appointing a person to the Panel.
4. The Disputes Panel shall make decisions with a quorum of 5, or the number of members which is greater than 50% of members appointed to the Disputes Panel at any point in time. All decisions of the Panel must be minuted.
5. A Notice of Dispute given pursuant to clause 81.2 shall be in writing and shall be in the form of, or shall contain the information in, [Schedule A](#) to these by-laws.
6. The Disputes Panel shall send the Notice of Dispute to each party to an enquiry process, and shall invite the respondents to give a summary (which should not exceed 500 words) stating that party's position in the dispute.

## Review

7. Review of a decision of the Disputes Panel under clause 84.2 shall be heard de novo as if it were a new matter, and the Disputes Panel must act promptly to determine the appeal without undue delay.
8. The Disputes Panel may stay the effect of any decision, pending the outcome of the review.
9. If the review panel members are unable to reach consensus, they may determine the outcome of the matter by majority decision.

## **Other matters**

10. If a decision is made at a conciliation or arbitration in resolution of a dispute, the conciliator or arbitrator must give to each of the parties and the Disputes Panel a copy of the decision in writing.
11. If a dispute is resolved by agreement between the parties at a mediation or a conciliation, the mediator or conciliator must give to each party a copy of any agreement entered into by the parties in resolution of any aspect of the dispute, unless otherwise agreed between the parties, and must advise the Disputes Panel whether the dispute has been resolved.
12. Every person involved in a dispute resolution process may seek further information from the Disputes Panel as to the detail of the Panel's [processes and guiding principles](#).
13. Any party affected by a Disputes Panel decision (other than a mediation) may request a written report giving reasons for the decision, and outlining the process followed and factors taken into consideration in making the decision, such reasons being provided within 21 days.
14. The Disputes Panel may make decisions at formal meetings, or through electronic communication.
15. The Disputes Panel shall deliver an annual report to State Conference, and may report to State Council at any time on the results of its work and any recommendations arising.
16. Every party to a grievance procedure will be given a feedback form which may be sent to the Disputes Panel for consideration.

## Schedule A

### NOTICE OF DISPUTE

If the provisions of clause 81.1 have been met, clause 81.2 of the AGV Constitution enables a member to lodge a Notification of Dispute with the convenor of the Disputes Panel ([disputespanel@lists.vic.greens.org.au](mailto:disputespanel@lists.vic.greens.org.au)), by using this proforma, or otherwise addressing a letter to "The Convenor, Australian Greens (Victoria), GPO Box 4589, Melbourne, 3001" containing all the information herein.

Anyone considering lodging a Notification of Dispute ought to first consult the AGV Constitution, Chapter 8 Dispute Resolution, and read the Disputes and Grievance Procedure bylaw.

1	Name: _____ Telephone: _____ Postal Address: _____ Email: _____
2	<b>Names of AGV member/members/Party body against whom this dispute is lodged:</b> _____ _____
3	<b>Brief description of grievance:</b> (If possible, should not exceed 500 words, to be inserted here or attached separately. Include relevant dates. Attach only necessary pages of supporting materials. If you say the constitution or a bylaw has been breached, please identify which one). _____ _____ _____ _____ _____
4	<b>Please indicate the outcomes you would like to achieve:</b> _____ _____ _____
5	<b>Signed</b> _____ <b>Date:</b> _____
6	Further information about the Disputes Process is available from the Dispute Panel. If you wish to obtain further information about the typical process undertaken by the Disputes Panel, indicate here, and it will be provided by email/post <b>Yes/No:</b> _____

## **By-law 1 – Appendix A - Dispute Panel Procedural Guidelines**

### **Dispute Panel Procedural Guidelines**

These Guidelines are prepared to inform potential or actual grievants of the process followed by the Disputes Panel (the Panel) after it receives a Notice of Dispute<sup>1</sup> from a grievant. What follows is a plain English version of constitutional Panel procedures – however, readers should refer to the footnoted constitutional references for the exact wording. The Attachment to these Guidelines provides further information on key concepts in dispute resolution.

#### **Preliminary Steps**

After receiving a Notice of Dispute, the first step undertaken by the Panel is to determine that there has been an attempt to resolve the matter directly with the person or AGV body concerned, or other Party help has been sought to help in resolving the matter<sup>2</sup>. Unless this has occurred, the Panel will not normally accept the Notice of Dispute.

The second preliminary step is to ensure the Notice of Dispute uses the proforma attached to the Dispute Resolution bylaw, or otherwise includes all the information necessary<sup>3</sup>.

In special circumstances the Disputes Panel can accept a Notice of Dispute where these two preliminary steps have not been followed<sup>4</sup>. However, the grievant would have to include as part of the notification reasons as to why the Panel should exercise its discretion in this way.

#### **Dispute Resolution Procedure**

If the above preliminary steps are taken to the satisfaction of the Panel, the Notice of Dispute must be accepted, and the Panel must set up an enquiry process to determine its next step/s<sup>5</sup>.

After undertaking a preliminary assessment which may involve obtaining further information from the grievant, various options are available to the Panel. It may choose NOT to accept the Notice of Dispute<sup>6</sup>, if the dispute:

- (a) relates primarily to political or policy differences, or other issues better dealt with by another Party body; or
- (b) is insufficiently serious, or is vexatious.

In addition, the Panel may choose to dismiss the matter.<sup>7</sup>

No specific grounds for decisions under (a) or (b) above are outlined in the Constitution or the bylaw, but the Constitution, giving effect to natural justice principles, says the grievant has an entitlement to make a case as to why the matter should not be dismissed<sup>8</sup>. The Panel applies the same concept in making a decision about whether or not to accept a Notice of Dispute. Once these natural justice requirements are satisfied, the Panel is free to determine those factors or issues which it will take into account in determining the matter.

Normally, the Panel will establish an enquiry process<sup>9</sup>, which will do one or more of the following:

- (a) Investigate the matter (or part of the matter – this is a judgement call of the Panel, which may choose to investigate only the most important aspects of the grievance);
- (b) Refer the matter to mediation, conciliation or arbitration;

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<sup>1</sup> Constitution clause 81.2

<sup>2</sup> Constitution clause 82.1

<sup>3</sup> Constitution clause 82.2

<sup>4</sup> Constitution clause 82.3

<sup>5</sup> Constitution clause 82.5

<sup>6</sup> Constitution clause 82.4

<sup>7</sup> Constitution clause 82.5(d)

<sup>8</sup> Constitution clause 83.5

<sup>9</sup> Constitution clause 82.5

- (c) Conduct an Inquiry into any or all matters raised in or by the dispute.

The Panel's objective<sup>10</sup>, having established the enquiry, is to:

- (a) assist with the resolution of disputes and grievances arising between AGV Members;
- (b) assist with the resolution of disputes and grievances involving the actions of the AGV, a constituent group, or other body of the AGV; and
- (c) investigate and report on allegations of misconduct or breach of the Constitution or the bylaws.

It is clear the Panel has two primary roles – to assist in resolving disputes; and separately, to investigate and report on alleged breaches of the Constitution and bylaws, including where there are allegations of misconduct. Misconduct is not defined, and seemingly includes behaviour or action that is not specifically against the constitution or bylaws.

The Panel has the power to invite any Greens member or Party body to be made a party to the dispute<sup>11</sup>. This could occur, for example, if an additional respondent is identified. Such a party, from that point on, has an entitlement to all procedural and natural justice entitlements that accrue to the other parties to the dispute. In addition, the Panel may allow any member or Party body to be represented at any hearing or other process of the enquiry<sup>12</sup>.

Any person appointed by the Panel to handle a dispute must disclose any conflict of interest they have, or could be perceived to have, to the parties. If a party is unhappy with the delegate's response to the party's concern, this can be raised with the delegate, who should refer the matter to the Panel for its decision<sup>13</sup>.

Once the Panel has established an enquiry process, and delegated its powers to one or more Panel members or other delegate/s<sup>14</sup>, the delegate/s have authority to:

- determine their own process for the enquiry, including whether to sub-delegate aspects of the enquiry to a single member<sup>15</sup>;
- determine which enquiry procedure (other than an Inquiry) it will utilise, when it will be employed, and how it will attempt to resolve the matter; and
- take any opportunity which presents itself which may facilitate the resolution of the matter by any alternate dispute resolution process<sup>16</sup>;

and have a responsibility to<sup>17</sup>:

- make a decision or conclude the matter in a way which resolves the dispute with as much finality as is reasonably possible in all the circumstances of the matter.

Importantly, in attempting to resolve any matter before it, the Panel and its delegates are required to take into account a range of factors which may appear to the parties to be somewhat broader than the range of the dispute narrowly defined<sup>18</sup>. These factors include:

- (a) the presumption that Members of the Party are entitled to contribute to the Party through its various offices and functions;
- (b) the importance of upholding the good reputation of the Party;
- (c) the interests of Members who are not party to the dispute;

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<sup>10</sup> Constitution clause 80.2

<sup>11</sup> Constitution clause 83.4

<sup>12</sup> Constitution clause 83.4

<sup>13</sup> Constitution clause 83.1

<sup>14</sup> Constitution clause 82.6

<sup>15</sup> Constitution clause 82.3

<sup>16</sup> Constitution clause 83.3

<sup>17</sup> Constitution clause 83.6

<sup>18</sup> Constitution clause 83.6

- (d) the need to redress behaviour that is detrimental to the well-being of the Party or any of its Members;
- (e) the need for every AGV Member and body to understand and abide by the Greens Charter, Constitution and bylaws; and
- (g) all matters put by the parties.

Although rarely given effect to, the Panel has the power to issue orders to any party to do, or cease to do, any action which it believes will facilitate the Panel meeting its objectives, where such an order is reasonable and appropriate in all the circumstances<sup>19</sup>. Any failure to comply with such an order would be grounds for raising the failure as a matter for consideration under the suspension, censure and expulsion provisions of section 12 of the Constitution<sup>20</sup>.

### **Review of Panel Decision/s**

Any party to a dispute resolution process has a right to seek review of any outcome arising from a decision of a Panel delegate<sup>21</sup>. This would appear to cover decisions made during the operation of an enquiry, as well as final decisions. The Panel will appoint a 3 person review panel to enquire into, and determine the matter<sup>22</sup> – the review panel has all the normal powers and responsibilities of the Panel or its delegates<sup>23</sup> (including the right to not accept or to dismiss the matter<sup>24</sup>, as it has the minimum three Panel members required for such a decision).

### **Other Matters**

All matters raised in, or arising from, a Notice of Dispute, are private and privileged information between the parties<sup>25</sup>. Read strictly, NOTHING in or arising from the matter should be discussed outside of the parties themselves – not other branch members, other interested non-parties etc. Even a statement that a dispute has been lodged against another person is probably inappropriate – given the fact that the detail and justification for lodging the dispute cannot be debated without being in risk of breaching the constitution. Disclosing the existence of a dispute involving an identified member is also unfair to that member, who has no right of reply in private conversation between you and other people.

In short, a party to a dispute should not say anything to anyone about the matter. If other people raise it with you, you should merely fail to confirm or deny that there is a Notice of Dispute afoot before the Disputes Panel.

If a party to a dispute feels dissatisfied with the conduct of any delegate of the Panel<sup>26</sup>, please raise the matter with the convenor (email [disputespanel@lists.vic.greens.org.au](mailto:disputespanel@lists.vic.greens.org.au)). Even if the delegate is a Panel member, the convenor may be able to satisfactorily address the matter for you. However, if the grievance is against one or more Panel members, you are entitled to raise your concern directly with the State Executive (email [exec@lists.vic.greens.org.au](mailto:exec@lists.vic.greens.org.au)).

### **Key concepts behind the Disputes Resolution Process**

These are attached in the following pages.

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<sup>19</sup> Constitution clause 83.7

<sup>20</sup> Constitution clause 85.4

<sup>21</sup> Constitution clause 84.1

<sup>22</sup> Constitution clause 84.2

<sup>23</sup> Constitution clause 82.5

<sup>24</sup> Constitution clause 82.6

<sup>25</sup> Constitution clause 85.1

<sup>26</sup> Constitution clause 85.2



## **Attachment: Key Concepts behind the Disputes Resolution Process**

### **1. Consensus**

The Greens' primary mode of making decisions is by consensus. The Greens' principles of consensus aim to move away from adversarialism towards inclusiveness, cooperation and mutual respect. By acknowledging conflict when it occurs, discussing its causes and negotiating solutions, the best outcome can be achieved for all members. This helps build a healthier Greens Party.

The primary aim of our dispute resolution process is also to reach agreement where that is possible. This is best achieved through mediation. Outcomes achieved through agreement remove the possibility of a person having an undesirable outcome imposed on them. It is more likely to lead to a quicker and more satisfying resolution for all concerned.

### **2. Kinds of Disputes, and the most appropriate Enquiry Process**

Below is a set of non-exhaustive categories of dispute. These are not mutually exclusive, i.e. a number of them can co-exist in any single dispute. However the distinctions act as a useful guide for the Panel in determining the best course of action for addressing disputes.

#### **2.1 Behavioural or Interpersonal Disputes**

Some disputes are confined to relationships between individuals, involving, for example, misunderstandings, clashes in personality styles, or where people feel that there has been a lack of respect. Such disputes may respond well to mediation. However they may be beyond the responsibility, scope and resources of the Party, since not every personal difference can be resolved.

#### **2.2 Organisational or Rules Disputes**

Disputes and grievances may involve the actions of constituent groups within the Party, such as State Council, Executive, branches, regional councils, standing committees, etc. These may involve the conduct of a body which has either not followed proper process or acted beyond its power, or it may be confined to the actions of a few individuals acting beyond the authority of their positions in the body. Sometimes these may be indicative of deficiencies in the structure or rules of the Party (the AGV constitution or the by-laws) which need to be remedied.

Disputes involving alleged breaches of the rules can sometimes be resolved through mediation. Mediation however will probably not be the best approach in such cases, since the dispute is really between the member and a Party body about application of the rules. In these disputes it may be preferable to have a ruling made in arbitration regarding the obligation to comply with the rules – or, alternatively, an investigation and report, or even the establishment of an Inquiry, may be called for.

#### **2.3 Political Disputes**

Some disputes may be primarily of a political nature where parties may have different goals, or undisclosed political agendas. These may not be amenable to a mediated solution although mediation may help. Disputes over political behaviours may be best handled by a conciliator or arbitrator who has a good understanding of the political issues involved.

However, disputes arising from differences in political opinion are not grievances which fall within this grievance procedure. Diversity in political opinion is an asset and a feature of a political party. It is not something which can or should be remedied by a grievance procedure. The manner in which people express their differences of opinion may, however, be the subject of a grievance procedure.

### **3. Remedies**

Disputes resolution often involves the seeking of a remedy. The remedy must be whatever the Panel's delegate believes is most likely to resolve the matter<sup>27</sup>. Outcomes of a dispute resolution process could include: clarification of misunderstandings, an apology or public recognition of an injustice, an undertaking by a party to modify his or her behaviour, a reprimand or warning, or a move for censure, suspension or expulsion by State Council.

### **4. Definitions**

These guidelines, the constitution and the by-laws use terms which are presumed to have the following practical meanings:

#### **4.1 Mediation**

Mediation is a process by which participants, together with the assistance of a neutral person or persons, arrive at an agreed resolution. It usually involves systematically isolating disputed issues in order to develop options, consider alternatives, and reach a consensual settlement that will accommodate each party's needs. Although methods used by individual mediators can be very varied, one thing in common is that a mediator never decides the outcome of a dispute. A mediator's role is to facilitate the parties reaching a mutually satisfactory outcome. A mediator does not decide the outcome, or make decisions.

Mediation is voluntary. Parties attend mediation by agreement between themselves. Although it is not recommended, each party is free to refuse to participate in mediation. Mediation assumes that people are most likely to comply with agreements that they have developed and agreed to themselves.

Most matters involving disputes between two individuals are suitable for mediation. Matters that involve a group of people or a Greens body (such as a branch or committee) may be less likely to be suitable for mediation, but if all parties that need to be present agree to mediation it can be very effectively employed.

Mediation is confidential. Everything that is said or done at a mediation is not to be repeated outside the mediation process, even in a court, unless by agreement between the parties. Where a mediation is resolved it is usual for the parties to put that agreement in writing so that there is a clear record of what each person's future obligations are. The principle of confidentiality extends to an agreement entered into in resolution of the mediation, unless the parties agree otherwise in writing.

If a person breaches an agreement he or she entered into at mediation, the breach of the agreement may itself be referred to the Disputes Panel, who may choose to refer the matter for consideration under the section 12 Censure, Suspension and Expulsion powers.

#### **4.2 Conciliation**

Conciliation is a consensual, non-adversarial process. The conciliator plays a more active role in bringing the parties together, lowering tensions, improving communications, interpreting issues, encouraging a spirit of goodwill between the parties, providing technical assistance, exploring potential solutions and bringing about a negotiated settlement. The conciliator is entitled (unlike a mediator) to bring their own personal experience and judgement to bear in helping the parties to reach a resolution – they are not just a facilitator of a fair process (the primary responsibility of a mediator).

The conciliator may meet and discuss matters with the parties both independently and jointly and may indicate to the parties the strengths and weaknesses of their position and may suggest solutions. The conciliator may make proposals as to a settlement. The conciliator may give an opinion on the likely outcome if the matter were to proceed to arbitration. These functions are performed with the agreement of the parties. Further, if the parties agree, the conciliator can make a decision that resolves the dispute without any conciliated outcome.

The confidentiality arrangements for mediations spelled out above hold equally for conciliations.

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<sup>27</sup> Constitution clause 83.6

### **4.3 Arbitration**

A dispute that primarily involves the interpretation of rules or laws is usually more appropriate for arbitration than mediation or conciliation.

Arbitration is an adversarial process in which an independent person hears submissions from each party to the dispute and then makes a decision which is binding upon them. Arbitrations are conducted pursuant to an agreement, in this case the agreement is the Greens member's agreement to abide by the Greens Constitution. Like all other Panel processes, an arbitration takes place in private.

Arbitration is different to mediation because:

If a person chooses not to participate in arbitration, it can nonetheless proceed in that person's absence and a binding decision can be made.

Consensus is not required. After hearing matters put by the parties, the arbitrator makes a decision which resolves the dispute with as much finality as is reasonably possible in all the circumstances of the matter<sup>28</sup>.

Compared with a mediator, or even a conciliator, an arbitrator may require a higher working knowledge of the Greens Party structures and processes, its constitution, as well as an understanding of the wider political context in which the disputes arise.

Arbitrations may be appropriate if mediation and conciliation have failed, or if the matter is not suitable for mediation or conciliation, or if the matter is not one for which a negotiated solution is possible, e.g. a dispute as to whether or not a ballot has been validly held. An arbitrator should always be open to and encourage alternative consensual methods of resolving the dispute.

Mediators, conciliators and arbitrators are expected to be neutral. Although persons appointed to mediate, conciliate, or arbitrate any dispute may have previously come into contact with the parties to the dispute by virtue of also being members of the Greens, one of the Disputes Panel's roles is to ensure that they are sufficiently independent of the relationships involved in the dispute to ensure confidence in them by all parties to the dispute. Parties are entitled to query any mediator, conciliator or arbitrator if they believe there is, or may be, a conflict of interest<sup>29</sup>.

### **4.4 Investigation**

The Disputes Panel may decide to investigate a matter. An example of an investigation would be an allegation that a member had wrongly claimed reimbursement of expenses. An investigation by the Disputes Panel, and subsequent report to State Executive, would be more appropriate than a mediation or arbitration.

### **4.5 Inquiry**

After receiving a Notice of Dispute, or during the enquiry established to handle it, the Panel or its delegate/s may become aware of issues which, being tangential to the main thrust of the primary matter, warrant separate examination. The Panel is empowered to establish a separate Inquiry to pursue these issues. The parties to the initial Notification of Dispute may, but need not, be made parties to the Inquiry. In such an Inquiry, the Panel or its delegated review panel of three Panel members has all the normal powers and responsibilities granted to the Disputes Panel under the Constitution.

## **5. Other Process Matters**

### **5.1 Initial assessment by Disputes Panel**

The information contained in the Notice of Dispute enables the Disputes Panel to decide what type of dispute it is and what type of process could be used to resolve it. Broadly speaking, disputes between individuals are more likely to be suitable for mediation while disputes involving party processes are more likely to require arbitration, investigation or an Inquiry. The Disputes Panel would normally avoid referring a matter to arbitration unless it believes mediation or conciliation will not satisfactorily resolve the issue.

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<sup>28</sup> Constitution clause 83.6

<sup>29</sup> Constitution clause 83.1

## **5.2 Refusing to accept, or dismissing complaints**

The Disputes Panel has the power to refuse to accept, or dismiss a complaint. There will be disputes between members which don't come within the ambit of the grievance procedure. For example, a dispute between members involving a person's private life which is unconnected with party business would not be a matter which the party has any responsibility to resolve. Disputes involving employees may require referral to outside bodies such as Unions or lawyers, while allegations of corruption or fraud may need to be referred to the police. There might also be disputes that arise within the party which are so minor, or are made vexatiously, that activating the grievance procedure would cause more disruption to the party and its members than would leaving the matter alone: e.g. a claim that a member failed to assist with organising an event or failed to write a policy after promising to do so. The goal after all, is to make life better for members, not more arduous.

## **5.3 Receiving information or evidence**

In arbitrations and investigations, the Dispute Panel members can inform themselves of matters in any way that they believe is appropriate. It is worth noting that there are many different ways of obtaining information and each method has a corresponding degree of weight that attaches to the information. For example, information obtained from an eye witness's account of an incident will normally be given far more weight than a report of the same incident found somewhere on the Internet. When considering whether to accept evidence, particularly contradicting evidence, Panel members will normally take into account the reliability or relevance of the information and whether or not it is hearsay and give it appropriate weight accordingly. Dispute Panel members may choose not to accept information that they feel is not reliable or believable.

## 2 Expenditure Administration

### Modification History

Action	Body	Date
Approved	State Council	2014-02-01

1. All expenditure approvals must be allocated to an item in the current approved AGV budget.
2. Once the AGV budget is approved, any AGV members who are solely or jointly responsible for expenditure decisions are responsible for only approving expenditure within the approved budget, unless they gain approval from FAIC for a budget adjustment to accommodate the increased spend.
3. The State Director is responsible for authorising expenditure within the AGV budget, subject to the following conditions:
  - a) The State Council has approved that a committee or working group is accountable for a specific budget item, in which case responsibility passes to that committee or working group.
  - b) The State Director has delegated expenditure authorisation for specific budget items to AGV staff. In such an event, the State Director still retains accountability for the budget item against which the authority has been delegated.
  - c) Where expenditure will result in the relevant budget item being exceeded by no more than \$5,000, the State Director must nominate an alternate budget item or items to be reduced by the same value.
  - d) An expenditure increase of more than \$5,000 shall be referred to FAIC for consideration and if appropriate, funds reallocation within the approved budget.
  - e) In event that the State Director takes leave, he or she must delegate their authorities temporarily to another AGV staff member/s or State Office Bearer.
  - f) Delegation of authority shall be in writing and shall indicate the period for such delegation applies and/or when such delegation expires.
  - g) In the event that State Council or State Executive has revoked a delegate's authorities and the State Director is on a leave of absence, authorities pass to the AGV Secretary.
  - h) The AGV Secretary can temporarily assume the authorities of the State Director in the event of:
    - i) The State Director is on a leave of absence and has not delegated their authorities; or
    - j) The State Director or AGV staff member to whom authority has been delegated in the State Director's absence, is unable to make the authorisation before the payment by the time it falls due.
4. In the event that a committee or working group is allocated a budget, the convener of the committee or working group is accountable for:
  - a) Creating a detailed budget for how the funds allocated to the group or committee should be spent.
  - b) Approving spending in accordance with that budget.
  - c) Ensuring that expenditure is only made in accordance with that budget.
5. FAIC and State Executive must be notified by email or other written communication of any delegation of spending authority.
6. Any AGV member or Party body may put forward an expenditure or income proposal to FAIC for review. The proposal should include details of the expenditure (or income) including, but not limited to, the cost and benefits of accepting the proposal.
7. Following FAIC's review of the expenditure/income proposal, FAIC can do any of the following:

- a) Approve the proposal if the amount in question is less than \$5000 and corresponding budget offsets can be found; or in line with the powers granted in By-law 24 - Finance, Administration and Infrastructure Committee.
  - b) recommend the proposal to State Council for approval; or
  - c) return the proposal to the proposer requesting further detail; or
  - d) choose not to recommend the proposal for approval.
8. State Council must approve expenditure outside the existing AGV budget that will alter the bottom line. By approving such proposals, State Council is acknowledging that the additional expenditure will result in a reduction in the surplus or increase in the deficit.



### **3 Basic Standards for Internal AGV Elections Other Than Preselections**

#### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Approved	State Council	2009-03-01
Amended	State Executive (following the authorisation of State Council)	2015-09-16

1. Elections (other than preselections) conducted by Branches and Regional Councils will adhere to the AGV Constitution (e.g. section 25 codifies the election of Branch office bearers).
2. The remainder of this bylaw codifies any elections (other than preselections) conducted by State Council, and the annual election process for State Office Bearers, the Victorian Campaign Committee Convenor, the Policy Convenor, and 'additional Branch Representatives' to State Council.

#### **The State Returning Officer**

3. Each Annual State Conference will include the election of the State Returning Officer by members of State Council, the position may be shared by up to 2 people.
4. The State Returning Officer's term begins at the end of the Annual State Conference at which they were elected, and ends at the end of the next year's Annual State Conference. Any casual vacancy of the State Returning Officer position will be filled by the State Council or State Executive at the first opportunity.
5. The State Returning Officer shall be responsible for conducting, or ensuring the proper conduct in accordance with the rules of, the following elections:
  - a) Elections of the State Office Bearers (section 16 of the Constitution), Victorian Campaign Committee Convenor (clause 54.1 of the Constitution) and Policy Convenor (clause 60.1 of the Constitution);
  - b) Elections of the additional Branch Representatives to State Council as described in clause 40.2 (b) of the Constitution;
  - c) Elections to positions which are to be determined by the State Conference and State Council;
  - d) Preselections which default to the State Returning Officer as described in the Preselections Bylaw;
  - e) Other elections as may be required by the Constitution.
  - f) Any election where appointed to do so by the State Council or State Executive.
6. The State Returning Officer may agree to conduct other elections at the request of State Conference or a constituent group.
7. The State Returning Officer shall not be eligible to:
  - a) Stand for election in any election which they will conduct. (Note: where there are two Returning Officers, one may stand for election in an election conducted by the other. Where there is only one Returning Officer, and they stand for election, or where both Returning Officers stand for election in a single election, a deputy returning officer approved by the State Secretary or State Convenor must be appointed pursuant to clause 8 below to conduct that election.)

- b) Nominate any person for any election they conduct;
  - c) Sit on the Probity Panel associated with any election they conduct.
8. The State Returning Officer will be the primary contact between nominees, candidates, and other Greens members making enquiries, with respect to the conduct of any election they conduct.
  9. The State Returning Officer may appoint up to 3 people at any time to act as deputy returning officers to assist in the duties of the State Returning Officer. Final authority and responsibility remains with the State Returning Officer, except in the circumstances described in 7 (a) above, in which case the deputy returning officer will have final authority for that election.
  10. The State Returning Officer will ensure that where the implementation of any election requires the use of AGV office resources, measures are taken to ensure that the most senior member of AGV staff is consulted, and that preselection materials (such as reply paid envelopes) are distinguished from those of any other election that may be occurring at the same time.

## **Ballots**

11. Except where otherwise determined by the Constitution and bylaws, or a decision of the State Council or Executive, elections described in clause 5 will be conducted by secret ballot using paper or electronic voting.
12. A roll of eligible voters for any given election shall be kept by the State Returning Officer, with the names checked at the distribution of ballots and, for postal and electronic ballots, also at the return of ballots.
13. The roll of eligible voters closes on the close of nominations.
14. The method of all elections conducted by the State Returning Officer shall be by Optional Preferential Voting, except where there are two or more positions to be filled by the one ballot, in which case a Single Transferrable Vote method shall be used.
15. All ballots must include as an option, alongside nominees, the seeking of further candidates.

## **Results**

16. The declaration of any result of any election conducted by the State Returning Officer shall be final. Whilst in some circumstances the governing body may declare a position vacant in order to conduct a new election, it is not able to deem the State Returning Officer's declared result to be incorrect.
17. All election documentation, including ballot papers and results, shall be kept by the Returning Officer for 60 days after the event. A report of the first preference distribution and the order of the election and elimination of candidates shall be made available to any candidate or elector on request.

## **Provisions Relating to Annual Elections in Advance of Each State Conference**

18. This section shall apply to elections for positions described in clauses 5 (a) and (b), and further regulate elections described in section 16 and clauses 54.1, 60.1 and 40.2(b)(i) of the Constitution.
19. The State Returning Officer will ensure the publication, to all AGV members, of the relevant dates and deadlines associated with the elections (which shall include as a minimum the times of opening and closing of nominations and the deadline by which votes must be returned), and information for prospective candidates, which will be compliant with the Constitution and any relevant decision of State Council or Executive.
20. To nominate for election, eligible members shall provide the State Returning Officer with:
  - a) Their nomination in a form prescribed by the State Returning Officer;
  - b) A statement for eligible voters, of no more than 800 words, which shall include:



- i) how long the member has been a member,
- ii) the name of the Branch to which the member is registered, and
- iii) a brief list of positions held by the member within the party and previous candidacies for public office,

and which may include any other information the member sees fit to include, to inform electors of the member's positions on key issues facing the party and the position being elected;

- c) Statements of support of up to 200 words from four other members for the purposes of annual State Office Bearer elections or from two other members for the purposes of annual Victorian Campaign Committee Convenor, Policy Convenor and additional Branch Representative elections.
    - i. Statements of support must not be provided by current State Office Bearers or elected representatives.
    - ii. Statements of support may include how long the supporting member has been a member, the name of the Branch to which the supporting member is registered, and any other information the supporting member may wish to include. The statement may be augmented by up to 75 words in order to include a brief list of positions held by the supporting member within the party, including previous candidacies for public office; and
  - d) A clear photo of themselves (optional).
21. A nomination will be refused by the State Returning Officer if the member has not provided the information in the previous clause by the close of nominations. Otherwise, the State Returning Officer will confirm with all prospective nominees the list of approved nominees.
22. The State Returning Officer may revoke a nominee's nomination if they are in breach of any of rules of the party in relation to the election in question.
23. Nominees may not discuss their nomination or the election in question with any journalist, other than to confirm their candidacy.
24. Nominees may not expend funds for the purposes of communicating with eligible voters in relation to the election in question.
25. Nominees shall receive from the Returning Officer a list of eligible members' names, phone numbers and email addresses, and may instigate contact with each eligible voter once and only once for the purposes of discussing or promoting their nomination. The nominee must not show or distribute the list to any other person, and must destroy the list within one week of the declaration of the result of the election in question, or when the State Returning Officer has revoked nomination, whichever occurs first.
26. Ballot packs shall be created for eligible voters, which shall include:
- a) The ballot, or a link to the ballot, (if it is a paper ballot it must be signed by the State Returning Officer at the point of issue);
  - b) Return-addressed reply-paid or stamped envelopes, and secret envelopes, if the ballot is conducted by post;
  - c) A document, or a link to a document, containing each candidate's statement, photo (if provided) and the statements of their nominators, as well as voting instructions;
27. Voting options on ballots, other than the option of seeking further candidates, must be arranged by Robson Rotation.
28. Until the declaration of the result, nominees may not attend Branch meetings other than those of the Branch to which they are registered, except to carry out a specific duty, in which case they must nevertheless not discuss their nomination for the election in question at that Branch meeting.

29. No person employed by or on behalf of the AGV, or any of its elected representatives, may contact eligible voters for any election with a view to canvassing for or against votes for any nominee for that election, or provide any resources to aid any nominee

## **Definitions**

- Robson Rotation:** A method of printing multiple ballots to allow each candidate an equal proportion of appearances at the top of (and at each other position on) the ballot, thus eliminating the donkey vote.
- Optional Preferential:** A system whereby voters must nominate a first preference, but then may preference as many (or all, or none) of the remaining candidates as they wish.
- STV:** Single Transferable Vote (Hare-Clark and senate Group Voting systems being examples) is a voting method that allows voters to make their most preferred choice and then, after candidates have been either elected or eliminated, transfer surplus or unused votes according to the voter's stated preferences.

## **4 Notice and Papers for Meetings**

### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Approved	State Council	2005-02-19
Amended	State Council	2012-06-23

### **Distribution of minutes**

1. Draft Executive minutes must be circulated to Executive members within one week of the meeting they relate to, and the final version must be sent out to all prescribed recipients within one week of their confirmation at the following Executive meeting.
2. If Executive minutes are not confirmed within five weeks of the original meeting, the unconfirmed minutes must be sent immediately to State Councillors in lieu of the final version. If the unconfirmed minutes are unavailable, a report by the State Secretary or State Convenor must be sent to State Councillors within five weeks of the relevant meeting explaining why the minutes are not available, and providing a substantive report on the proceedings and decisions of the meeting.
3. Draft State Council minutes must be sent out within three weeks of the State Council meeting, inviting corrections or proposed amendments to be sent to the State Secretary. A final draft incorporating non-contentious corrections, and listing proposed amendments (if any) as an appendix, must be included with the papers for the next State Council meeting.
4. Draft Annual or Special State Conference minutes must be included with the papers for the next State Council meeting. Time will be set aside at the State Council meeting for business arising from the State Conference minutes, including debate (if any) over their accuracy; however, the minutes cannot be confirmed until the next State Conference.

### **Agenda items**

5. Agenda items for State Council and State Conference must be lodged with the State Secretary no later than 6 weeks before the meeting.

### **Notice of meetings**

6. The incoming Executive will prepare a draft schedule of meeting dates for the following twelve months, to be posted in the members-only section of the AGV website and included in every AGV newsletter and regular e-bulletin. This schedule will be updated as necessary, and will include the proposed dates for Executive meetings for the following two months.
7. Notice of the date, time and venue of an Executive meeting must be posted in the members-only section of the AGV website no later than seven days before that meeting.
8. Notice of the date, time and venue of the State Council or State Conference meeting must be sent out no later than 6 weeks before the meeting.

### **Timeline for agenda**

9. The draft agenda for an Executive meeting must be posted in the members-only section of the AGV website no later than 48 hours before that meeting.

10. The draft agenda for a State Council or State Conference meeting must be sent out no later than 5 weeks before the meeting.

## **Timeline for papers**

11. Documents relating to substantive proposals on the agenda must be sent out no later than 4 weeks before the meeting. However reports to State Council may be distributed up until one week before the State Council meeting. Items for report only may not contain substantive proposals or records of decisions for ratification

## **Circulation of documents**

12. Unless specified otherwise in the bylaws, Executive minutes and all documents relating to State Council and State Conference meetings must be sent to all State Council members, Regional Council Secretaries, Branch Convenors, Victorian Spokespersons, current candidates for public office and members elected to public office.

## **Agenda items without accompanying papers**

13. The State Convenor/s and State Secretary are jointly responsible for deciding whether to accept agenda items not accompanied by explanatory notes or discussion papers.

## **Late agenda items**

14. The State Convenor/s and State Secretary are jointly responsible for deciding whether to accept late agenda items for urgent consideration by State Council or State Conference, taking into account other options such as QDMG. Unless absolutely necessary, late agenda items should only be considered under 'Other Business'.

## **Posting on website**

15. All meeting documents are to be posted in the members-only section of the AGV web-site and AGV newsletters and e-bulletins are to list what has recently been posted on the web- site.

## 5 Tithing

### Modification History

Action	Body	Date
Approved	State Executive	2009-04-09
Amended	State Executive	2010-10-14
Amended	State Executive	2011-11-24

1. This By-law shall be applicable to all Greens Members elected to the Victorian or Federal Parliaments.
2. This By-law shall be applicable to all Greens Members elected to Victorian Municipalities except for those members who stood without Greens endorsement (SC 49) and without any financial campaign assistance from the Party.
3. Tithing for those Greens Members to whom this By-law applies shall be calculated and paid quarterly for any income derived from the relevant public office.
4. The tithing shall be equal to 10% of any portion of the annual gross salary derived from the relevant public office which exceeds 50% of the annual base gross salary of a member of the Victorian Legislative Assembly.
5. For holders of federal office, the amount of any tithe owed or paid to the Australian Greens shall be deducted from the amount payable to the AGV.
6. Greens Members elected to Victorian and Federal Parliaments, but not Greens elected to Victorian Municipalities, will also be tithed an additional 1% of their total gross salaries.
7. Tithing payments shall be paid to the central AGV bank account only.
8. Payments received as part of article 5 (above) shall be forwarded from the AGV bank account to a bank account controlled by the Global Greens Secretariat.

## 6 Donations and Loans not from Financial Institutions

### Modification History

Action	Body	Date
Approved	State Executive	2007-05-10
Amended	State Executive	2009-05-28
Amended	State Council	2013-05-04
Amended	State Executive	2013-06-20
Amended	State Executive	2013-07-14
Amended	State Council	2015-07-25

1. The Australian Greens - Victoria (AGV), as a party committed to enhancing Australia's democratic process, will pursue the model of publicly funded elections at all levels of government. Publicly funded elections would promote more equitable access and reduce the risk of corruption associated with donations.
2. AGV will accept donations, including gifts-in-kind as defined by the Australian Electoral Commission, using transparent practices.
3. Gifts in-kind will be treated as any other donation to the AGV (for further details please see the Treasurer's Handbook).
4. AGV may reject any donation or refund any donation at any time
5. AGV will ensure that where any donor's one-off or cumulative donations to AGV totals \$1,000 or more within a financial year their donations are subject to ethical review.
6. Any party member may request that the AGV conduct an ethical review of any donation.
7. At times AGV may also seek to finance its expenditure through loans that are not provided by financial institutions. These loans will be subject to ethical review where either:
  - a) the value of the loan is \$10,000 or more; or
  - b) the loan agreement has conditions under which the loan could convert into a donation and the value of the loan is \$1,000 or more.
8. Ethical review of donations and non-commercial loans will be undertaken by AGV State Council (or State Executive or State Quick Decision Making Group depending on amount and urgency) and will:
  - a) seek to ensure that the values and aspirations of all donors and lenders are not inconsistent with those encapsulated in the goals, policies and the Charter of the Australian Greens Victoria;
  - b) accept donations and loans only for supporting the aims of the Party;
  - c) refuse any donation or loan if any conditions are imposed by the donor or lender;
  - d) refuse any donation or loan if it gives rise to or is likely to give rise to a conflict of interest as defined below.
9. The person verifying that the requirements of clause 8 have been met:
  - a) will not be associated with the donor in any way as far as practicable (i.e. the verifying person should not be a relative of the donor, co-habituating with, etc.)
  - b) will not be a candidates for election, nor that person's campaign manager with regard to donations to their own or any other campaign being conducted at the same time.

- c) should contact the donor to confirm that the requirements are met. Further a full audit trail of the process should be kept (i.e. emails/correspondence confirming that the requirements have been met).
10. Further, AGV will:
- a) ensure that any donations solicited or accepted on behalf of the AGV by members or supporters of the AGV are used for AGV endorsed activities and not for the personal use of the member or supporter;
  - b) maintain transparency in donor identity by reporting within 3 months of the end of each financial year all donors and the cumulative total of their donations to AGV over the previous financial year where those cumulative totals amount to \$1,000 or more;
  - c) maintaining transparency in donor identity by including in the party's Annual Returns to the Australian Electoral Commission details of all donations which cumulatively total more than \$1,000 for the financial year"; and
  - d) ensure that any donations or loans received that are subsequently rejected as a result of this bylaw are returned to the donor or lender at the earliest opportunity;
  - e) report all donations to local, state and federal electoral authorities as required by laws applicable and current at the time of the donation;
  - f) advise potential and/or intending donors of disclosure requirements of laws referred to in 8(e) above.
11. The acceptance of any donation by AGV does not imply endorsement of the activities, undertakings or processes of the donor.
12. It is the responsibility of the AGV State Treasurer to monitor all donations and loans received or offered to AGV and ensure all donations and loans which are subject to review, or may be subject to rejection under this bylaw are promptly referred for review.
13. To support the application of this bylaw:
- a) donations may only be directed to the AGV state party, regional councils, branches or electoral campaigns. Donations may be directed to campaigns for a specific election or electorate. Donations may not be directed to individual members (including candidates and elected representatives);
  - b) any donation of \$1,000 or more, or any donation which there is reason to think may bring the total donation for a particular donor to \$1,000 or more in a financial year, shall be referred to the AGV State Treasurer for review prior to the donation being accepted;
  - c) the AGV website and other relevant documentation shall provide donors with information on statutory disclosure requirements and the disclosure principles embodied in this by-law;
  - d) an official AGV receipt will be issued and the name and address of the donor recorded for all donations unless the donor requests the donation be anonymous. Any donation of \$50 or more must have an official AGV receipt issued and the name and address of the donor recorded. Anonymous donations of \$50 or more cannot be accepted. This is to facilitate monitoring cumulative individual donations against the \$1,000 disclosure limit;
  - e) Where the donor of a donation in excess of \$50 cannot be identified within 3 months of the donation, the money will be moved to a trust account where it may be held for a period of up to 6 months to facilitate a further attempt to identify the donor. If after this time the donor cannot be identified the money will be forwarded on to a charity of FAIC's choice. These transactions may be authorised by the Senior Most Staff member or their delegate;
  - f) any donations accepted on behalf of the AGV shall be deposited into an AGV bank account or petty cash fund within 7 days;



- g) all donations received by branches, regional councils or election campaign committees shall be reported to the AGV Finance Officer quarterly. This report shall include an itemized list of donations including the name and address of each non-anonymous donor.

## **Definitions**

### **Donations:**

(from [www.aec.gov.au](http://www.aec.gov.au) "Funding and Disclosure Handbook for Donors and Third Parties")

*A disposition of property or provision of a service for which no payment, or an inadequate payment, is received. The term includes cash and non-cash (gift-in-kind) transactions, but does not include commercial transactions or volunteer labour.*

(NB. This is a summary and the full AEC definition should be consulted.)

### **Conflict of Interest:**

AGV adopts the OECD definition of conflict of interest which is:

A 'conflict of interest' involves a conflict between the public duty and the private interests of a public official, in which the public official has private interests which could improperly influence the performance of their official duties and responsibilities.

**Public duty.** It is the duty of members of The Greens to uphold the Greens Charter and promote our policies. It is the public duty of elected representatives and other officials of The Greens to represent their constituents impartially and act without undue influence in the community interest.

**Private interests.** Candidates, elected representatives and other officials of The Greens are the beneficiaries of political donations directly or to the Party and hence have a private interest in those donations. They could be, or could be reasonably perceived to be, influenced by donations (and a desire to maintain them) in the conduct of their public duties. In general larger donations have a greater potential to give rise to the perception of a conflict of interest.

**Conflict.** Conflict arises where decisions are actually, potentially or perceived to be made against the public interest and/or duty as a result of private interests. In addition a conflict of interest exists if the donor is likely to receive a material benefit from a reasonably foreseeable decision that could be made by the Party or an elected Green, unless such benefit is likely to occur as a result of the donor being a member of such a broad class of beneficiary that their individual benefit is not readily identifiable or known or distinguishable from other members of that class.

A conflict of interest also still exists where a donation is received from a third party or associated entity related to the individual or entity where the conflict of interest originates.



## 7 Membership Code of Conduct

### Modification History

Action	Body	Date
Approved	State Council	2014-03-15

### Purpose and Scope

1. The Australian Greens Victoria (AGV) encourages the free and rigorous expression of opinion. It recognises that a free and fearless exchange of views is essential to the formulation of a healthy and responsive political platform. Nevertheless, in order to facilitate the objectives of the party (Constitution clause 3), members are also expected to behave in accordance with the provisions of this bylaw (except where the Constitution takes precedence).

### General Expectations of Members

2. When using party email lists, discussion forums or when using email, social media or other methods of written communication to converse with one or more members on party business, members will:
  - a) refrain from writing or forwarding material which contains:
    - i. personal attack or vilification of people or groups;
    - ii. abusive, aggressive or offensive language;
    - iii. false, misleading, vindictive or vexatious statements; and
  - b) treat the contents of emails with confidence and not distribute any email in any manner beyond those members of the Greens who are authorised to receive the information. Emails should not be forwarded to another member without the consent of the author except for the purpose of reporting improper behaviour or potential risks to the Party through proper and appropriate Party channels.
3. Members are reminded that written communications can at times be accidentally copied or forwarded beyond their intended recipients and requested accordingly to be mindful at all times of the potential consequences to the party of their communications
4. The Australian Greens Victoria (AGV) does not tolerate sexual harassment in any form and all AGV members have a responsibility to ensure that sexual harassment does not occur
5. At all meetings of any constituent group of the AGV, whether face-to-face or electronic, members shall:
  - a) come in good faith;
  - b) come to make decisions in the best interests of the Greens and be open to new ideas;
  - c) have the intention of reaching consensus and a commitment to consensus decision making, subject to chapter 3.6 of the Constitution;
  - d) have goodwill and respect towards all participants;
  - e) not conflate debate with personal grievances;
  - f) be honest;
  - g) refrain from verbal interjections;
  - h) leave the meeting space when undertaking any activity which could distract the meeting.
6. Notwithstanding the Constitution and bylaws insofar as they define disputes, complaints about breaches of [clause 2](#) or [5](#) may be made to the responsible person who is:

- a) the convenor of the email list or facilitator of the meeting, or
  - b) if in the instance of an email list there is no convenor, then the AGV Convenor (or any person appointed by State Executive to receive and deal with such complaints).
7. If the responsible person finds that [clause 2](#) or [5](#) has been breached, the responsible person may give to the person who is the subject of the complaint a written caution stating:
- a) the nature of the complaint and breach; and
  - b) that any further breach of the protocol may result in the person being the subject of disciplinary procedures in accordance with chapter 8 of the Constitution.
8. Complaints about serious or frequent breaches of [clauses 2](#) or [5](#), or of the handling by the responsible person of a complaint raised by virtue of [clause 6](#), or of an apparent refusal of the subject of the complaint to respond appropriately to the caution issued in accordance with [clause 6](#), may then be the subject of a dispute (see Constitution chapter 8, 'Dispute Resolution').
9. A breach of [clause 2](#) or [5](#) may or may not be "misconduct" as defined below.

## **Misconduct**

10. Whereas:
- a) The Disputes Panel is empowered to investigate "misconduct" by Section 80.2 of the Constitution; and
  - b) State Council is entitled to censure, suspend or expel a member for (amongst other things) conduct "considered to be inconsistent with the Carter or the constitutional rules, bylaws and/or policies of the AGV" ;
- and without in anyway limiting the effect of;
- c) any term in the Constitution, or
  - d) any other bylaw;
- this section deals with misconduct generally by party members and makes misconduct a breach of the bylaws.
11. Members shall not commit misconduct. Without limiting the ordinary meaning of that word (and subject to [12](#) below), misconduct includes:
- a) A pattern of behaviour, or
  - b) A specific action or omission of sufficient seriousness, including in some circumstances reckless or negligent actions or omissions;
- which a reasonable party member could consider on reasonable grounds to be inconsistent with the continuation of membership of the Party or worthy of censure, or
12. Without affecting the generality of the foregoing, such behaviour, action or omission includes:
- a) Sexual harassment, as defined by the Victorian Equal Opportunity and Human Rights Commission
  - b) Threatening, offensive, intimidatory or violent behaviour, including the persistent disruption of meetings;
  - c) Behaviour the main purpose of which appears to be calculated to seriously damage the Party;
  - d) Theft or misappropriation of Party assets;
  - e) Malicious or recklessly false, and damaging, statements about other party members, or deliberate or recklessly false public statements about the Party, its policies, elected representatives or decisions.

- f) Proven gross misconduct or criminality as a private individual which is so serious that the member's continued membership would seriously damage the Party's interest.
  - g) Breaches of confidences received in the capacity of Party member or the holder of a position.
  - h) Joining or being a member of the Party for any purpose not associated with advancing the interests of the party, in circumstances where that purpose is concealed.
  - i) active membership of an organisation which is closely connected or allied to another political party or actively involved in relation to electoral matters in any organisation, formal or informal, which runs candidates in an election the Greens are contesting.
  - j) Recruiting members for a local branch of the Party for the principal purpose of influencing the outcome of internal elections or preselections
13. The expression of opinions that are unpopular or at variance with AGV policy does not, in itself, constitute misconduct, provided:
- a) it is carried on within Party forums; or
  - b) Is conducted in a manner that is not calculated to damage the Party's interests
14. The notification of a dispute under party procedure, or the commencement of any lawful dispute or litigation will not of itself, in the absence of serious aggravating circumstances, constitute misconduct, but adverse findings of any Committee or Tribunal consequent upon the hearing of such a dispute or litigation, or the commencement and subsequent discontinuation of a matter without settlement or decision, may be considered under [10](#) above.

## **8 Mutual Responsibilities Between Elected Representatives and Party Bodies, Officers and Members**

### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Approved	State Council	2009-06-21

1. All Greens public office-holders\* have a responsibility under the constitution and this bylaw to report when required to relevant party bodies\* and to the Greens membership generally and within their own constituencies.
2. It is expected that all public office-holders of the party will attend State Conference whenever possible, and will be available there to answer questions relevant to the office they hold from any Party member.
3. Party members may exercise their rights to hold elected representatives accountable primarily at electorate assemblies, or through the Party's collective bodies – branches, regions, working groups, committees, and State Executive and State Council.
4. Party members should not assume that, acting as individuals, they have any special or privileged access or rights in relation to elected representatives as compared to constituents generally. Similarly, elected representatives, while they have special expertise and knowledge, have no more right than other members to direct the work of Party bodies.

### **Reporting and Liaison Requirements**

5. Elected public office-holders have a responsibility to keep the “relevant bodies”\* and the “relevant office bearers”\* informed. Office bearers also have a responsibility to provide reports and information to elected public officeholders.
6. The reporting arrangements need not be mechanical or prescriptive, but must ensure that:
7. In the case of public office-holders, the relevant bodies are provided with a written report or a report given in person at a meeting at least once every quarter (or, subject to leave etc., monthly in the case of full-time salaried public office holders, but not more than once to each meeting of the relevant body). This report (or taken together, a series of reports over the relevant quarter) is to indicate the main activities undertaken, key decisions made as a public office-holder, major issues which are pending and the planned approach to these issues;
  - a) relevant office-holders are advised in a timely manner of issues in which they are involved where their position is likely to involve considerable public controversy or are likely to be controversial within the Party. In these circumstances, wherever possible, a report should be provided in sufficient time to allow relevant party bodies\* to consider the issue when that consideration will still be relevant;
  - b) a representative of the State MPs should attend and provide a report to each State Council, and any Federal parliamentary representatives should where possible attend, and where not, provide a report.
8. In the case of office-bearers of relevant regions or branches, relevant public office-holders are advised of the views of relevant party bodies, about matters within the current work or priorities of the public office-holders, faithfully and in good time, particularly where issues have become or are likely to become controversial within the Party.

## Definitions

\*In this bylaw:

“Public office-holder” means a State or Federal MP/Senator or an elected local government representative (including VLGA).

“Relevant Party body” and “relevant office-bearers” means as follows:

Position	Relevant Party body	Relevant office-bearers	Conditions
State MLCs/State or Federal MPs	State Council; State Executive; regions within constituencies	State Convenor (or where not available, State Secretary); regional convenors within constituencies.	Reporting to State Officers will satisfy requirement of reporting to office-bearers, except on issues of specifically local concern. Reporting to regions quarterly is satisfied by advising all regions of reporting meeting and location of a Regional Council meeting.
Senator	State Council / Executive	State Convenor (or where not available, State Secretary)	
Local Govt representative	Relevant regional council	Relevant regional or branch convenor (or if absent, regional or branch secretary)	Also to report to State Convenor on issues which have state-wide significance or may establish de facto Greens “policy”

## 9 National Affairs

### Modification History

Action	Body	Date
Approved*	State Council	2009-06-21
Updated*	State Executive	2010-01-28
Updated*	State Executive	2010-03-11
Updated*	State Council	2010-04-17
Updated*	State Council	2011-02-26
Updated	State Council	2012-04-21
Updated	State Executive	2012-08-09
Suspended	State Conference	2015-09-05
Amended & Endorsed	State Council	2015-10-17
*Titled as "Victorian Representation in the Australian Greens"		

### National Councillors

1. State Council will appoint two National Councillors annually.
2. All National Councillors have the task of acting in the best interest of the Australian Greens, but must do so with an understanding of the informed opinions of their state branch and its constituent bodies.
3. The roles of the national councillors will include:
  - a) To attend monthly National Council meetings.
  - b) To attend, report to and follow directions of the AGV State Council.
  - c) To attend, report to and follow directions of the AGV State Executive.
  - d) Be familiar with and communicate regularly with AGV State office bearers and the AGV Executive.
  - e) To consult and be informed by relevant state standing committees, and AGV representatives on Australian Greens Working Groups.
  - f) To ask the Greens AGV state convenor to initiate a Quick Decision Making Group meeting if a decision is to be made by National Council on:
    - i. Expenditure or commitment to expenditure outside of an agreed AG budget; or
    - ii. Any matter that has legal implications; or
    - iii. When, in the opinion of the AGV State Member, the decision is likely to impact disproportionately on the interests of the AGV.
4. National Councillors must attend at least 8 meetings of the AGV executive per year.
5. National Councillors must provide reports to each meeting of the AGV State Council.

## **Eligibility to Serve as a National Councillor**

6. The two National Councillors will be appointed as a single ticket. That is to say, State Council will appoint one team of two Councillors from among those teams who have nominated, as opposed to separately electing two councillors.
7. In order to nominate for the position of National Councillor, both members must belong to one or more of the following eligible groups:
  - a) The first seven elected National Conference representatives elected at the State Conference
  - b) The current 4 State Office Bearers
  - c) The immediate past State Office BearersAt least one member must belong to the group described in 7a.
8. In nominating for the positions of National Councillors, the team of two eligible members must specify which among them will serve as the primary representative on the State Executive, and which will act as convener of the National Conference Committee.

## **National Conference Committee**

### **Status**

9. The National Conference Committee is a Standing Committee of State Council, established in accordance with clause 43.4 of the AGV Constitution. The sections Status, Name, Roles and Powers, Membership, Office Bearers, Meetings, Victorian Positions Document, and Budget of this bylaw constitute the Terms of Reference of the Committee in accordance with clause 43.7 of the AGV Constitution.

### **Name**

10. The name of the Committee shall be the National Conference Committee (referred to hereafter as the Committee).

### **Roles and Powers**

11. In accordance with clauses 42.2 (a) and (b) of the AGV Constitution, State Council representatives to the Committee the powers and responsibilities to:
  - a) decide all matters relating to the Victorian position on proposals to National Conference meetings, and manage such contribution at such meetings, in line with this bylaw;
  - b) subject to any other bylaws, consult directly with AGV Branches and members on all matters relating to National Conference, except where, in relation to Federal Policy, the Policy Steering Committee has agreed to, and informed the Committee of, a consultation process;
  - c) facilitate the exchange of information between the AG and its working groups and the AGV and its Branches and members as it relates to the relevant national conference;
12. Additionally, the Committee has the powers and responsibilities to:
  - a) recommend to State Council the removal of any National Conference representative, including the Convenor, from their office, if in the opinion of the Committee it is believed, based on evidence, that the representative has failed to fulfil their responsibilities as outlined in this bylaw. Such a recommendation will be decided by secret ballot;
  - b) perform other functions as specified in this bylaw
  - c) perform other functions as determined by State Council.



13. The AGV Treasurer and the Senior Most Staff Member will provide advice to the National Conference Committee on the budgetary implications for the AGV on any of the proposals to be considered by either National Council or Conference as soon as possible but by no later than the date of the next National Affairs Committee meeting;

## **Membership**

14. The Committee membership will consist of:
  - a) The 2 National Council representatives;
  - b) The AGV representatives to the National Conference (which may include the 2 persons mentioned above);
  - c) The AGV representative to the Australian Greens Policy Coordination Committee (or 'alternate' representative, but only for any meeting that the representative is not able to attend); and
  - d) One State Parliamentarian;
  - e) One Greens Local Government Councillor;
  - f) One of the AGV Convenor or AGV Secretary, as determined by them;
  - g) One of the AGV State or Assistant State Treasurer, as determined by them.
15. Right of attendance at Committee meetings shall be extended to:
  - a) A representative of the Victorian Federal MPs;
  - b) AGV representatives to all National Working Groups, Committees and Panels not already listed; and
  - c) AGV Office Bearers not already listed.
16. Those with the right of attendance at Committee meetings who are not members may participate in discussions at Committee meetings but will not be permitted to participate in the making of decisions.
17. Other AGV members may attend as observers, and should inform the Committee Secretary of any intention to attend.

## **Office Bearers**

18. The role of Convenor of the Committee will be performed by one of the two National Councillors as nominated by them.
19. The Committee will elect, at its first meeting after each AGV Annual State Conference, and after vacancies arise, a Secretary.
20. The Committee Convenor will be responsible for:
  - a) Facilitating meetings of the Committee, or delegating this responsibility to another member for any meeting;
  - b) In conjunction with the Committee Secretary, ensuring that the appropriate notice of meeting, agenda and motions on notice are provided in good time;
  - c) Ensuring that the business of each Committee meeting is properly addressed;
  - d) Presenting Committee reports to the State Council;
  - e) Acting as the Committee's primary point of contact with State Office Bearers, State Councillors, and members of other states' delegations to National Council and Conference, on matters pertaining to Victorian positions on proposals before National Council and Conference, except where decided otherwise by the Committee;
  - f) In consultation with the State Secretary, corresponding with the National Office Bearers on behalf of the Committee;



- g) Receiving reports from Victorian representatives to National Committees and Working Groups and ensuring that important matters before these Committees and Working Groups are being properly addressed by the AGV; and
  - h) Holding proxy votes for National Council and Conference representatives who are not present at any given National Council or Conference meeting, and proxy vote in accordance with the decisions of the VDC.
21. The Committee Secretary will:
- a) Ensure that accurate minutes of every meeting of the Committee are kept, and distributed within one week of each meeting to all members of the Committee, all persons with the right to attend meetings of the Committee, the State Secretary, the Victorian Elections and Continuous Campaigning Committee Office Bearers, and the Victorian Policy Coordination Committee Office Bearers;
  - b) In conjunction with the Convenor, ensure that the appropriate notice of meeting, agenda and motions on notice are provided in good time;
  - c) Ensure that all Committee proposals to State and National Council and Conference meetings are submitted to the State or National Secretary in time for inclusion on the relevant meeting agenda;
  - d) Ensure that important issues raised in reports from Victorian representatives to National Working Groups are included in reports to State Council and Conference meetings;
  - e) Liaise with the State Council returning officer/s to ensure that any vacancies for any Victorian delegacies to all National Groups are addressed; and
  - f) Maintain any e-lists of the Committee.

## **Meetings**

- 22. The Committee will meet as needed to carry out its duties in advance of the National Conference.
- 23. Wherever possible, at least one week's notice will be given of all meetings of the Committee.
- 24. Urgent meetings may be called if required but not with less than 24 hours' notice.
- 25. The attendance record of the Committee must be updated in the minutes of every Committee meeting, and reported to each Annual State Conference.
- 26. The Committee will not make decisions except at meetings or by Quick Decision.
- 27. Where meetings of the Committee occur during a National Conference meeting it is acknowledged that detailed minutes may not be kept. However a written report for presentation to the next regular meeting of the Committee that clearly states the outcomes of all proposals and how these outcomes compared to the positions in the Victorian Positions Document will be prepared. This report will form the basis for the report to State Council of National Conference meetings.

## **Victorian Positions Document**

- 28. A Victorian Positions Document shall be produced by the Committee prior to each National Conference meeting. The purpose of the document is to transparently state the AGV position on all known proposals before the relevant National Conference meeting, and state which member shall be the primary Victorian negotiator for each of those positions.
- 29. The Victorian Positions Document will be created in accordance with the following process:
  - a) The Committee will meet to create a draft Victorian Positions Document, which will propose a position on all known matters on the agenda of the relevant National Conference meeting, and specify which member of the Committee will be the primary negotiator for each position. The positions on proposals will generally be written in such a way so as not to preclude negotiated changes to the proposals at the relevant National Conference meeting;

- b) The draft Victorian Positions Document will be distributed to State Councillors along with the National Conference proposals themselves for feedback. The distributed draft will also be accompanied with a request that State Councillors consult their Branch members, and specify those key items of importance that guidance is particularly being sought on;
- c) Any feedback from State Councillors will be distributed to all Committee members;
- d) Whenever a State Council meeting falls before the relevant National Conference meeting, the presentation of the Draft Victorian Positions Document must feature on the agenda of that State Council meeting. The State Council will debate the Draft Victorian Positions Document in plenary or workshop, and amendments may be made. After any amendments have been agreed to, the Victorian Positions Document as a whole will be put to the State Council for endorsement.

## **Accountability**

- 30. The Victorian Positions Document shall not be binding on any representative to National Conference. However, it must form the basis of attempting to build consensus at the National Conference, unless circumstances arise which were not foreseen at the time of its adoption. Any position included in the Victorian Positions Document must be explained to the National Conference during the first substantive discussion of the relevant matter.
- 31. All National Conference Representatives must attend meetings of a Victorian Delegates Caucus, convened by the NCC Convenor, as and when they are convened, and the decisions of that Caucus will be recorded.
- 32. Any representative who blocks, or votes for or against a position which is contrary to both of the Victorian Positions Document and a decision of the Victorian Delegates Caucus must provide an explanation that blocking or vote at the next State Council meeting.

## **Budget**

- 33. The Committee will not open or operate a bank account.

## **Victorian National Conference Representatives**

- 34. The elections for the National Conference Representatives may be held either before (during the other postal or electronic ballots) or at the Annual State Conference.
- 35. The AGV will not appoint more National Conference representatives than the number specified in the AG Constitution.
- 36. Should any National Conference representative position/s fall vacant, the Committee will appoint an acting National Conference representative as relevant to act until the next State Council meeting, at which point an election will be held for a replacement. The election will be open to all members.
- 37. If however the National Conference representative position/s fall vacant and there are respectively no National Council or Conference meetings scheduled between the time that the vacancy arises and the anticipated date of the Annual State Conference, the position will remain vacant until the Annual State Conference.
- 38. The work of National Conference representatives will be conducted through and regulated by the Committee, in accordance with this bylaw.
- 39. National Conference representatives will adhere to all decisions of the Committee.

## **Victorian National Policy Coordination Committee Representatives**

40. The AGV Policy Steering Committee (PSC) shall appoint Victoria's representatives to the National Policy Coordination Committee (AGPCC), or choose to return this responsibility to State Council from time to time.
41. Victorian representatives to the AGPCC shall, subject to any relevant confidentiality agreements, provide all general meetings of the PSC with brief written reports, setting out:
  - a) the issues or proposals being considered by the AGPCC, and in particular any contentious proposals or issues;
  - b) any important decisions made;
  - c) their intentions in relation to any issues which are or are likely to become contentious, or which have been decided;
  - d) any other matters of such importance they believe should be considered by the PSC or its equivalent successor committee;
  - e) any other matters that the PSC may request from time to time; and
  - f) their attendance, non-attendance, participation or non-participation in the deliberations of the group on which they serve.
  - g) Copies of these reports will be provided to the Committee.
42. Victorian representatives to the AGPCC shall, subject to any relevant confidentiality agreements, provide all members of the PSC and the National Affairs Committee Convenor with all agenda papers and minutes of all AGPCC meetings forthwith upon receipt.
43. Victorian AGPCC representatives shall take direction from the PSC regarding AGPCC matters. Any direction shall allow Victorian AGPCC representatives the flexibility to negotiate consensus decisions at AGPCC meetings.
44. Victorian AGPCC representatives shall not contradict decisions of the PSC when negotiating and voting on AGPCC decisions.
45. The PSC may terminate any AGV member's AGPCC delegacy on the grounds that the representative concerned has failed to fulfil their responsibilities as outlined in this bylaw.

## **Victorian Representatives to Other National Groups**

46. This section of this bylaw will apply to all Victorian representatives to all National Working Groups, Committees, Panels and other centrally-established Groups (together referred herein as "National Groups") not already listed in this bylaw.
47. Victorian representatives to every National Group shall be appointed at or before (during the other postal or electronic ballots) the Annual State Conference on an annual basis except where State Conference decides otherwise. The Senior Most Staff Member will keep a register of election dates to ensure that elections are scheduled and advertised appropriately.
48. Victorian representatives to National Groups shall provide the Committee with the minutes of all meetings of their Working Group forthwith upon receipt.
49. Victorian representatives to National Groups shall provide the Committee with a brief report no longer than fourteen days after each formal meeting (including non-face-to-face meetings) of the group on which they serve, or otherwise twice each year if the groups do not generally meet, setting out:
  - a) the issues or proposals being considered by the National Group, and in particular any contentious proposals or issues;
  - b) any important decisions made;

- c) their intentions in relation to any issues which are or are likely to become contentious, or which have been decided;
  - d) any other matters of such importance they believe they should be considered by State Council or Executive; and
  - e) their attendance, non-attendance, participation or non-participation in the deliberations of the group on which they serve.
50. Victorian representatives to National Groups shall be guided by, and shall not contradict decisions made by, the AGV State Council or Committee when negotiating and voting on decisions made by the National Group that they are the representative to.
51. The Committee may choose to recommend to State Council the termination of any AGV member's National Group delegacy on the grounds that the representative concerned has failed to fulfil their responsibilities as outlined in this bylaw.

## **Definitions**

- NAC National Affairs Committee
- AG Australian Greens
- AGV Australian Greens Victoria
- NC National Council
- SC State Council
- VCC Victorian Campaign Committee
- QDMG Quick Decision Making Group
- NCC National Campaign Committee, aka NECC, the National Elections Campaign Committee.
- AGCG Australian Greens Co-ordinating Group
- VPD Victorian Positions Document
- AGPCC Australian Greens Policy Co-ordination Committee
- PSC Policy Steering Committee aka the Policy Committee of the AGV, or simply the PC
- Victorian National Representatives' Convenor aka National Affairs Committee Convenor

## **10 AGV Constituent Bodies Financial Management and Reporting**

### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Approved	State Executive	2009-08-13
Amended	State Executive	2011-08-11
Amended	State Council	2014-02-01
Amended	State Council	2016-01-30

### **General Financial Operations**

1. The conduct, recording and reporting of all financial transactions shall be in accordance with standards and procedures as set from time to time by the AGV State Treasurer and as documented in the AGV “Victorian Treasurer’s Handbook for Party Bodies”.
2. Party bodies shall notify the AGV State Treasurer within seven days of any change in treasurer.
3. For the purposes of this bylaw, ‘party body’ includes a branch, regional council or regional campaign committee.

### **Petty Cash**

4. The maximum petty cash balance that a party body can hold is \$100. Amounts greater than \$100 must be held in a bank account managed by either:
  - a) the party body itself;
  - b) in the case of a branch or regional campaign committee that does not hold a bank account, its regional council; or
  - c) the AGV State Treasurer.
5. All petty cash transactions shall be recorded in a petty cash journal.

### **Bank Accounts**

6. All party body bank accounts shall be opened through the AGV State Treasurer.
7. All party body bank accounts shall be closed through the AGV State Treasurer.
8. All party body bank accounts shall be operated in a manner as specified by the AGV State Treasurer.
9. All party body bank accounts shall have a minimum of three signatories, two of whom must sign to approve any transaction, including the addition or deletion of signatories.
10. Additions or deletions of account signatories other than the State Treasurer or Finance Officer must first be decided by the party body holding the account, and minuted accordingly.
11. The AGV State Treasurer shall be a signatory on all party body bank accounts.
12. The AGV Finance Officer, or an alternate AGV staff member nominated by the AGV State Treasurer, shall be a signatory on all party body bank accounts.

13. The AGV Finance Officer, or alternate nominated signatory as described in section 11, shall not initiate or approve any transactions on party body bank accounts unless authorised by the AGV State Treasurer.
14. The AGV State Treasurer shall not conduct or authorise any transactions on party body bank accounts unless a written request to do so has been received from two party body office bearers or the party body has been declared non-compliant with their financial obligations as defined in sections [30 to 33](#).

## **Income**

15. All income received shall be deposited either to petty cash or to a bank account before any costs or other outgoings are paid from the income.
16. A receipt shall be issued for each income amount of \$50 or more received from a single source.
17. An official tax receipt book issued by the AGV state office shall be used for all receipts issued.

## **Expenditure**

18. No financial commitments shall be made unless the funds to cover the commitment are already available in the accounts of the party body.
19. All expenditure decisions shall be made at a quorate meeting of the party body and documented in the meeting minutes. An expenditure decision may delegate the spending, up to an approved amount, to a nominated individual or committee.
20. If a party body has a defined Quick Decision Making Group and process, this may be used to approve urgent expenditure.
21. An official tax invoice/receipt should be received and kept for all payments made.
22. An AGV expenditure claim form should be submitted by any party member wishing to claim reimbursement for money spent on party activities.

## **GST**

23. Party bodies shall pay via the AGV state office, on a quarterly basis unless otherwise specified by the State Treasurer, GST on all income they receive that is liable for GST. Donations and bank interest are GST exempt.
24. Party bodies shall be refunded via the AGV state office, on a quarterly basis unless otherwise specified by the State Treasurer, GST on any payments they make for which the party can claim a refund from the ATO.

## **Reporting**

25. Party bodies shall report all financial transactions to the AGV Finance Officer on a quarterly basis.
26. Quarterly reports shall be provided by due dates as specified by the AGV State Treasurer.
27. Quarterly reports shall include:
  - a) record of all financial transactions made during the quarter;
  - b) record of all donations received during the quarter;
  - c) all bank account statements for the quarter;
  - d) all invoices/receipts received for expenditure made during the quarter;
  - e) all expenditure claim forms for which expenditure was reimbursed during the quarter;
  - f) any other relevant financial documents.

28. Quarterly records of financial transactions and donations shall be in a format as specified by the AGV State Treasurer.
29. All complete or partially complete cheque books, deposit books and receipt books shall be made available on request to the AGV Finance Officer with the final quarterly report for the financial year.

## **Non-compliance**

30. Party bodies that are not in compliance with AGV financial requirements as detailed in the AGV Constitution, AGV Bylaws and the “Victorian Treasurer’s Handbook for Party Bodies” may be issued with a notice of non-compliance by the AGV State Treasurer.
31. The notice of non-compliance shall be sent to all party body office bearers as registered with the AGV state office.
32. The notice of non-compliance shall specify the areas of non-compliance and state that these matters are to be rectified within 30 days from the notice date.
33. If the non-compliance is not rectified by the specified date, the AGV State Executive may authorise the AGV State Treasurer to take over the financial operations of the party body.



# 11 Procedures for Urgent Withdrawal of Party Endorsement of a Candidate for Public Office

## Modification History

Action	Body	Date
Approved	State Executive	2010-03-11
Updated	State Council	2010-04-17

1. Any endorsed candidate for public office may be removed as a candidate under these procedures. In this bylaw, the "ERC" shall mean the Endorsement Review Committee constituted under this bylaw.
2. These procedures cease at any stage should the relevant candidate withdraw as a candidate.
3. These procedures must be initiated by a notice, which may be in writing or by telephone, from a public office-holder (including the Parliamentary Leader of the Australian Greens), or a member of State Council, to the State Convenor or Secretary or the convenor of the State-wide campaign committee, which notice need only state the name of the candidate proposed for de-selection, but may include any other relevant matter.
4. If possible, the State Convenor, the Secretary and the convenor of the State-wide campaign committee shall confer. If any of them thinks the matter should proceed, they shall forthwith:
  - a) advise the candidate;
  - b) convene the ERC; and
  - c) advise any relevant Regional Convenor.
5. The ERC shall be convened at a time having regard to the desirability of allowing sufficient time for the candidate to respond, but also to any urgency having regard to the political circumstances, but in any case shall not be convened until at least 8 hours (excluding midnight to 6am) after a written notice has been sent to the candidate setting out the reasons why it is considered necessary that he or she might need to be disendorsed, advising the time and place of the ERC meeting (and any phone number by which its meeting may be attended). The candidate should have the opportunity to address the ERC, and every attempt shall be made to contact the candidate to ensure that the notice has been received. Copies of the notice shall be sent to the relevant Regional Convenor and, in the case of a Federal candidate, to the Parliamentary Leader of the Australian Greens. The ERC shall consist of:
  - a) the Convenor or nominee, or where the Convenor is absent or fails to nominate, the Secretary or nominee;
  - b) the convenor of the State-wide campaign committee or nominee, or where the convenor of the State-wide campaign committee is absent or fails to nominate, the secretary of the State-wide campaign committee;
  - c) a person elected (or agreed by consensus) by and from those members of State Council present at a meeting of State Council who are or have been a candidate for public office during the previous 5 years. However, the person elected shall not at the time of the ERC meeting be a current candidate or public office-holder. (An election for this position shall be held in every second year or whenever necessary. However, the person elected shall in any case hold office until replaced.) If that person is unwilling, absent or disqualified, he or she shall be replaced on the ERC by a person of at least 10 years membership who has been more than once a candidate for public office, nominated by the Convenor or Secretary.
6. The ERC shall determine its own procedures having regard to the circumstances and urgency of the matter. All proceedings before the ERC are confidential. The ERC shall have access to all relevant probity documents and candidate agreements, and may interview any person involved in any probity



- check. In the case of a Federal candidate, the Parliamentary Leader of the Australian Greens shall have the right to confer with the ERC, and in any case, the ERC shall have regard to her or his advice, which may be given in confidence.
7. The terms of reference of the ERC shall be to determine whether, in all the circumstances there are clear and compelling reasons why it is in the interests of the Party to cancel a candidate's endorsement, and if the ERC so determines, it shall cancel the candidate's endorsement.
  8. Proceedings before the ERC are not disciplinary or penalty proceedings. Therefore,
    - a) it is not necessary that any allegation or suggestion in relation to any conduct by the candidate be proven for the ERC to make any decision;
    - b) where an issue involves an allegation or suggestion related to any past or present conduct by the candidate, the ERC has no brief to make any adverse determinative findings of fact against the candidate in respect of that alleged or suggested conduct. (This does not prevent any subsequent disciplinary proceedings against a candidate or former candidate in accordance with other relevant party procedures.);
    - c) where a decision to cancel the candidate's endorsement occurs in circumstance where the candidate denies any allegation or suggestions in relation to his or her conduct, any public statement by the Party shall acknowledge this denial.
  9. The ERC may authorise the making of a statement on behalf of the AGV following its decision. Where appropriate, an attempt shall be made to reach agreement with the candidate or former candidate about the terms of that statement.
  10. A decision of the ERC to cancel a candidate's pre-selection must be by consensus, but is final, provided that the ERC may refer the matter to the State Executive for a final decision if it is not certain, and shall do so if it cannot reach consensus. In this case, an Executive meeting shall be called forthwith to determine the matter. The members of the ERC and the Parliamentary Leader of the Australian Greens shall as far as practicable, be in attendance, but otherwise the meeting shall be closed, unless the Executive decides that others may attend.

## **12 In-camera Sessions in State Council and State Executive Meetings**

### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Proposed	State Executive	2010-03-11
Approved	State Council	2010-04-17

1. In camera sessions should be avoided. Meetings should only go in camera when absolutely necessary.
2. If a meeting goes in camera, this shall be recorded in the minutes along with the general reason the meeting went in camera and the number of decisions made in camera. The general reason the meeting went in camera should be identified to the level of 'Staff Issue', 'Member Dispute', 'Campaign Strategy', 'Legal Issue', or similar.
3. Any decisions made in camera shall be recorded in a separate set of in camera meeting minutes.
4. In camera minutes of State Executive meetings shall not be available for viewing by anyone except the members of State Executive and such other persons it authorises. State Council may decide to open in camera State Executive minutes for viewing by State Councillors at a State Council meeting, or by such members of State Council or the Disputes Committee, as it determines.
5. Any decisions made in camera shall be reported to State Council for ratification in accordance with the Constitution. However, State Executive may determine that this reporting shall occur at the next meeting of State Council, in writing or otherwise, rather than being included in the circulated minutes. However, the fact that such a report shall be given shall be included in the agenda of the relevant State Council meeting.
6. It is recognised that in some circumstances the decision of State Executive may not itself be fully informative as to what has been decided. (For example, 'That in relation to the defamation action against the AGV, the course of action proposed by the Treasurer and the Secretary be approved.') Where this is the case, the in camera minutes must include sufficient information and documents to ensure it is clear what has been decided.

## **13 Filling of Regional Branch Representative Casual Vacancies on the State Council**

### **Modification History**

<b>Action</b>	<b>Body</b>	<b>Date</b>
Approved	State Conference	2014-09-06

### **Scope**

1. This by-law is made under clause 40.7 of the Constitution.
2. Where a casual vacancy occurs for a Branch Representative State Councillor elected under clause 40.2 (b) of the Constitution, i.e. elected from a Legislative Council region, the vacancy will be filled in accordance with this bylaw.

### **Process to Fill the Vacancy**

3. If there is more than one vacancy, vacancies will be filled one at a time in accordance with the below.
4. The State Director will appoint two disinterested persons to determine which Branch in the Legislative Council region in question is the 'most underrepresented' by Branch Representatives.
5. In determining which Branch is 'most underrepresented', the two disinterested persons will be given access to a current database of members and will apply the following formula:
  - a) For each Branch assigned to the Legislative Council region in question which has 15 or more members, a figure will be determined which is the number of members in that Branch divided by the number of currently serving Branch Representatives (both Branch-elected and regionally-elected under clauses 40.2 (a) and (b) of the Constitution respectively) registered as members of that Branch;
  - b) The Branch with the highest figure will be determined to be the 'most underrepresented';
6. The Branch identified above will be notified by the State Director and may then appoint a Branch Representative to fill the casual vacancy.

## 14 AGV Hall of Fame - Member Recognition Awards

### Modification History

Action	Body	Date
Approved	State Executive	2012-06-28
Amended	State Executive	2013-05-16

### Criteria

1. The AGV may grant a Member Recognition Award to up to two people per year, for an outstanding contribution to the Greens, one which:
  - a) Involves substantial and selfless personal input;
  - b) Has been made over a significant period of time, at least ten years;
  - c) Has resulted in significant benefit to the Greens;
  - d) Is documented and evident, and
  - e) Stands out beyond expectations and beyond the contributions of others.

### Procedure

2. Any member can nominate a person for the award by sending to the Secretary a nomination in writing, outlining the nominee's contribution in accordance with the criteria, including two to five references and other relevant material:
  - a) Nominations close 8 weeks prior to State Conference;
  - b) Nominations are to be kept confidential until acceptance of the award;
  - c) The Executive will consider and determine any nominations;
  - d) If approved, the Executive will contact the nominee to confirm that they accept the award;
  - e) If accepted, the Executive will arrange an appropriate certificate, presentation and acknowledgment to be made at the next Annual State Conference;
  - f) Any award may be noted as Membership of the AGV Hall of Fame in relevant publications.

## 15 Membership

### Modification History

Action	Body	Date
Approved	State Executive	2010-06-10
Amended	State Council	2012-06-23
Amended	State Council	2014-03-15

### Scope

1. This bylaw adds to the rules of the party in relation to membership and must be read in conjunction with relevant sections of chapters 2, 3.1 and 3.2 of the AGV Constitution

### Joining the AGV

2. In addition to the rules for processing applications for membership in section 7 of the Constitution, if an elected person applies for AGV membership, and as consequence for endorsement for the public office they hold (per clause 56.15 of the Constitution), a probity process will be established to properly consider the application prior to its consideration by State Council
3. A member's 'joining date' is the first day of the month in which her or his membership application is approved and her or his membership term starts from the joining date.
4. Each member must ensure that she or he advises the AGV of any changes to residential, mailing or email address.

### Membership fees

5. The annual amount of membership fees payable will be based on the gross annual income of the applicant or renewing member as follows:  
\$30.00 Concession  
\$60.00 Low Income (up to \$30,000 p.a.)  
\$90.00 Medium Income (\$30,000 to \$45,000p.a.)  
\$135.00 High Income (above \$45,000 p.a.)
6. Members may make arrangements to pay membership fees in instalments.
7. A member facing financial hardship may apply to State Executive for a reduction in her or his membership fees and State Executive may approve such a reduction of up to half the otherwise payable amount for a nominated period of not more than two years.

### Membership renewal

8. Each member will be sent a Renewal Notice not more than 40 days before her or his membership is due for renewal.
9. If a member's membership fees have not been paid within 60 days from the date the Renewal Notice was sent, that person ceases to be a member of the AGV.

## 16 Travel and Reimbursement

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Council	2015-03-28

### General Expenditure and Reimbursement.

1. Members and supporters are entitled to be fully reimbursed for any authorised expenditure made in the course of their duties for the Party where:
  - a) such expenditure has been budgeted for
  - b) such expenditure has been authorised.
2. Expenditure can only be authorised by:
  - a) Bodies properly constituted by or under the Constitution of the Australian Greens – Victoria “with an agreed budget of their own.
  - b) The Most Senior Staff Member.
  - c) The state-wide Campaign Manager (where appointed) for campaign related expenditure.
3. Expenditure to be reimbursed must appear in the budget for the authorising body.
4. All expenditure to be reimbursed must be minuted in the minutes of the authorising body except where such expenditure is authorised by the Most Senior Staff Member in line with his/her delegated limits.
5. Minutes used to support or authorise expenditure should include:
  - a) the decision to authorise the expenditure
  - b) the decision to make the reimbursement, when it occurs,
  - c) attached copies of supporting documentation and
  - d) such other information as the AGV’s Most Senior Staff Member may reasonably require.
6. Reimbursement of expenditure can only occur where the relevant supporting documentation is provided.
7. Relevant supporting documentation includes, but is not limited to: invoices, receipts, tickets, vehicle logs, signed and witnessed Statutory Declarations.
8. Liability for reimbursement will not extend beyond the body that authorised the expenditure except at the discretion of the AGV Treasurer.
9. Reimbursement for authorised expenses will be made within 30 days of the supporting documentation being presented to the relevant Party body where all the conditions above have been met. Any claim for reimbursement must be made within three months from the date of the expenditure.
10. Where expenditure is election-related, special rules, as established by the AGV’s Most Senior Staff Member, may apply. These rules may define or restrict what expenditure can be claimed, what documents are required to support such a claim and what processes are appropriate to authorise the expenditure (for example, purchase orders needing to be raised).
11. A member may only claim reimbursement up to the amount of actual expenses incurred as evidenced by the documentation.

## Claimable Expenses

12. An authorised event, for the purposes of reimbursement of expenses, will include any event an AGV member is required to attend as a nominated attendee, delegate, committee member or representative of the AGV. For the avoidance of doubt the following will automatically be authorised events:
  - a) meetings of the State Executive
  - b) meetings of the Standing Committees of State Council
  - c) meetings of the Constitutional Review Panel
  - d) meetings of the Audit and Finance Committee
  - e) meetings of State Council and State Conference;
  - f) meetings of National Council and National Conference; and
  - g) the Global Greens Congress,
13. Where a member attends any one of these events as an observer, rather than a nominated attendee, delegate or representative of the AGV, there is no entitlement for reimbursement of expenses.
14. Where the authorising and reimbursing body is the AGV, other events may be classified as authorised events at the discretion of the Most Senior Staff Member of the AGV.
15. Members are not entitled to claim accommodation expenses for meetings that take place within the State of Victoria unless the member must travel more than 100kms from their usual home address to attend an authorised event.
16. The reimbursement available for eligible persons for authorised events within the State of Victoria will be limited to the amount specified in the Reimbursement Schedule per person except where a higher amount of authorised expenditure has been provided for in the budget of the relevant party body.
17. For an authorised event:
  - a) Only those required to be in attendance will qualify for reimbursement. I.E. State Council members, State Office Bearers, the Representatives of Members Elected to Public Office, committee members, persons attending at the request of the AGV and persons attending to present to the meeting in question.
  - b) Only the cost of travel to and from the venue of the meeting will be eligible for reimbursement and this may include; airfares, public transport, taxis or the use of a private vehicle (which will be reimbursed based the maximum standard rate per kilometre as defined by the ATO).
  - c) For those eligible to have their transport costs reimbursed and where a ticket/receipt for transport cannot be produced, reimbursement will be made in line with current transport rates.
  - d) The AGV encourages the use of billeting where it is available however members who, for whatever reason, are required to attend events on behalf of the AGV and choose to make use of hotels or other similar facilities, are entitled to reimbursement up to the amount specified in the Reimbursement Schedule. Only the night before the meeting or the night following the meeting will be claimable unless determined otherwise by the Most Senior Staff Member of the AGV.
  - e) Members are entitled to claim childcare expenses for the period of the event (including the night either before or after in line with 17(d)) and the time taken to travel to and from the event. The rate of reimbursement for childcare is specified in the Reimbursement Schedule.
18. Where members agree to allow the AGV State Office to organise the travel and accommodation to an interstate or international authorised event, the following expenses will be eligible for **full** reimbursement:
  - a) Transfers (travel to and from airports, stations, meeting venues and other related facilities)
  - b) Long distance travel by air, road, rail or sea.
  - c) Accommodation for the period of the event.



- d) Food to the value of the amount specified in the Reimbursement Schedule per person per day.
  - e) Childcare at the rate specified in the Reimbursement Schedule
19. With regard to clause 18, the AGV undertakes to consult with any person travelling on behalf of the AGV to an authorised event about times, methods of transportation and accommodation with the understanding that the AGV's Most Senior Staff Member will make the final decision on what is acceptable.
20. The Reimbursement Schedule below may be altered from time to time as is considered appropriate by the Finance, Administration and Infrastructure Committee.

## **Reimbursement Schedule**

- Clause 16: \$150 per person.  
(maximum amount reimbursable for events within Victoria)
- Clause 17 (b): up to \$250 per person for airfares per event for interstate events and up to \$750 for airfares for international events.  
(maximum amount reimbursable for long distance travel)
- Clause 17 (d): \$120 per room per night.  
(overnight accommodation reimbursement)
- Clause 17 (e): \$20 per hour.  
& 18 (e) (childcare reimbursement rate)
- Clause 18 (d): \$75 per person per day.  
(daily food allowance)

## 17 Standing Orders

### Modification History

Action	Body	Date
Approved	State Council	2011-02-26
Amended	State Council	2011-12-10
Amended	State Council	2012-06-23

Note: excerpts or descriptions of the State Constitution are shaded in grey and are for reference only; such references do not themselves constitute Standing Orders.

### Purpose

1. The Standing Orders, along with the State Constitution, are the principal source of procedural authority for meetings of State Council. All meetings of State Council are to be conducted within the framework provided by these Standing Orders. Adherence to these Standing Orders is required for the proper conduct of State Council meetings.

### Application

2. These Standing Orders are rules of State Council made by State Council. They are of continuing effect and apply until changed by State Council.
3. Amendments to Standing Orders will be in the form of Proposals, not procedural questions (see [Standing Orders: Proposals](#)).
  - a) Subject to the Constitution, any of these Standing Orders may be suspended in respect of any particular matter, either:
    - b) by the facilitator if there is no dissent; or
    - c) by a procedural question (see [Standing Order 42g](#)).
4. The facilitator is responsible for ruling whenever any question arises as to the interpretation or application of a Standing Order and for deciding cases not otherwise provided for. The facilitator will generally be lenient when making rulings that have implications on new State Councillors.

### Quorum

36.5 A quorum for a State Council meeting will be the next integer greater than one third the number of voting members of the State Council for the time being.

5. No decision of State Council is valid unless the facilitator has declared that the meeting is quorate.
6. The facilitator will determine whether State Council is quorate at the beginning of every meeting.
7. State Council is deemed to be inquorate until such time as the facilitator declares quorum. State Council is then deemed to be quorate until the meeting is closed by the facilitator, notwithstanding Standing Order 8.
8. When any State Councillor draws the attention of the facilitator to a possible lack of quorum at any time during a meeting, the facilitator will count State Councillors present to determine whether or not the meeting is still quorate.

## Agenda

The agenda is set by the State Secretary in line with the State Constitution and by-laws.

9. The agenda will specify the order and substance of matters for reporting or for debate.
10. The agenda will include the full text of any and all Proposals.
11. The agenda will include the words “For report only” at agenda items where it is proposed that no discussion be entered into.
12. The agenda will specify that the beginning of each meeting will, before any substantive matters are discussed, include:
  - a) an acknowledgement of traditional landowners;
  - b) a determination by the facilitator of whether or not the meeting is quorate (see Standing Orders: Quorum);
  - c) a report of State Councillors absent with apologies; and
  - d) the Proposal “that the proposed agenda and facilitators be agreed to”. To this Proposal, State Councillors may propose amendments to:
    - i. select different facilitators for any particular agenda item;
    - ii. add agenda items;
    - iii. add or delete the words “For report only” as appropriate to any part of the agenda; or
    - iv. propose a variation to the time allocation;
  - e) a moment where the facilitator will ask State Councillors present to declare any conflict they may have or be perceived to have in relation to any scheduled agenda item.

## Discussion

13. The facilitator will allow discussion at any point in the agenda where the words “For report only” do not appear, notwithstanding Standing Order 14.
14. The facilitator will close discussion when the time allotted for the agenda item has expired. An extension of time will only be permitted if a procedural question is agreed to (see [Standing Order 42-j](#)).
15. The facilitator will close discussion if State Councillors are seeking to discuss matters at a point where the words “For report only” appear in the agenda. An agreement to open discussion will only be permitted if a procedural question is agreed to (see [Standing Order 42-k](#)).

## Conduct

### Right of speech

16. The facilitator will have the right to speak at any time.
17. A State Councillor wishing to speak must raise their hand and be recognised by the facilitator before speaking.
18. State Councillors should refrain from seeking recognition to speak during times that the facilitator has not opened discussion unless there is good reason to do so.
19. If two or more State Councillors seek recognition to speak, the facilitator will keep a list and recognise State Councillors in the order in which recognition was sought. The facilitator will be flexible with the order of recognition of speakers (for example, in the interests of affirmative action).
20. State Councillors may not be interrupted by any other State Councillor, with the exception of the facilitator, unless:

- a) raising a point of order ([Standing Order 25](#));
- b) raising a procedural question ([Standing Order 37](#)); or
- c) drawing the attention of the facilitator to a possible lack of quorum ([Standing Order 8](#)).

## **Order**

21. State Councillors will at all times during meetings adhere to the Meeting Code of Conduct bylaw.
22. State Councillors will respect the authority of the facilitator to facilitate debates and maintain order.
23. State Councillors will be seated during meetings.
24. State Councillors will adhere to requests from the facilitator for silence at any point during the meeting.

## **Point of order**

25. A point of order may be raised with the facilitator by any State Councillor at any time if the State Councillor believes the standing orders are being breached. After the point of order has been raised with the facilitator, debate on all other matters will be suspended until the facilitator has addressed the matter.
26. If the facilitator deems the frequency or substance of points of order from any one State Councillor to be deliberately vexatious, that State Councillor must abide by any request of the facilitator to cease raising points of order for a period of time stated by the facilitator.

## **Suspension of State Councillor**

27. A decision to require a State Councillor to leave the meeting room for any period of time will be treated as a procedural question ([Standing Order 42-n](#)). The facilitator will not require any State Councillor to leave the meeting room without such agreement of State Council.

## **Decision-making Process**

28. Every proposed decision of State Council will:
  - a) begin with the word “that”;
  - b) be recorded in the minutes; and
  - c) have the outcome of the question recorded in the minutes in line with the constitution.
29. For the purposes of the Standing Orders, all proposed decisions before State Council will be classified in one of two ways:
  - a) Proposals (i.e. proposals relating to substantive matters – see below); or as
  - b) procedural questions (i.e. proposals relating to procedure – see below).

## **Proposals**

30. Proposals are important questions of substance (not procedure) to which the principles of consensus decision-making will be fully applied.
31. Proposals will only be considered if:
  - a) they appear in the agenda; or
  - b) a procedural question to allow consideration is agreed to ([Standing Order 42-i](#)); or
  - c) a workshop held earlier during the meeting has constructed a Proposal that is directly relevant to the agenda item.
32. Proposals will be written and numbered before being considered. Numbering of Proposals begins at 1 at the beginning of each new agenda item.

33. Amendments to Proposals:
- a) will, if longer than ten words, be written;
  - b) will be determined by consensus or, if required, by straw poll (50% +1 required to carry);
  - c) if an amendment is accepted, the original Proposal as amended, becomes the substantive Proposal, otherwise the original Proposal stands;
  - d) amendments to amendments (other than grammatical improvements) will not be permitted
  - e) concurrent consideration of two or more amendments will not be permitted;
  - f) further amendments, if any, will be dealt with sequentially as above. When all amendments raised have been determined, the substantive Proposal (as amended or not) is put for determination by the meeting according to normal decision making procedures.
34. Proposals with budgetary implications must indicate where changes to income and/or expenditure would need to be made in order to balance the current budget.
35. Proposals will be minuted consistently as follows:
- a) If a Proposal is dealt with in the usual way:
    - i. *PROPOSAL [number]: that [text of proposal in full].*
    - ii. *PROPOSAL [number] [not] agreed to.*
  - b) If a Proposal lapses (see [Standing Order 42-e](#)):
    - i. *PROPOSAL [number]: that [text of proposal in full].*
    - ii. *A procedural question, "that the proposal lapse", was agreed to.*
    - iii. *PROPOSAL [number] lapsed.*
  - c) If a Proposal is deferred ([Standing Orders 42-b](#) and [42-c](#)):
    - i. *PROPOSAL [number]: that [text of proposal in full].*
    - ii. *A procedural question, "that the Proposal be considered at [a later time this day / the next meeting]", was agreed to.*
    - iii. *PROPOSAL [number] deferred.*
  - d) If a Proposal is put to a vote as required by a procedural question being agreed to ([Standing Order 42-g](#)):
    - i. *PROPOSAL [number]: that [text of proposal in full].*
    - ii. *PROPOSAL [number] not agreed to.*
    - iii. *A procedural question "that the proposal be put to a vote" was agreed to.*
    - iv. *PROPOSAL [number] was put to a vote and was [not] agreed to ([number] Ayes; [number] Noes; [number] Abstentions).*

47.6 A substantive motion carried by vote, unless provided for elsewhere in the State Constitution, requires at least a 75 per cent majority of votes cast. Abstentions may be recorded but will not count as a vote, either for or against

## **Procedural questions**

36. Procedural questions are administrative in nature and must be dealt with immediately without discussion once raised.
37. Procedural questions may be raised by any State Councillor at any time.
38. In addition to the provisions of [Standing Order 42-p](#), if the facilitator deems the frequency or substance of procedural questions from any one State Councillor to be deliberately vexatious, that State Councillor

must abide by any request of the facilitator to cease raising procedural questions for a period of time stated by the facilitator.

39. Procedural questions will take precedence over Proposals.
40. Procedural questions will be stated verbally when put to State Council for decision.
41. Once a procedural question is raised by a State Councillor, the facilitator must immediately deal with the procedural question in the following manner:
  - a) the facilitator will, as soon as the procedural question has been asked, ask State Councillors if there is any dissent to the procedural question being agreed to;
  - b) if there is no dissent, the procedural question is agreed to;
  - c) or, if there is dissent, the facilitator must immediately, without allowing discussion on the matter, ask for a show of hands of State Councillors. A simple majority of State Councillors present is required for the procedural question to be agreed to, with the exception of the procedural questions at [42g](#) and [42q](#), which require a 75% super majority for the procedural question to be agreed to.
42. Procedural questions will only take the form of one of the following seventeen phrases or of those referred to in [Schedule A of these Standing Orders](#):
  - a) “that time for discussion on the Proposal now expire”
    - i. The effect of this procedural question being agreed is to require the facilitator to immediately test for consensus on the Proposal, that is, to end any discussion immediately.
    - ii. It should not be used in an attempt to silence dissent, and generally should only be used if the time allotted to debate is nearing its end.
  - b) “that the Proposal be considered at a later time this day”
    - i. The effect of this procedural question being agreed is to require the State Secretary to schedule time later in the day for further consideration of the Proposal at hand.
  - c) “that the Proposal be considered at the next meeting”
    - i. The effect of this procedural question being agreed is to require the State Secretary to include the Proposal, in its exact form, on the agenda for the next State Council meeting.
  - d) “that the matter be considered at the next meeting”
    - i. The effect of this procedural question being agreed is to require the State Secretary to schedule time on the agenda for the next State Council meeting for debate on the substantive matter at hand, but allows flexibility for the redrafting of any Proposals.
  - e) “that the Proposal lapse”
    - i. The effect of this procedural question being agreed is to defeat, rather than defer, a Proposal, without first testing for consensus. It should only be put if it has become apparent that a decision on the matter is not required.
  - f) “that Proposal [number] be now considered”
    - i. The effect of this procedural question being agreed is to consider a Proposal in a different order to that stated on the agenda.
  - g) “that the Proposal be put to a vote”
    - i. The effect of this procedural question being agreed is to put the Proposal at hand to a vote, for the reasons stated in the State Constitution; that is, that “if, after a reasonable period of time, disagreement persists and a decision cannot be deferred, the question will be resolved by vote.”



47.4: Except where this State Constitution requires a decision to be made by consensus only, if, after a reasonable period of time, disagreement persists and a decision cannot be deferred, the question will be resolved by vote. A procedural question to this effect will be deemed to have been carried if it is supported by at least a 75 per cent majority.

- h) “that the names and votes of State Councillors voting under [Standing Order 42-g](#) be recorded”
  - i. The effect of this procedural question being agreed is for the names of those State Councillors voting for, against, or abstaining from the previous Proposal, to be recorded in the minutes.
  - ii. The procedural question must be put within five minutes of the facilitator declaring the outcome of the Proposal in question.
  - iii. In the event that the list of names by vote type contradicts the total recorded in the minutes, the totals will be amended to reflect the list.
- i) “that a Proposal regarding [very short description of substance of proposal] be considered”
  - i. The effect of this procedural question being agreed is for State Council to consider a Proposal that did not appear on the agenda.
- j) “that consideration of this agenda item be extended for [number] minutes”
  - i. The effect of this procedural question being agreed is to extend time for discussion beyond the time allowed for in the agenda.
- k) “that the words ‘For report only’ be removed from the agenda”
  - i. The effect of this procedural question being agreed is to open discussion at a time when the agenda does not allow for open discussion (see Standing Orders: Discussion).
  - ii. In all but the most important of cases, State Councillors should only seek to have the words “For report only” removed from parts of the agenda under the provisions of [Standing Order 12-d](#).
- l) “that the ruling of the facilitator be overturned”
  - i. The effect of this procedural question being agreed is to overturn the facilitator’s most recent ruling on a procedural matter.
  - ii. It must only be raised in the most serious of cases.
- m) “that the facilitator step down”
  - i. The effect of this procedural question being agreed is to require the facilitator to step down, and for the State Convenor to choose another facilitator (see [Standing Order 48](#)).
  - ii. It must only be raised in the most serious of cases.
- n) “that [Name] leave the meeting room for [number] minutes”
  - i. The effect of this procedural question being agreed is to suspend a State Councillor from the meeting room for a set period of time.
  - ii. It must only be raised in the most serious of cases.
- o) “that [Name] cease raising procedural questions”
  - i. The effect of this procedural question being agreed is to disallow any one State Councillor from raising procedural questions for the rest of the meeting.
  - ii. It must only be raised in the most serious of cases.
- p) “that [Name/s] not consider Proposal [number] due to perceived conflict”
  - i. The effect of this procedural question being agreed is to disallow any State Councillor/s from blocking consensus on, or voting on, any specific Proposal.
  - ii. It must only be raised in the most serious of cases.



- q) “that the standing orders be suspended for [number] minutes to allow for [details of matter]”
  - i. The effect of this procedural question being agreed is to suspend the standing orders for a determined amount of time.
- 43. Procedural questions will be minuted consistently as follows:
  - a) A procedural question, “that [text of question]”, was [not] agreed to.
- 44. Unlike for the recording of the outcomes of Proposals, if procedural questions are put to a vote by show of hands under [Standing Order 41-c](#), votes, including abstentions, are not recorded in the minutes.

## Facilitator

- 45. Minimal discussion on substantive matters will be entered into by the meeting facilitator.
- 46. The facilitator will be the State Convenor, or appointee of the State Convenor.
- 47. The name of the facilitator for any and all parts of any State Council meeting will appear in the agenda.
- 48. State Council may change the choice of facilitator by:
  - a) using the opportunity at the beginning of any meeting in accordance with [Standing Order 12-d](#) to change the facilitator; or
  - b) requiring the facilitator to stand down at any time in accordance with [Standing Order 42-m](#), at which point the State Convenor will appoint a new facilitator.

## Schedule A to the Standing Orders

How State Council deals with Recommendations and Decisions of Standing Committees, and the organization of Items for Discussion.

## Definitions

- 1. In this Schedule, Decisions and Recommendations of Standing Committees are deemed to be “On Notice” or “Urgent”.
  - a) For a Decision or Recommendation to be on notice, it must have been drawn to the attention of State Councillors 7 clear days prior to State Council.

## Items listed for Approval or Formal Decision

- 2. The Executive or the State Secretary may in framing the Agenda for State Council, list a matter for “Discussion” or for “Formal Decision or Approval”.

## Decisions of Standing Committees

- 3. All Decisions made by Standing Committees which are “on notice” shall not unless listed be the subject of any consideration by State Council unless formal objection is received from either:
  - a) Three members of state council (extending beyond the membership of one Branch ) given in writing to the State Secretary and to the Convenor of the relevant Standing Committee at least 2 clear days prior to the meeting (e.g. Wednesday for a Saturday meeting), or
  - b) Ten members of state council given in writing to the State Secretary and to the Convenor of the relevant Standing Committee, if present, (and in any case the facilitator of the meeting) within 30 minutes of the commencement of the meeting;

and stating the Decision to which objection is taken and briefly stating the grounds of objection. State Councillors must not object pro forma. The giving of this notice shall permit a procedural proposal to be put as follows by “That State Council considers proposals for the disallowance or amendment of the [identified] Decision of the [named] Standing Committee”. After allowing not less than one speaker in

favour of the procedural proposal, it shall be put to a vote, and if carried, the Agenda of that meeting will be altered accordingly.

4. Where a decision of a Standing Committee has been omitted or abridged in part or whole, for reasons of confidentiality, any State Councillor may request that the full decision be made available to him or her, and then may move in respect of that Decision "That State Council considers proposals for the disallowance or amendment of the [identified] Decision of the [named] Standing Committee".
5. Any Decisions of any Standing Committee which have been made but are not "on notice" must (unless confidential – see 4 above) either be read out to the State Council meeting or distributed early in the meeting in written form. In these circumstances the procedural resolution described above may be moved by any State Councillor during the meeting. (Note- this is a reason why as a general proposition Standing Committee meetings should be held at least 10 days before state council.)

## **Recommendations of Standing Committees**

6. Those recommendations of standing committees which are on notice and which are listed "For Discussion" shall be included as normal agenda items.
7. All the recommendations of standing committees which are on notice and which are listed "For Formal Approval" shall be put to State Council as a single proposal in the following form, for which consensus shall be tested: "That all recommendations on notice of Standing Committees not listed for discussion, and listed only for formal approval, be approved". This proposal, unless State council otherwise decides, shall be put to the meeting after at least one hour of the meeting has elapsed. The exception to this shall be where 3 State Councillors (not all being from one Branch) have requested in writing to the Secretary (with a copy to the Convenor of the relevant Standing Committee) at least 3 clear days prior to State Council that a particular recommendation be considered separately.
8. If consensus is not reached on the proposal described in 7 above ("That all recommendations on notice of Standing Committees not listed for discussion, and listed only for formal approval, be approved") discussion will be adjourned forthwith, after the facilitator has determined which state councillors object to which recommendation(s), and the testing for consensus on the remaining Recommendations to which no objection is taken. It shall then be the responsibility of the State Secretary or Assistant State Secretary, the State Councillors and the Convenors (or if absent other members) of the relevant Standing Committee to discuss in respect of each objection:
  - a) Whether there is an amendment which does not alter the character of the proposal but which can meet the objection, and that consensus be sought on that revised version of the recommendation, and if consensus is not reached, whether it should be dealt with under b. or c. below.; or
  - b) Whether it should be referred back to the Standing Committee for further consideration;
  - c) Whether the item needs to be listed for discussion, and if so at the present meeting or at a later meeting.

It is the responsibility of the State Secretary or Assistant Secretary (as the case may be) to bring back to the meeting a procedural proposal for a course of action in respect of each Recommendation, consistent with a) to c) above.

Recommendations which do not meet the definition of on notice (7 clear days) must either be listed for discussion, or deferred to the next meeting.

## **Items for Discussion**

9. As far as reasonably practicable items listed for Discussion should be dealt with as follows should fall into two categories:

a) Those listed for short discussion:

Generally these items should be very limited in number, and limited to 10 minutes duration and should either be uncontroversial (e.g. a motion of thanks, which it would be inappropriate to put through without consideration) or necessary (e.g. because the information on which a recommendation could be based could only be available at the last minute, such as legal advice or a cost-quote, but where the matter was otherwise uncontroversial).

b) Items listed for full discussion:

There should generally be no more than 3 or 4 of these. These should be given a minimum of one hour each on the Agenda, or a workshop plus at least half an hour.

Items listed for major discussion should as far as practicable be advised to Branches and Regions (and all State Councillors) at least 33 Days prior to State Council, with an email to the Branches and regions to advise the name of the Agenda Item and the issue which is to be discussed, and as far as practicable, a brief summary of the history of the matter and the contending views. Only in unusual circumstances should a matter be listed for major discussion where there were no serious and contending views. As far as practicable, where there are contending views, any proposals which those holding those contending views would like to see adopted, should be circulated well in advance, and links to relevant articles etc., should be made available.

(Note: A feature which will often distinguish major discussion items is that State Councillors will come with an issue to be resolve, not a proposal to be discussed. However, for some types of major discussion items – those which are particularly complex such as budgets – a proposal should form the basis for discussion. On the other hand, some major discussion items will be productive and successful notwithstanding that no decision is ultimately made at the meeting.)

It is the particular responsibility of State Councillors representing Branches to report before the meeting on what the issues are which are listed for major discussion, and on the outcomes of these discussions.

## **Executive recommendations**

10. For the purposes of this Schedule, recommendations from the State Executive are to be treated in the same manner as recommendations from a Standing Committee. [Note: This is by way of distinction from Decisions of the Executive, which require ratification.]

## **Urgency**

11. The inclusion on the Agenda of a matter during the meeting requires the leave of the meeting (consensus) or a procedural motion being carried that the matter is urgent. For such a motion to be carried, it must be supported by a number of state councillors equal to half of all the State Councillors who have attended on that day, or two-thirds of those present and voting (for or against).

# 18 Sexual Harassment Policy

## Modification History

Action	Body	Date
Approved	State Executive	2011-08-11

## Statement and Application of Policy.

1. Sexual harassment is unlawful.
2. The Australian Greens Victoria (AGV) does not tolerate sexual harassment in any form.
3. All AGV members have a responsibility to ensure that sexual harassment does not occur.
4. This policy applies to and covers every AGV member.
5. Reports of sexual harassment will be treated promptly, seriously and confidentially.
6. Complainants have the right to determine how a complaint will be treated. They also have the right to have a supporter or representative chosen by them involved in the process and the option to stop the process at any time.
7. The alleged harasser also has the right to have a supporter or representative chosen by them present when they respond to the allegations made.
8. No AGV member will be treated unfairly as a result of making a complaint of sexual harassment.
9. The AGV will afford natural justice to any person involved in an allegation of sexual harassment.

## Definition of Sexual Harassment

10. Sexual harassment includes any unwelcome behaviour of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated. This may include, but is not restricted to:
  - a) an unwelcome sexual advance;
  - b) a request for sexual favours;
  - c) unwelcome comments about someone's sex life or physical appearance;
  - d) leering and ogling;
  - e) sexually offensive comments, stories or jokes;
  - f) displaying sexually offensive photos, pinups or calendars, reading matter or objects;
  - g) sexual propositions or continued requests for dates;
  - h) physical contact such as touching or fondling, or unnecessary brushing up against someone; and
  - i) indecent assault or rape (these are criminal offences).
11. Sexual harassment may occur between one AGV member and another, between AGV members and staff members, or between AGV members and volunteers. It may occur wherever AGV members, volunteers and/or AGV staff are interacting in the context of their position in the AGV, including in the AGV office, work for the AGV off site (such as at campaign events) and at social functions.

## **Making a Complaint**

12. An AGV member who has been harassed may choose to take their complaint to either:
  - a) the Victorian Equal Opportunity and Human Rights Commission who can be contacted on 1300 292 153; or
  - b) the AGV Disputes Panel who will follow its normal procedure in respect of investigating and assisting in the resolution of the complaint. The Disputes Panel can be contacted at [disputespanel@lists.vic.greens.org.au](mailto:disputespanel@lists.vic.greens.org.au).

# 19 Restrictions on Holding Multiple Offices

## Modification History

Action	Body	Date
Approved	State Conference	2014-09-06

1. This by-law gives effect to clause 8.1(e) of the Constitution.
2. To avoid doubt, this by-law places no restriction on any member seeking to hold, or holding, any public office, but places restrictions on seeking to hold, or holding offices within the Party in circumstances described below.
3. While she or he holds a position or office listed in Column 1, no Party Member may hold a position or office listed in Column 2; either
  - a) for more than 12 weeks; or
  - b) in any circumstances described in Column 3;
 except as described in Column 4.

Column 1	Column 2	Column 3	Column 4
Convenor, Secretary, Assistant Secretary or Treasurer. Convenor of Campaign or Policy Committee, National Councillors.	Member of State or Federal Parliament or their staff, Salaried Mayor (or equivalent) of LGA.	During an election campaign period applicable to the person's position under Column 2, during the 12 weeks prior to the scheduled date of an election (or from the date of the issuing of writs).	A person who is in a position or office as described in Column 1 who during his or her term of office obtains a parliamentary staff position may continue to hold that position or office for the balance of the term of office, if that balance is less than 9 months, with the permission of the Executive.
Member of Executive (other than Convenor, Secretary, Assistant Secretary or Treasurer, Convenor of the Campaign or Policy Committee.	Member of State or Federal Parliament or their staff, or Salaried Mayor (or equivalent) of LGA.		A person who obtains a position as described in Column 2 may serve out a single term in a position on the Executive (other than Convenor, Secretary, Assistant Secretary or Treasurer, or Chair of the Campaign or Policy Committee.

Column 1	Column 2	Column 3	Column 4
Preselected candidate for either a “lead position” for the Senate or State UH Region, or for a federal or state lower house seat, where the Party’s vote in that seat in the previous election exceeded 20%.	Convenor, Secretary, Assistant Secretary or Treasurer. Member of Campaign or Policy Committee. Convenor of National Affairs Committee.	During an election campaign period applicable to the person’s position under Column 2, being during the 26 weeks prior to the scheduled date of an election (or from the date of the issuing of writs).	
Member of State or Federal Parliament, or Salaried Mayor (or equivalent) of LGA.	Member of Campaign Committee		Where holding position on Campaign Committee in the capacity of parliamentarian or elected LG rep.
Branch or Region Office Bearer	Elected member of local government body in area covered by Branch.		Consensus (only) decision by relevant Branch/Region to allow that person to retain position as Branch or Region office-bearer.

4. In the previous clause, ‘staff’ is defined to mean those employed as political or advisory staff, other than those employed on a short term temporary basis.
5. Where another bylaw limits the holding of particular offices further than the provisions of this bylaw, the more limiting provisions will prevail.
6. The act of nominating for the positions of State Convenor, State Secretary or Convenor of the Campaign Committee carries an implicit undertaking that the person so nominating shall not, during the following 12 months, nominate for pre-selection for:
  - a) The lead position on the Senate ticket, or the second position in respect of a double dissolution; or
  - b) The lead position on the ticket in an Upper House State Region, or the second position in circumstances where the Party’s vote in that Region in the previous election exceeded 20%; or
  - c) Any state or federal seat in which the Party’s vote was more than 20% (or double the average vote for seats in Victoria in the most recent relevant general election, whichever is the lesser)

Should a State Convenor, State Secretary or Convenor of the Campaign Committee nominate for preselection for endorsement for any of (a) to (c) above, she or he shall thereby cease to hold that office.

7. For the purpose of this bylaw, the holding of an office within the Party includes any holding of office on an acting basis.



## 20 General Operations of Standing Committees

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Council	2015-03-28

### Scope

1. This by-law elaborates the functions, powers and composition of the Electoral and Continuous Campaigning Committee (which shall be known as the Campaign Committee) and the Policy Steering Committee (which shall be known as the Policy Committee), the Finance, Administration and Infrastructure Committee and the Education, Planning and Internal Communications Committee.

### Matters Relating to All Standing Committees

#### Delegation of Powers in specific matter

2. In addition to any specific power granted to any Standing Committee by the Constitution and this by-law, State Council or State Executive can, subject to such conditions as it thinks fit, delegate the making of any decision on a specifically defined matter within its power, to any Standing Committee or to two or more committees in which case the decision will require the agreement of each committee concerned. Such a decision is not considered merely procedural (i.e. it cannot be done merely by simple majority). State Council or State Executive, and specifically the facilitator at the time such delegation is made, must ensure that the delegation is clearly defined and that the limits of the delegation are clear. The terms of reference of each Standing Committee are deemed to include the delegation described in this section, but to avoid doubt, no delegation can be taken as including any power to change any By-law, and any such specific delegation (i.e. not included in the terms of reference) only operates for a specific period which must be defined in the delegation. Such a delegation may be made subject to such direction or condition as is specified.

#### State Executive not to direct Committees but may stay decisions

3. State Executive cannot direct any Standing Committee to make any particular decision and cannot direct its work (AGV Constitution Clause 46.8). However, State Executive may request a Standing Committee to review a decision, and may determine to put a stay on any decision of any Standing Committee, or part of a decision, pending the next State Council, or for such shorter time as it determines. In addition, wherever it appears to an Office Bearer or to the Convenor of a Standing Committee that two or more Standing Committees have made inconsistent decisions, or that a Standing Committee has acted outside its power the Executive may resolve the matter by making its own decision (except where this would involve the Executive making Policy), or otherwise acting beyond its powers (AGV Constitution Clause 46.5).

### Recording, Distribution and Clarity of Decisions of Standing Committees

4. In addition to any minutes of meetings (and separate from them), each Standing Committee must produce a "Record of Decisions Taken" which, in accordance with such procedures as the State Secretary determines, must;
  - a) include the date of the meeting and the substantive decisions taken or recommendations made at the meeting, but not merely formal or procedural decisions – e.g. thanking someone, approval of minutes, altering agendas etc.;

- b) be in a form which could reasonably be understood by a new member of State Council unfamiliar with the subject matter, and where necessary and appropriate include documents upon which the decision is based.
  - c) be posted to a secure website, and drawn to the attention of State Councillors as soon as possible, (usually at the end of the meeting) but in any case within 5 days of the meeting of which they are a record.
  - d) include in respect of each decision, as part of and at the commencement of each decision, one of the following forms of words: “Decision”, “Recommendation to [State Council, state executive or other named body]”, or “Draft decision”, or “Draft Recommendation to [State Council, state executive or other named body]”
  - e) Include the date of the next meeting of the Committee.
5. At the discretion of the Convenor of a Standing Committee (or the meeting itself) certain decisions or recommendations or parts thereof (e.g. names) may be excluded from the Record of Decisions Taken. Where this occurs, this must be noted in the record, with an appropriate statement to identify the type of matter deleted (e.g. “name deleted” or “decision re a staff performance matter”).
  6. Upon receiving an enquiry from any State Councillor, the Convenor must either advise of the contents of the unexpurgated record, or report the refusal to the next State Council.

## **Recommendations, Draft Decisions and Objections to Decisions**

7. Wherever it considers it appropriate and practicable, (usually where there is to be another meeting of the Committee before a final decision or recommendation has to be made, or where there is no element of urgency), a Standing Committee shall record a “Draft Decision” or “Draft Recommendation”, which will be subject to confirmation or variation at the next meeting. The purpose of this is to indicate that State Councillors or other Party members who object to the decision or who want to otherwise have input into a final decision should contact the Committee or attend the next meeting of the Committee. The Committee should have particular regard to such objection or input where a proposed new form of words is proposed in substitution for the draft decision or recommendation, and in this case consensus should where possible be sought between the objector and the Committee.

## **Decision-Making – Recommendations can be made by simple majority only after consensus is sought**

8. It is deemed that for the purpose a Section 48.5 of the Constitution (which allows that the standing orders can define what is a procedural resolution), a Recommendation or Draft Recommendation or Draft Decision of a Standing Committee, being a decision which has no operation or effect until it is approved by some other body or further affirmed, is a procedural resolution, and requires only a simple majority. Despite this, the facilitator and each member of a Standing Committee has a duty to ensure that there is appropriate discussion, and an attempt to reach consensus before such a recommendation or draft decision is adopted.

## **When a Standing Committee is to make a decision and when it is to make a recommendation**

9. It is the intention of State Council that wherever the State Council has delegated to a Standing Committee under this by-law or otherwise, the power to make a decision (as opposed to State Council merely delegating a power to make a recommendation), then in the normal course of events it is expected that the Standing Committee will make decisions about these matters and will not merely make recommendations. Therefore, there should be unusual circumstances why a Standing Committee only makes a recommendation where it could make a decision. Such circumstances might include the importance of the matter in the particular context, or the level of controversy about the matter in the Party.
10. It is the intention of State Council that wherever the State Council has delegated to a Standing Committee under its terms of reference, the power to make a recommendation, then in the normal

course of events it is expected that the Standing Committee will make recommendations which do not require a further decision of the State Council, other than mere approval of the recommendation

11. If Standing Committee is of the view that an issue should be an item for discussion at State Council, this does not of itself mean it should fail to make a substantive recommendation, but the Committee may request the Secretary that the item be listed for discussion.

## **Quorum and QDMG**

12. The provisions of [13](#) and [17](#) do not apply to the National Affairs Committee
13. The quorum for a meeting of a Standing Committee shall be at least half of its members. However quorum for the Finance Administration Infrastructure and Staffing Committee must also include any of the State Secretary, the State Assistant Secretary or the State Treasurer.
14. Each Standing Committee shall appoint a Quick Decision Making Group, which must have four members and must include at least one of the office bearers (or if no office bearer is a member of the Committee, at least one member of the State Executive). A decision by a QDMG must be supported by at least 3 members and must not be opposed by any member of the QDMG, and must be ratified in the minutes and Record of Decisions at the next meeting.

## **Election of General members of Standing Committees**

15. General members of Standing Committees shall be elected by members of State Conference. An election shall first be held in which only members of State Council, or members who have been a member of State Council during the previous 18 months or a previous State Office Bearers elected in a postal ballot, or members seeking re-election as a member of a Standing Committee may nominate. At the end of that election, nominations shall then be opened for any vacancies remaining, and in this election, any member of the Party may nominate.
16. Any casual vacancy on a Standing Committee shall be filled by State Council at its next meeting, by election from among the members of the Party, provided that State Council may delegate the filling of such vacancy to the Executive if insufficient nominations are received.

## **Removal of General members of Standing Committees**

17. A member of a Standing Committee (other than a person who holds that position by virtue of holding another office, but including any Policy Sub-Committee) may resign in writing to the Convenor of the Standing Committee or to the State Secretary.
18. Wherever a member of a Standing Committee (other than a person who holds that position by virtue of holding another office):
  - a) fails to attend two consecutive meetings without apology (excluding exceptional circumstances or with apology); or
  - b) appears to be unable or unwilling to contribute to the work of the Committee;

The Convenor of the Committee will contact that member to discuss their continued membership of the Committee. Should the member not resign and should the Convenor after that discussion not be satisfied about the continued involvement of that member, the Convenor of the Committee will, as he or she considers appropriate, recommend to the State Executive in writing (with a copy to the member) that the member's position be declared vacant, and the State Executive may upon this recommendation remove the member from the Standing Committee, provided the member has been afforded an opportunity to be heard.

19. Under no other circumstances and for no other reason shall the State Executive have the power to remove a member of a Standing Committee, but State Council may do so at its discretion provided an opportunity has been afforded to the Standing Committee member to be heard prior to any such decision being made.

## 21 Campaign Committee

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23

### Scope

1. The Constitution of the AGV provides for the establishment of an Electoral and Continuous Campaigning Committee in Section 53. This By-law governs the operation of that Committee.

### Functions

2. The name of the Committee shall be the Campaign Committee, but it may also be cited as the Electoral and Continuous Campaigning Committee.
3. The functions of the Campaign Committee include those set out in the Constitution, as follows:
  - 53.1. *Reporting to State Council, the formulation of state-wide AGV electoral and continuous campaigning policy and the management of its application will be the responsibility of the Electoral and Continuous Campaigning Committee created as a Standing Committee of State Council under this Chapter.*
  - 53.2. *The Electoral and Continuous Campaigning Committee is responsible for:*
    - a. *developing electoral and continuous campaigning policy with state-wide cover for local government and state parliamentary elections, and managing such campaigns;*
    - b. *liaising with regional electoral and continuous campaigning committees and Branches to facilitate the goals of this Chapter;*
    - c. *collaborating with relevant Party bodies to develop national electoral and continuous campaigning policy;*
    - d. *reporting to State Council on all other matters referred to it by State Council;*
4. Without limiting the operation of [clause 3](#) above, the Committee is responsible for the general management of electoral and related campaigns within the resources allocated to it by State Council or otherwise; and for the implementation of:
  - a) Applicable decisions of State Council regarding State electoral and related campaign matters;
  - b) Applicable decisions of Branches and Regions and of State Council in respect of local government elected and related campaigns;
  - c) Applicable decisions of State Council and the Australian Greens in respect of national electoral and related campaigns;but not so as to give it control over the resources of any other Party body.
5. The Committee must recommend to State Council for adoption, a Campaign Strategy Statement, of no more than 500 words, that covers a nominated prospective period, and which is to include (but need not be limited to):
  - a) Strategic objectives;
  - b) priority policy issues;
  - c) the general approach to the content and method of campaigning;

- d) approaches to organisational and communication questions;
  - e) Lessons from past experience; and
  - f) How the strategy will maximise the participation of party members.
6. Wherever State Council adopts a campaign Strategy Statement, the campaign Committee must in performing its functions be guided by that Statement, or if it departs from that guidance, must note that in its minutes and report this to the next State Council.
  7. Prior to the expiry of the period covered by a campaign strategy statement, the Committee must recommend and present to State Council a further Strategy Statement.
  8. Except on a pro-tem basis with the approval of the State Executive, and subject to such conditions as the State Executive may prescribe in any circumstance, the Campaign Committee may only authorise expenditure pursuant to a budget approved by State Council, after its consideration by the Standing Committee responsible for Finance. Notwithstanding the foregoing, total expenditure may exceed that provided for in the budget provided that (and only provided that);
    - a) the Standing Committee responsible for Finance, on the recommendation of the Treasurer; or the Executive; has approved this increase on the basis of a determining that there is sufficiently certain basis to increase a corresponding income or revenue budget line within the Committee's budget; or
    - b) the Executive has allocated other funds to cover the increase in expenditure.
  9. When a budget has been approved by State Council, the Campaign Committee may amend the budget provided that the following conditions are met:
    - a) there is no increase in total expenditure (except as provided for in [6](#) above);
    - b) any proposal to reduce an allocation of the funds to be controlled by to any Branch, Regional Council, Branch-based or Region-based election campaign committee, as compared to the budget approved by State Council or any amended budget approved by the Committee, must not occur unless the Convenor or (if the Convenor appears to be unavailable) some other appropriate person from each of these bodies has been invited to the meeting and given the opportunity to be heard; and the reduction has then been then approved by the State Executive; and no such reduction shall have effect if any such body would be unable to meet its commitments solely because of such a reduction.
    - c) Any such amendment is not contrary to any decision of State Council (other than the decision to adopt the budget itself)
  10. Wherever it appears to the Convenor of the Campaign Committee or to the Treasurer, that in connection with an election, there will be significant additional funds available to spend on campaign related expenditure in connection with that election then, subject only to there being sufficient time available before the relevant election having regard to the urgency of making decisions, the Campaign Committee shall, prior to allocating such additional funds, the Convenor or (if the Convenor appears to be unavailable) some other appropriate person from each Branch, Regional Council, Branch-based or Region-based election campaign committee having responsibility for the conduct of a relevant election, shall be invited to any meeting which is to consider that allocation, and shall be given the opportunity to be heard.
  11. In addition to any other obligations under this bylaw, the Campaign Committee must not less than once every four months, and;
    - a) within ten days of the dissolution of the State or Federal Parliament (or a House thereof);
    - b) between 4 and 6 weeks prior to a date on which local government elections are to be generally held across the state;hold a meeting of the Campaign Committee to which all the Convenors or (if the Convenor appears to be unavailable) some other appropriate person from each Branch, Regional Council, Branch-based or Region-based election campaign committee having responsibility for the conduct of a relevant election



campaign shall be invited to that meeting. Such a meeting may be held in conjunction with any special meeting of State Council held because of the calling of an election.

12. The Campaign Committee is responsible for determining the pre-selection process for Senate pre-selection and for directing the implementation of that process. Moreover, the Campaign Committee has the responsibility to ensure that other party bodies are carrying out pre-selection decisions, and for settling the date by which such decisions must be taken. Where it appears that the situation requires it, the Campaign Committee may do any act or thing necessary, or authorise a person to do any act or thing to ensure that there is a candidate for a specific State or Commonwealth parliamentary election, in circumstances where:
  - a) A decision has been made that the Party is to have such a candidate;
  - b) For any reason no candidate has been selected, or a candidate has been selected and for any reason is no longer to be the candidate; and
  - c) Under the relevant procedures applicable, it is not reasonably practicable for the Party to select a candidate, and the relevant Branches and campaign committees are consulted.
13. The Campaign Committee is responsible within its powers, for ensuring that campaign communication infrastructure is effective.
14. By force of this By-law, and subject to any specific decision made from time to time by State Council, State Council delegates its powers under Sections 56.1, 56.2, 56.5 and 56.8 (Preselection Processes), to the Campaign Committee.

## Composition

15. The Campaign Committee shall in "full session" consist of:
  - a) The Committee Convenor.<sup>30</sup>
  - b) Three members elected by State Council for a term of up to two years which may be expressed as a period of time or as related to an event (for example, until two months after the next federal election), as determined by State Council from time to time (or in default of a decision, one year).
  - c) The State Treasurer, or if the Executive so decides, the Assistant State Treasurer.
  - d) One member each of the Parliamentary Membership of the party (if any) at State and Federal level nominated by each of the relevant party leaders or failing that agreed between the relevant (Victorian) members in each case; or a nominee of each State and Federal group of parliamentarians, for a term of office determined by the relevant parliamentary group, not being less than one year.
  - e) A party member who is or has been a local government councillor, selected by the current Greens local government councillors, for a term of office decided by them, not being less than one year.
  - f) The most senior staff member of the AGV, who shall not have a vote.
  - g) Up to three members nominated by the Campaign Committee from time to time (after general advertisement to party members), selected by the committee having regard to ensuring the inclusion on the committee of a balance of members with necessary expertise, knowledge or experience.
16. The persons holding office on the Campaign Committee under [Clause 15, Part "d"](#) above shall not have the right to vote if they are on the Campaign Committee in their capacity as a staff member of the party or a politician, and subject to direction in the performance of their work by the Party or a politician.
17. Each of the following persons shall have the right to attend, and shall be advised of meeting times and agendas, if not otherwise a member of the Campaign Committee:

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<sup>30</sup> The procedure for the election of the Convenor of the Campaign Committee is outlined in Clause 54.1 of the AGV State Constitution and is a ballot of all members of the AGV.

- a) The Party Office Bearers
- b) The Convenor of the Policy Committee
- c) Each of the nine members of State Council mentioned in Section 40.5 of the AGV State Constitution.
- d) AGV delegates to any national campaign committees or national campaign working groups

## **Campaign Management Team**

- 18. The Campaign Committee may also meet in the form of the Campaign Management Committee, which shall consist of :
  - a) The Convenor the Campaign Committee (or if the Convenor is unable to attend, he or she may nominate one of the two members of the Campaign Committee elected by State Council to attend in his or her place);
  - b) The most senior member of the AGV staff.
  - c) Between 2 and 4 AGV members appointed by the Campaign Committee from time to time.
- 19. The quorum for the Campaign Committee shall be at least half of its members.
- 20. The State Party Convenor, if not otherwise a member, shall be entitled to be advised of a meeting of the Campaign Management Committee, and shall be entitled to attend or to appoint a member of the State Executive to attend in his or her place. The State Party Treasurer shall be entitled to attend and advised of the time of meetings. The most senior member of the AGV staff acts as the Secretary of the Campaign Management Committee.
- 21. The Campaign Management Committee shall have all the powers of the Full session Campaign Committee, except the following:
  - a) Amending the Campaign Committee budget to increase total expected expenditure;
  - b) Reducing the allocation in the budget to any Branch, Regional Council, Branch-based or Region-based election campaign committee having responsibility for the conduct of a relevant election;
  - c) Acting in a manner inconsistent with an explicit decision or direction of the Campaign Committee;
  - d) Exercising any of the delegated powers of State Council under Section 56 of the Constitution.
- 22. In performing their functions, each of the Campaign Committee (full session) and the Campaign Management Group shall be mindful of the intention of State Council in establishing these two bodies:
  - a) In many circumstances, the day to day political pronouncements of the Party are necessarily those of the Party's elected representatives, and there should be maximum co-operation between the Committee and those representatives. Nevertheless, the campaign resources of the Party should at all times be directed in support of positions consistent with Party policy, and the Campaign Committee has a responsibility to ensure this is the case.
  - b) The Campaign Committee's (in full session) primary functions are the recommendation to State Council of overall strategy, ensuring that strategy is being implemented, amending strategy when necessary, financial compliance, budget management, selection of major contractors such as advertising agencies, proper governance, and effective communication within the Party. While it will be required to exercise its political authority where controversy arises within the Party about day to day management issues, the Campaign Committee oversees but does not participate in the day to day management of Campaign issues. In light of this, it would be expected that the Campaign Committee would meet monthly, and more often during an election campaign period.
  - c) The Campaign Management Group is responsible to the Campaign Committee in full session for making day-to decisions about the content of campaigns and the allocation of resources under the control of the Campaign Committee. It would be convened by the Campaign Committee Convenor whenever the need arises, and it would be expected to meet at least several times each week during an election campaign period. It must report all of its decisions to the Campaign



Committee and these must be included in the minutes of the next Campaign Committee meeting. The Campaign Management Group can direct the day-to-day priorities of the Campaign Staff through the most senior staff member.

## 22 Policy Committee

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Council	2013-11-09
Amended	State Council	2015-05-30

### Scope

1. The “Policy Committee” is the “The Policy Steering Committee” referred to in Chapter 6 of the AGV State Constitution.

### Functions

2. This bylaw operates in conjunction with Sections 58-61 of the AGV Constitution, which defines the function of the Policy Committee as follows (Section 59.2):
  - a) management of the process of development and drafting of policy with state-wide cover;
  - b) collaborating with the responsible Party bodies on the development and drafting of policy with national scope, for recommendation to State Council for consideration of the National Council of the Australian Greens in its policy approval process;
  - c) reporting to State Council on all other matters referred to it by State Council; and
  - d) any other policy-related functions given to it under the bylaws.

In addition to those functions the Policy Committee shall have the following functions and powers in relation to State Policy:

- e) to recommend policies to State Council for adoption;
  - f) to correct any formal, drafting or typographical errors in any Policy which has been adopted by State Council;
  - g) when authorised to do so in respect of any particular policy, to edit a policy to up-date it or to remove provisions which have become irrelevant;
  - h) ensuring wide involvement of members, Branches and other party bodies in formulation of Policy;
  - i) recommending specific Policy debates/issues for consideration by Branches and by State Council; and
  - j) directing the work of the Policy Sub-Committees.
3. In relation to the Federal Policy (policy of the Australian Greens) the Committee is empowered to determine after consultation with the National Affairs Committee a process for consultation with members Branches and other party bodies about the formation of Federal Policy (refer to [clause 3 \(b\) – National Affairs By-law](#)).
  4. The policy Committee must be advised of Local policies adopted by Branches or Regions, and shall have the power to recommend local policies for adoption, and to advise State Council of any circumstance where it considers that there is an inconsistency between a Local Policy and a State Policy.

## Composition

5. The Policy Committee shall consist of:
  - a) The Policy Convenor
  - b) The AGV State Convenor or AGV State Secretary or AGV State Assistant Secretary or an Executive Member appointed by the Executive. The method for determining which of these shall be the member shall be that the AGV State Convenor, unless the AGV Convenor declines, in which case it shall be the State Secretary unless the State Secretary declines, and so on.
  - c) Four General Members (\*see procedure for election of General Members of Standing Committees)
  - d) Up to two members recommended by the Policy Committee to State Council after an appropriate call for expressions of interest to party members, appointed on basis of achieving additional expertise or balance among Policy Committee members.
  - e) One federal MP as nominated collectively by Victorian federal MPs (or their representative), who shall be a voting member for decisions on federal policy. Where this position is filled by a representative who is not a federal MP, that person shall not have a vote.
  - f) One State Member of Parliament nominated collectively by Victorian State Members of Parliament (or their representative), who shall be a voting member for decision on State policy. Where this position is filled by a representative who is not a member of state parliament, that person shall not have a vote.

## Policy Sub-Committees

6. To deal with specific policy areas, the Policy Committee is empowered from time to time to establish or disestablish up to 3 Policy Sub-Committees, each convened by a member of the Policy Committee, and consisting of that member and up to 10 other Party members appointed by the Policy Committee. It is the intention of State Council that these would be generalist committees, and would have responsibility for acting on behalf of the Policy Committee, for example in consulting experts, consulting members, and preparing draft policies for the Policy Committee to consider.
7. State Council may establish or disestablish Policy Working Groups as it considers necessary and determine the number of members to be elected to Policy Working Groups. It is the intention of State Council that these would be specialist committees, and would have responsibility for assisting the Policy Committee through research and consultation on the review and development of policy within their terms of reference.

## Schedule 1

### NAME

1. The name of the group shall be [NAME] (PWG).

### PURPOSE AND ROLES

2. It is the purpose of the PWG, in co-operation with the Policy Committee and as per the State Council approved policy processes, to:
  - a) develop and review policy during the four-yearly substantive policy review;
  - b) oversee developments in its policy area, and recommend further variation to policy as necessary;
  - c) provide support to public officials of the Greens and candidates, at their request;
  - d) provide support to Greens spokespersons in their area of expertise;

- e) provide interpretation advice to the Policy Committee on any question relating to the policy area; and
  - f) act as a forum for members of the party to discuss policy issues with the view of informing changes to party policy.
3. The PWG may conduct campaigns with the approval of the Campaign Committee on its policy area.

## **LIAISON**

4. The PWG will consult, as relevant and appropriate, with:
- a) the Policy Committee;
  - b) local branches, fellow PWGs and other constituent groups;
  - c) Greens parties in other states;
  - d) the Australian Greens;
  - e) state and federal Greens spokespersons; and
  - f) other individuals, groups or organisations with expertise or interest in the policy area.
5. The Policy Committee may request a report or research on any policy matter at any time during the life of the group.

## **TERM OF OPERATION**

6. The PWG will commence operations when endorsed by the State Council meeting.
7. The PWG is an ongoing working group.

## **MEMBERSHIP**

8. Any financial members of the AGV shall be eligible to stand for election to the PWG.
9. State Council will elect PWG members annually from among all the members of the party.
10. Where an extraordinary vacancy exists after an election has been held, PWG members may be appointed by approval of the State Council.
11. Members have an obligation to actively participate in and contribute to the development or review of a policy.
12. A membership attendance list will be kept and registered with the State Secretary.
13. Attendance and participation at meetings, as per meeting procedures below, is open to all members of the AGV.
14. A PWG member will cease to be a member following absence from three consecutive meetings without notice, provided that the Convener may grant special leave of absence from meetings of the PWG to any member.

## **OFFICE BEARERS**

15. Members of the PWG shall annually elect from among themselves a Convener and Secretary.
16. Where an extraordinary vacancy exists, an office bearer may be appointed by agreement of the PWG.

## **MEETINGS**

17. The PWG shall meet at least once per quarter, either in person or remotely.
18. Notice of meetings will be advertised in advance through the AGV e-bulletin.

19. A quorum of any meeting of the PWG shall be the presence of at least half of PWG members.
20. A meeting agenda will be provided to all registered PWG members prior to the meeting, and will be confirmed at the beginning of the meeting.
21. Actions agreed and decisions made at a previous meeting will be taken as 'not for further discussion', unless a specific agenda item with a written proposal is forwarded to the Convener prior to the meeting.
22. Decisions are generally made by consensus of all present at a meeting. However, in the event that consensus cannot be reached, a consensus of PWG members present can be taken as the decision.

## **REPORTING AND ACCOUNTABILITY**

23. A list of decisions made by the PWG will be minuted and distributed to members of the PWG and to the Policy Committee.
24. The Convener will keep the State Council and Policy Committee informed of progress and activities through an annual written report on the group's activities.
25. The Convener must respond to any written correspondence from the Policy Convener or State Secretary.
26. In the event that the PWG fails to meet its minimum meeting and reporting requirements, or in any instance where the PWG is seen to be breaching party rules, the State Council may choose to dissolve the group.
27. The PWG shall not make any public statements without the prior approval of the relevant AGV spokesperson.

## **POLICY CONTENT DISPUTES**

28. Any disputes in relation to policy content, unable to be resolved by the best efforts and goodwill of all PWG members, will be referred to the Policy Committee.
29. Disputes of an interpersonal nature should be dealt with by the current Party's disputes and grievance procedure.

## 23 Audit and Finance Committee

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Executive	2015-03-18

### Scope

1. This by-law gives effect to Section 69 of the Constitution, which states as follows:  
*There will be an audit and finance committee, which will be responsible for ensuring the integrity of the Party's financial reporting systems, including monitoring risk management systems and internal controls and compliance, and liaising with the external auditor and management.*
2. The Audit and Finance Committee has the functions set out in the Constitution and this by-law and is independent of other party bodies and shall determine its own procedures.
3. For the purpose of this by-law appropriate accounting qualifications shall mean membership of, or eligibility for membership of, the Institute of Public Accountants, the CPA Australia, the Institute of Chartered Accountants Australia (IPA, CPA or ICAA) as established to the satisfaction of an Office Bearer.
4. Members may be appointed from time to time by the State Conference and State Council, and such an appointment must be included on the agenda of any meeting of the State Conference. At least once in every calendar year, an advertisement must be included a party-wide publication by the State Secretary, seeking expressions of interest, in particular from those with appropriate accounting qualifications.
5. An appointment may not be made to the Audit and Finance Committee unless following that appointment at least half of the members of the Committee have appropriate accounting qualifications.
6. The term of office for each member appointed is from when a person is appointed to the Committee until the end of the third State Conference following the appointment, provided that no person may be appointed nor does any person continue to be a member if he or she is, becomes or has been during the previous twelve months, a member of the State Executive or of the National Council, a holder of public office, or an employee of the Australian Greens Victoria or the Australian Greens or a member of the staff of a public office holder or the holder of any office of profit under any Green Party.
7. The Committee shall issue such reports and recommendations as it considers appropriate from time to time, to State Conference, State Council or State Executive, and may require that the State Executive publish a Report to the membership generally. All reports and recommendations must be in writing, and must be provided to the Treasurer not less than three days before it is presented.
8. The Audit and Finance Committee shall have access to any financial or related records of the Party, or of any party body.

### Schedule 1

The process for the appointment of a member to the Audit and Finance Committee is that:

1. The notice of vacancy, seeking expressions of interest from suitable members, is distributed to the membership.
2. Expressions of interest and curriculum vitae forwarded to FAIC Convenor

3. Prospective member will be interviewed by a panel made up of current members of the Audit and Finance Committee, the State Treasurer, the Party Accountant and the State Convenor.
4. The panel will:
  - a) discuss the responsibility of the position, in particular trust implications
  - b) ensure the applicant understand the duration of the appointment
  - c) ensure the applicant is prepared to sign a confidentiality agreement on appointment
  - d) ensure the applicant indicates their preparedness to develop a work plan and timetable for the year and to report this to State Executive annually
  - e) ensure that the applicant has the personal and professional aptitude to fulfil the intent of the Constitution.
5. That panel will make a recommendation to FAIC and if approved
6. FAIC will make a recommendation to State Council



## 24 Finance Administration and Infrastructure Committee

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Council	2014-02-01
Amended	State Council	2014-05-24

### Introduction

This by-law should be read in conjunction with the [Expenditure Administration By-law](#).

### Functions

1. The functions of the Finance Administration and Infrastructure Committee are as follows:
    - a) To publish and distribute to each State Councillor a recommended State budget for the party not later than two months prior to the end of any period during which a current budget is due to expire;
    - b) To prepare proposed amendments to the State Party budget for approval of the State Council or State Executive, either of its own motion or when requested to do so;
    - c) Monitor current financial year actual performance against budget. Identify significant departures and recommend remedial action where appropriate
    - d) Determine any rules or procedures for the presentation or structure of financial reports or budgets;
    - e) Write off property or bad debts up to a limit of \$2,000 in respect of any particular item;
    - f) Approve any proposed contra budget appearing within the State Budget, and approve the expenditure of funds within that contra budget, but only up to a limit of \$20,000 in respect of any contra budget;
    - g) Determine administrative and financial procedures (including rules about the operation of the State Office and use of Party property) consistent with any decisions of the State Executive;
    - h) Consider and recommend responses to any report of the Audit and Finance Committee;
    - i) Make recommendations to State Council or State Executive regarding the location, purchase rental and disposition of any Party premises or property under the control of the State Party;;
    - j) Make and amend from time to time a schedule of reimbursement of travel and like expenses for members engaged on Party business other than in relation to expenses incurred in connection with election campaigns.
    - k) Approve the reallocation of values between budget lines in consequence of
      - i. An unanticipated cost overrun or failed to achieve budgeted income in respect of an activity or item within a budget line;
      - ii. An unanticipated saving or an unanticipated windfall in respect of an activity or item within a budget line.
- But not;
- iii. So as to increase the overall projected deficit or to reduce the projected surplus beyond what was set by State Council in respect of the current budget period; and

- iv. So as, by implication, to render the termination for redundancy of an employee necessary (but this may be recommended to the Executive).
- v. Reducing any expenditure line within the discretion of the Campaign Committee, without its consent (but this may be recommended to the Executive).

And;

- vi. To avoid doubt, in making an adjustment of the type described by (a). above, then subject only to (c) to (e), action may include reduction in other items provided that items such as contingencies are used first.

To avoid doubt, nothing in these functions is taken to limit the powers of the State Executive to act in relation to any of the matters listed above.

## **Composition**

- 2. The Finance Administration and Infrastructure Committee shall consist of:
  - a) An Executive member (to be Convenor of the Committee);
  - b) the State Treasurer;
  - c) the State Secretary;
  - d) the Assistant Treasurer (whenever this position is filled);
  - e) 4 General Members

## 25 Education, Planning and Internal Communications Committee (EPICC)

### Modification History

Action	Body	Date
Approved	State Council	2012-06-23
Amended	State Council	2014-10-18
Amended	State Council	2015-03-28

### Functions

1. The functions of the Education, Planning and Internal Communications Committee are as follows:
  - a) Making recommendations for appropriate by-laws and subject to those by-laws, establishing and revising policies and procedures governing communication by way of publications between the party and its members;
  - b) Appointing editors (in addition to the office-bearers and the party manager) for any regular publications published to party members;
  - c) Organising or conducting Party organisational training and education (including overseeing the production of Manuals for the use of members and Branches, etc.), other than that connected with the conduct of election campaigns; in consultation with Branches, Regions and other relevant standing committees, ;
  - d) Preparation of plans and strategy proposals in relation to any matters referred to it by State Council or State Executive (including preparing and revising any draft strategic plans for consideration by State Council), and;
  - e) Making recommendations about the above matters to State Council and State Executive.

### Composition

2. The Education, Planning and Internal Communications Committee shall consist of:
  - a) A member of the State Executive (other than an office bearer) who shall be the Convenor of the Committee.
  - b) The AGV State Convenor or AGV State Secretary or AGV State Assistant Secretary. The method for determining which of these shall be the member shall be that the AGV State Convenor, unless the AGV Convenor declines, in which case it shall be the State Secretary unless the State Secretary declines, and so on.
  - c) Six General Members (\* [see procedure for election of General Members of Standing Committees](#))
  - d) If requested by the Committee, other members with related specialist experience recommended by the Committee to State Council after an appropriate call for expressions of interest to party members.

## 26 Assistant Treasurer

### Modification History

Action	Body	Date
Approved	State Council	2013-03-02

### Scope

1. The Constitution of the AGV provides for the establishment of the office of Assistant Treasurer in clause 20.2. This By-law governs the appointment and roles of that office.
2. Appointment process
3. The position of Assistant Treasurer will be appointed by a consensus decision of the Finance, Administration and Infrastructure Committee, after seeking and considering expressions of interest from AGV members (by advertisement of the position in the AGV eBulletin or similar publication).
4. To be eligible for appointment to the position of Assistant Treasurer, a candidate must be a current member of the AGV and must not be a current State Office Bearer.
5. If the Finance, Administration and Infrastructure Committee is unable to make a consensus decision on the appointment of an Assistant Treasurer, the vacancy will be filled by ballot of State Council members held at the next State Council meeting.
6. Appointment to the position of Assistant Treasurer will be for a term ending at the beginning of the next State Conference of the AGV.

### Role

7. The position of Assistant Treasurer will assist the Treasurer in the performance of the Treasurer's duties, and may act in the position and carry out the functions and powers of the position during any absence or vacancy in the position, until the position of Treasurer has been filled.
8. The Assistant Treasurer will not be a member of the State Executive merely by virtue of holding that position, unless he or she is acting as State Treasurer.
9. The Assistant Treasurer will be a signatory to each bank account that the State Treasurer is a signatory to, but in the ordinary course of business will authorise payments only when acting as State Treasurer.

## 27 Membership Communications

### Modification History

Action	Body	Date
Approved	State Council	2013-03-02

### Introduction.

A by-law to regulate the sending Notices to Members by email and hard-copy for those who do not use email.

### Email and Hard Copy Communications

1. Each member should provide a current email address as their contact address for all purposes. (This does not remove any requirement also to provide a residential address). It is the responsibility of each member to advise of any change of either email or residential address. The exception to email being the default address is either where the Constitution or Bylaws require that another form of communication is required, or where the member specifically elects that he or she does not wish to receive communication by emails.
2. Where a member elects not to receive party communication by email, he or she is, as a minimum, entitled to receive hard copy notices as follows:
  - a) Notice of the State Conference and of the AGM of the relevant Branch or Region;
  - b) Notice of the calling of nominations for any election for an office bearer of a Branch or Region or of the AGV in which the member is entitled to vote and which is to be conducted either by postal ballot or at the AGM of a Branch or Region;
  - c) Notice, including any reminder notice, required to be sent to members in relation to the renewal of membership to the Party.
  - d) Any Notice required to be given pursuant to a term of the Constitution or bylaw, where failure to give such notice would affect the validity of any process.
3. Nothing in (2) above is to be taken to mean that members are not otherwise entitled to or will (or will not) receive other information from the Party.
4. It is the responsibility of the State Secretary to cause to be kept a register of members who have elected not to receive notices by email, and take reasonable steps to ensure that office bearers of Branches and Regions have access to this register insofar as it relates to relevant members.
5. Where Notices of the type described in (2) above, being:
  - a) Notice of the State Conference and of the AGM of any Branch or Region;
  - b) Notice of the calling of nominations for any election for an office bearer of a Branch or Region or of the AGV in which the member is entitled to vote and which is to be conducted either by postal ballot or at the AGM of the relevant Branch or Region;
  - c) Notice, including any reminder notice, required to be sent to members in relation to the renewal of membership or membership fees owed to the Party.
  - d) Any Notice required to be given pursuant to a term of the Constitution or bylaw, where failure to give such notice would affect the validity of any process;are effected by email, such an email must either deal exclusively with that Notice or must first deal with that Notice and must include in the subject line of the email an unambiguous précis or description of the Notice (e.g. "Call for Nominations for AGV Office Bearers"). Nothing prevents a Notice also being included in any other bulletin.

6. Failure to comply with (1)-(5) above shall not in itself affect the validity of any proceeding, meeting or election, provided other requirements have been met under the Constitution or by-laws.

## 28 Probity By-law

### Modification History

Action	Body	Date
Endorsed in the interim	State Council	2015-03-28
Amended (but not endorsed)	State Council	2015-05-30
Interim Status Extended	State Executive	2015-06-02
Amended and interim status extended	State Executive	2015-06-24
Interim Status Extended	State Council	2015-07-25
Amended and Interim Status Extended	State Executive	2015-09-16
Amended and Endorsed	State Council	2015-10-17

### Definitions

- Election Period:** Defined as the period from when nominations for any election are opened until the election occurs.
- Probity Check:** A probity check investigates the background of an individual to determine their suitability to be a candidate.
- Decision-making period:** The period when the Probity Panel considers and comes to a decision about a nominee being the time commencing when all probity-related nomination documentation has been sent to the Probity Panel, and concluding when a probity decision has been reported to the Returning Officer.

### Probity Panel

- There shall be established a Probity Panel whose duty it is to carry out all probity checks on all nominees for external positions.
- The Probity Panel is a Standing Committee of the Australian Greens Victoria.
- The Probity Panel is subject to the General Operations of Standing Committees By-law except as noted below. The purpose of the Probity Panel is to judge the suitability of members who nominate to stand as candidates in external elections. In so doing, it is not the task of the Probity Panel to make conclusive findings of fact in relation to any matter adverse to a nominee, nor is this necessary for the Probity Panel to reject a nomination.
- Noting that the AGV Constitution states [at 8.1] that
 

*“All AGV Members are entitled to the following benefits: ... (f) To be eligible to seek nomination for public office as a candidate for the Greens (NC 9.8), subject to clause 56.13”*,

 probity should only be rejected where there are compelling and serious reasons why, in the interests of the AGV, the member should be deemed not suitable to stand as a candidate.
- The paramount duty of the Probity Panel is to make decisions in the best interests of the AGV. The



Probity Panel will, in this regard, consider the values, policy positions and political imperatives of the party in making all decisions.

## **Probity Panel Composition**

6. There will be a minimum of 7 people appointed to the Probity Panel.
7. Probity Panel members will be appointed by State Council, as per Schedule 1, for a term of 2 years, their terms running from the first State Council meeting of the year in which they are appointed to the first State Council meeting two years thence.
8. Members of the Probity Panel and any Sub-Panels should to the greatest extent possible be disinterested persons in relation any matter they consider.
9. The Probity Panel will appoint its convenor and secretary.
10. All Probity Panel members must be members of the Party.
11. A Probity Sub-Panel shall be comprised of between three and seven members.
12. Members of a particular Sub-Panel will be appointed by the Probity Panel as a whole, or by a person or persons assigned by the Probity Panel to do this, in which case the composition of each Sub-Panel so appointed will be reported to the next meeting of the Probity Panel.
13. Members of a Probity Sub-Panel must not include any individual:
  - a) appointed as Returning Officer or as an advisor to a Returning Officer for a position which the sub-panel is considering
  - b) who is a nominee or nominator for a position which the sub-panel is considering.
  - c) who is a fellow branch member of a nominee for a position which the sub-panel is considering.
  - d) who would be perceived to have a conflict of interest in relation to a nominee or the position which the sub-panel is considering.
14. Members of the Probity Panel may not carry out probity checks or be involved in those checks in any way where a nomination is related to any campaign in which they are involved.
15. Casual vacancies on the Probity Panel may be filled by the State Council or State Executive following a call for expressions of interest via the appropriate internal Party communication methods, as per Schedule 1,

## **Probity Panel General Operations**

16. The Probity Panel will meet at least monthly during any election period.
17. Any decision of the Probity Panel must be made by at least 3 of its members (a sub-panel). Consensus decisions of a sub-panel shall be decisions of the Probity Panel.
18. Subject to this bylaw, deliberations of the Probity Panel are confidential.
19. All Probity Panel members will sign a confidentiality agreement.
20. A record of all nominations, the related investigations and findings will be securely maintained by the State Secretary.
21. Records of nominations are confidential to the Probity Panel and the Returning Officer in the first instance. However the State Executive, Victorian Campaign Committee and any relevant preselecting body (where a preselection panel has been appointed) will have the right to inspect the record of any individual where they are considering a matter related to and relevant to that member.
22. The Probity Panel may meet in person or via electronic means, including email.
23. The Probity Panel will keep minutes of all its meetings and records of its activities.
24. Minutes and records will be lodged with AGV State Secretary within 10 days of their recording.
25. The Probity Panel will report in written form on its activities:

- a) To the State Conference annually,
- b) To the Victorian Campaign Committee quarterly outside of Local, State or Federal election periods,
- c) To the Victorian Campaign Committee monthly during Local, State or Federal election periods,
- d) To the relevant ECC convenor for every nomination considered.
- e) At any time as requested by the Victorian Campaign Committee, State Executive or State Council.

## **Probity Checks**

26. Noting that the paramount duty of the Probity Panel is to make decisions in the best interests of the AGV, the Probity Panel should, so far as consistent with this duty, keep in mind fairness to the nominee in the conduct of any probity check.
27. A probity check will be conducted on all nominees for public office, excepting any nominee who
  - a) has been approved by a Probity Panel within the previous 12 months; and
  - b) provides a statutory declaration stating that no matters relevant to probity have substantially changed since their last Probity check.
28. By the close of nominations, nominees must submit:
  - a) a completed Probity Form (as outlined in Schedule 2 or as otherwise prescribed from time to time by the VCC)
  - b) a signed Statutory Declaration stating that their answers are true and accurate
  - c) a signed Confidentiality Agreement Form.
  - d) a completed authorisation to obtain a police report and accompanying appropriately certified copies of identification sufficient to meet requirements for obtaining a completed police report. In the alternative, the nominee may provide a certified copy of a Police Report which is not less than 12 months old at the relevant close of nominations date, accompanied by a statutory declaration that no matters relevant to a police report have substantially changed since that report was prepared; and
  - e) any other document or form requested by the Probity Panel or a Probity sub-panel.provided that a nominee who has been approved by a Probity Panel within the previous 12 months may provide the statutory declaration described in clause 27(b) above in substitution for the documents required in this clause.
29. The Returning Officer shall pass any envelopes or attachments containing the probity documents to the Probity Panel unopened.
30. The Probity Panel is empowered to carry out any investigations it deems necessary into any nomination.
31. Each probity check shall include, at a minimum:
  - a) scrutiny of the probity form and accompanying Statutory Declaration
  - b) assiduous and reasonable searches of available online information about the nominee, their professional and community organisation affiliations, and their media presence, if any;
  - c) a request for any relevant information from the AGV Disputes Panel
  - d) an invitation for input from local Branch and regional bodies' office bearers and party officials;
  - e) consideration of any objections to or concerns about probity raised by other Members.and assessment of nominees after appropriate input from local Branch and regional bodies' office bearers, party officials and other members as considered necessary.

32. The nominee shall provide:
- All names that they have used or previously been known by,
  - All pseudonyms that they use or have previously used,
  - Access to all Probity sub-panel members of all social media and online engagement platforms currently in use by the nominee or which were in use within the previous five (5) years. This access shall be maintained for the duration of the decision-making period. This access may include, for example, allowing Probity sub-panel members to 'friend' them on Facebook, ensuring Probity sub-panel members can 'follow' all of the nominee's Twitter accounts and ensuring any other action is taken which provides the Probity sub-panel members such access.
33. The Probity Panel may contact any person while conducting a probity check without reference to the nominee.
34. Confidentiality will be maintained as follows:
- Any person contacted by the Probity Panel will be advised of the confidential nature of the process in that they should not disclose that the person has nominated, nor should they disclose the questions asked by or their response made to the Probity Panel to any other person.
  - All responses received by the Probity Panel shall be kept confidential to the Probity Panel and shall only be disclosed as a non-identifying summary should clause 41 be enacted.
35. The Probity Panel shall make a finding for each nomination received by the end of the decision-making period that the nomination be:
- approved, or
  - approved subject to certain conditions outlined by the Probity Panel, or
  - rejected.
- A sub-panel may only make this finding by consensus. Should consensus not be achieved the nomination will be considered by the full Probity Panel, at which a majority will be required to make the finding.
- Subject to 36, 41 and 42 below, the decision-making period must be no later than seven (7) days (or 48 hours in the case of a snap election) after the close of nominations.
36. The Probity Panel shall have the authority to:
- request further statutory declarations from any nominee should the panel judge that more information be required to make an assessment on any nomination
  - interview any nominee should the panel judge that more information be required to make an assessment on any nomination.
- In these circumstances, the decision-making period may be extended to allow reasonable time for the nominee to comply.
37. If the nomination is approved subject to certain conditions or rejected, the decision shall be considered to be an interim decision until the process at 41 – 42 is complete, whereby a final decision will be made.
38. The Probity Panel members considering a nomination shall reject any nomination where:
- the sub-panel judges that the candidacy of the nominee concerned would be inappropriate,
  - the sub-panel judges that the candidacy of the nominee would be detrimental to the Australian Greens Victoria on grounds relating to past conduct, character or reputation,
  - the candidate has not given an undertaking to support stated party policy, subject to clause 51.2 of the constitution, or in lieu of that undertaking, has not provided pre-selectors with an explanation as to which policies the candidate does not support.
39. The Probity Panel shall have the authority to reject any nomination on the grounds that the nominee:

- a) refuses to co-operate with the probity panel
- b) fails to comply with any conditions outlined in the relevant Code of Conduct forms
- c) fails to comply with any conditions outlined in the Confidentiality Agreement
- d) fails to comply with any condition imposed upon the nominee in relation to their nomination (as per 14 (b) above)
- e) holds a public position in opposition to Party policy, and the probity sub-panel deems the matter to be so serious as to damage the party's electoral opportunities.

Prima facie a serious falsehood or apparent serious concealment of facts or issues in probity forms is grounds for a nomination to be rejected.

- 40. Where the Probity Panel rejects a nomination, the nominee may not nominate for any other position at the same election.
- 41. When an interim decision is made to either approve a nomination subject to certain conditions or reject a nomination, the following will occur:
  - a) The Probity sub-panel will prepare a document setting out the reasons for the decision.
  - b) The nominee will be provided with the reasons for decision and shall have 48 hours to provide a response to the Probity sub-panel.
  - c) The reasons for the decision may include a summary of feedback received, without breaching the confidentiality requirements at clause 35.
  - d) The Probity sub-panel will consider any response from the nominee in making a final decision.
  - e) A final decision will be made within 48 hours of receipt of any response from the nominee. If the nominee fails to provide a response, the original decision will stand.

In these circumstances, the decision-making period may be extended to allow for these processes to occur.

- 42. Clause 41 above shall not apply in the circumstances of a snap-election.
- 43. Decisions of the Probity Panel:
  - a) will be reported to the relevant Returning Officer and the nominee within 24 hours of the decision
  - b) may be appealed to the Disputes Panel.

## **Rights of Nominees**

- 44. A nominee will be informed of who is on the Probity Panel and which members will be reviewing their nomination.
- 45. A nominee will be informed as soon as practical of any decision by the Probity Panel in relation to their nomination, in accordance with clauses 35 and 41 above.
- 46. A nominee may provide a written response to any decision to approve their nomination subject to conditions, or to reject their nomination, in accordance with clause 41 above.
- 47. A nominee may appeal a decision of the Probity Panel to the Disputes Panel in accordance with clause 45 above
- 48. A nomination for any position is considered confidential until the nominations close and the Probity Panel has completed its work. Until that time nominations may be withdrawn without prejudice. After that time an announcement of the nominations will be made on the internal AGV website.

## **Confidentiality of Records**

- 49. All records in relation to the making of a decision in respect of a probity decision shall be kept securely and separately for a period of 5 years, provided that any authorisation to obtain a police

report and accompanying appropriately certified copies of identification will be securely destroyed as soon as they are no longer needed. The State Secretary will have the responsibility of safe custody.

50. All members of the Probity Panel will be responsible for permanently deleting any electronic copies they hold of documents related to Probity Panel decisions (other than Panel minutes) within one month of the election with respect to which the probity decisions related.
51. The revisions to this by-law shall apply to any referral to the Probity Panel of consideration of a candidate's probity made after 17th October 2015.

## **Schedule 1**

The process for the appointment of a member to the Probity Panel is that:

1. The notice of vacancy, seeking expressions of interest from suitable members, is distributed to the membership.
2. Expressions of interest and curriculum vitae forwarded to the Probity Panel Convenor, or should that position be vacant, the Convenor of the Victorian Campaign Committee
3. Prospective member will be interviewed by a panel made up of the Probity Panel Convenor (or other member of the Probity Panel), the State Convenor and the Convenor of the Victorian Campaign Committee.
4. The panel will:
  - a) discuss the responsibility of the position, in particular trust implications
  - b) ensure the applicant understand the duration of the appointment
  - c) ensure the applicant is prepared to sign a confidentiality agreement on appointment
  - d) ensure that the applicant has the personal and professional aptitude.
5. That panel will make a recommendation to State Council or State Executive

## Schedule 2 - Probity Form

1. Are you a director of any company? If yes, please provide details including the nature of the company's business (on an attached page)  
 YES       NO
2. In the past 10 years, have you been a member of any other political party or organisation? If yes, provide details of the party and the period of membership.  
 YES       NO
3. Do you have any membership, affiliation, investment, shareholding or other interest in any business, association or organisation which may impact on your role as a Greens candidate or as a member of Council/Parliament?  
 YES       NO
4. Have you ever been found guilty of an offence by any court? (Found guilty includes being convicted, fined or given a bond).  
 YES       NO
5. Have you ever had your driver's licence cancelled or suspended?  
 YES       NO
6. Have you ever had a final intervention order (or apprehended violence order) made against you?  
 YES       NO
7. Have you ever had a trustee in bankruptcy appointed in respect of your assets?  
 YES       NO
8. Have you ever been the subject of any inquiry, investigation, charge or proceeding which, if made public, would be capable of causing you or the Greens embarrassment?  
 YES       NO
9. Have you made any verbal or written statements on the public record on controversial matters, which are seriously inconsistent with Greens policies or to an extent that might give rise to controversy during an election campaign, should they become widely known?  
 YES       NO
10. Have you made any verbal or written statements on the public record other than any mentioned above that, should they become widely known, would bring your candidacy or the Greens into disrepute?  
 YES       NO



## 29 Preselection By-law

### Modification History

Action	Body	Date
Endorsed	State Council	2015-05-30

### Definitions

- Ballot:** A ballot may be either postal, attendance or electronic or combination of any of those options.
- Snap Election:** Any election for which the period from the announcement to the date of the election is less than 8 calendar weeks. The minimum federal election campaign period is 33 days.

### Scope

1. Notwithstanding any resolution of State Council which places any condition on any preselection, this bylaw determines the method of preselecting candidates, under clause 56.1 of the Constitution, for all electorates for the next Federal, State and Local elections after 1 June 2015.
2. The purpose of preselection is to judge the desirability of a member as a candidate to represent the Party in an external election.
3. When voting members should take into account the ability of the candidate:
  - a) to work with a campaign team to achieve local and state goals and targets;
  - b) to clearly articulate Greens' value, policies and key campaign messages;
  - c) to effectively represent Greens values and implement Greens policies when holding public office.
4. This bylaw shall apply to all preselections by the Australian Greens Victoria and its constituent bodies for elections to public office including, but not limited to, Federal Parliamentary elections, State Parliamentary elections, Local Government elections, and by-elections.
  - a) Constitution.  
This bylaw should be read in conjunction with the Australian Greens Victoria Constitution, particularly Section 8 (Membership Entitlements), Chapter 5 (Electoral Processes) and Chapter 8 (Dispute Resolution)
  - b) Bylaws.  
This bylaw should be read in conjunction with Bylaw 1 (Disputes and Grievance Procedure), Bylaw 5 (Tithing), and Bylaw 11 (Procedures for Urgent Withdrawal of Party Endorsement for Candidate for Public Office).

### Returning Officer

5. The body conducting the preselection must appoint a Returning Officer, a position which may be shared by up to 2 people. Once appointed, the Returning Officer shall be responsible for conducting, and ensuring the proper conduct in accordance with the rules of, the preselection in question.
6. The Returning Officer shall not be eligible to be a nominee for the preselection in question, or nominate any person for the preselection in question, or sit on the probity panel associated with the preselection in question.
7. The Returning Officer will be the primary contact between nominees, candidates, any probity panel established and other Greens members making enquiries, for any election they are required to conduct.



8. The Returning Officer may appoint up to 2 people to act as deputy returning officers to assist in the duties of the Returning Officer. Final authority and responsibility remains with the Returning Officer.
9. The Returning Officer will ensure that where the implementation of any election requires the use of AGV office resources, measures are taken to ensure that the most senior member of AGV staff is consulted, and that preselection materials (such as reply paid envelopes) are distinguished from those of any other election that may be occurring at the same time.
10. The Returning Officer will be the final authority on the interpretation of the preselection rules.
11. The Victorian Campaigning Committee Convenor and the preselection body Convenor shall be available should the Returning Officer require guidance when interpreting any rule or when the rules do not provide sufficient information. These Convenors may agree to allow the Returning Officer to alter a rule should the Returning Officer strongly advise that unusual and compelling circumstances necessitate an alteration.

## **Nomination and Conduct of Nominees**

12. The Returning Officer will ensure the publication, to all eligible voters and linked to from the AGV e-bulletin, of the relevant dates and deadlines associated with the preselection (which shall include as a minimum the times of opening and closing of nominations and the deadline by which votes must be returned), and information for prospective candidates, which will be compliant with the Constitution.
13. There will be at least 2 weeks between the opening and closing of nominations, and at least 2 weeks between the opening and closing of voting unless a Snap Election has been called (see below).
14. For a nomination to be valid, nominees must be members of the AGV at the time of nomination, at the time of the vote count and during the entire relevant election period.
15. To nominate for election, eligible members shall provide the Returning Officer with:
  - a) Their nomination in a form prescribed by the Returning Officer;
  - b) A statement for eligible voters, of no more than 800 words, which shall include how long the member has been a member, the name of the Branch to which the member is registered, a brief list of positions held by the member within the party and previous candidacies for public office, and any other information the member sees fit to include, which should generally include the member's political and philosophical positions on key issues facing the party and the position being elected;
  - c) Statements of support of up to 200 words from four other members for the purposes of preselections for lead upper house Federal or State electorates, or from two other members for the purposes of all other preselections. Statements of support must not be provided by current State Office Bearers or elected representatives. Statements of support may include how long the supporting member has been a member, the name of the Branch to which the supporting member is registered, and any other information the supporting member may wish to include. The statement may be augmented by up to 75 words in order to include a brief list of positions held by the supporting member within the party, including previous candidacies for public office;
  - d) A clear photo of themselves (optional);
  - e) A signed and completed Probity documents;
  - f) A Statutory Declaration attesting to the correctness of the Probity Form;
  - g) A signed copy of the relevant Code of Conduct form; and
  - h) A signed Tithing Pledge, as outlined in Bylaw 5 (Tithing).
16. A nomination will normally be refused by the Returning Officer if the member has not provided the information in the previous clause by the published deadline. Otherwise, the Returning Officer will confirm with all prospective nominees the list of approved nominees. To avoid doubt the Returning Officer's decision will be final.

17. Nominees may not discuss their nomination or the election in question with any journalist, other than to confirm their candidacy.
18. Nominees may not expend funds for the purposes of communicating with eligible voters in relation to the election in question.
19. Nominees shall receive from the Returning Officer a list of eligible members' names, phone numbers and email addresses, and may instigate contact with each eligible voter once and only once for the purposes of discussing or promoting their nomination. The nominee must not show or distribute the list to any other person, and must destroy the list within one week of the declaration of the result of the election in question, or when the State Returning Officer has revoked nomination, whichever occurs first.
20. Until the declaration of the result, nominees may not attend Branch meetings other than those of the Branch to which they are registered, except to carry out a specific duty, in which case they must nevertheless not discuss their nomination for the election in question at that Branch meeting.
21. Any statements made by nominees in relation to other nominees or candidates need to be truthful, and provided to the Returning Officer prior to the statement being made.
22. No person employed by or on behalf of the AGV, or any of its elected representatives, may contact eligible voters for any election with a view to canvassing for or against votes for any nominee for that election, or provide any resources to aid any nominee.
23. The Returning Officer may revoke a nominee's nomination if they are in breach of any of rules of the party in relation to the election in question.

## **Meet the Candidates Event**

24. The body conducting the preselection, in consultation with the Returning Officer (or their deputies), will be responsible for organising any "Meet the Candidates" events. In doing so it should generally:
  - a) for senate elections hold at least 1 event per state legislative council region
  - b) for federal divisions hold at least 1 event per division
  - c) for state legislative council regions hold at least 2 events per region
  - d) for state legislative assembly districts hold at least 1 event per district
  - e) for local government elections hold at least 1 event per local government municipality
  - f) for by-elections hold at least 1 event for that by-election.

## **Probity**

25. A probity check shall be conducted on all nominees in accordance with the Probity bylaw.

## **Method of Preselection**

26. The body conducting the preselection may choose to conduct that preselection in accordance with one or combination of the below methods:
  - a) Postal ballot;
  - b) Electronic ballot;
  - c) Attendance ballot;
  - d) Selection panel, but only if State Council or the Victorian Campaign Committee has agreed and either:
    - i. the Greens primary vote in the previous election for the electorate concerned was less than 8 per cent; or

- ii. the position being preselected is a non-lead candidate for any Federal or State upper house electorate; or
  - iii. less than 16 weeks remain until the election date, for Federal, State and Local elections;
  - e) Any other method, but only if proposed rules for that method are approved by the Victorian Campaign Committee.
27. Where a preselecting body conducts a preselection by selection panel:
- a) all nominees who have successfully passed probity will be interviewed by the panel;
  - b) a “Meet the Candidates” event need not be held;
  - c) the panel shall have 4 members or 5 members, including at least one office bearer of the body conducting the preselection and at least one party member who has previously stood for election as an endorsed Greens candidate;
  - d) where possible, the membership of the Selection Panel shall include at least one person from each branch within the electorate;
  - e) all nominees shall be interviewed by the Selection Panel at any time after Probity has been completed on all nominees. Where possible this shall be in person;
  - f) all candidates shall be allotted the same amount of time by the selection panel, although any interview may be extended at the discretion of the Selection Panel as required;
  - g) the Selection Panel shall meet prior to the interviews and decide on a pre-prepared list of questions prior to conducting interviews with nominees. Nominees shall not be advised of these questions prior to the interview. Each nominee shall be given the opportunity to answer each pre-prepared question within the allotted interview time;
  - h) the Selection Panel shall allow each nominee an opportunity to introduce themselves and explain why they would be an appropriate candidate for the electorate. The Selection Panel may ask supplementary questions which arise during the course of the interview;
  - i) each nominee shall be interviewed separately and privately, with only members of the Selection Panel, the Returning Officer and the nominee in attendance;
  - j) decisions will be made by consensus or failing that by a vote at which a majority of 75% will be required to confirm a nominee as a candidate or to reopen nominations. Should consensus not be achieved or a majority not be obtained in a vote nominations will be reopened;
  - k) the panel will notify the Returning Officer of their decision as soon as is practicable. The Returning Officer will notify the Victorian Campaign Committee immediately following receiving notification.

## **Ballots**

- 28. For preselections involving a ballot, a roll of eligible voters shall be kept by the Returning Officer, with the names checked at the distribution of ballots and, for postal elections, also at the return of ballots.
- 29. Ballots shall be by Optional Preferential Voting, except where there are two or more positions to be filled by the one ballot, in which case a Single Transferrable Vote method shall be used.
- 30. All ballots must include as an option, alongside nominees, the seeking of further candidates.
- 31. Except if the preselection method is by attendance ballot, ballot packs shall be created for eligible voters, which shall include:
  - a) The ballot (if it is a paper ballot it must be signed by the Returning Officer at the point of issue);
  - b) Return-addressed reply-paid or stamped envelopes, and secret envelopes, if the ballot is conducted by post;
  - c) A document, or a link to a document, containing each candidate’s statement, photo (if provided) and the statements of their nominators, as well as voting instructions;

32. Voting options on ballots must be arranged by Robson Rotation.
33. If the method of preselection is by attendance ballot or by electronic ballot, the Returning Officer must so far as practicable provide any eligible voter who requests the option to cast a postal ballot.
34. The counting of ballots after the deadline for return of ballots will be at a time for which notice has been given to all nominees by the Returning Officer. Nominees may choose to appoint one member to observe the vote count.

## **Costs**

35. All financial costs associated with preselection, including room hire, printing and postage of ballot packs, shall be met by the body conducting the preselection.

## **Disputes**

36. Should any member believe that there has been a material breach of this by-law or the rules of any preselection, they matter may be first raised with the Returning Officer, and, if necessary thereafter, raised with the Disputes Panel.

## **Results**

37. Until such time as any preselection result is announced by the Returning Officer, nominees may not comment on the result publicly, nor may any other member of the Party.
38. The declaration of any result of any election conducted by the State Returning Officer shall be final. Whilst in some circumstances the governing body may seek to declare a position vacant in order to conduct a new election, it is not able to deem the State Returning Officer's declared result to be incorrect.
39. All election documentation, including ballot papers and results, shall be kept by the Returning Officer for 60 days after the event. Results shall be made available to any candidate or elector on request.

## **Snap Elections**

40. In the event of a snap election:
  - a) all affected electorates are considered open for nominations where a candidate has not already been preselected for a future election, except where the Victorian Campaign Committee determines otherwise (for example if a particular preselection is about to be concluded anyway);
  - b) the Victorian Campaign Committee:
    - i. may exercise all the powers of State Council in relation to Chapter 5 of the Constitution;
    - ii. will issue a call for nominations for all affected electorates for which a candidate has not already been preselected for a future election;
    - iii. will assist branches and other campaigning bodies with conducting preselections in the most timely manner possible but will in any regards have the ability to appoint by selection panel a candidate to represent the AGV to any electorate which remains unfilled 4 days before the deadline for submitting candidate names to the relevant Electoral Commission.
  - c) the State Returning Officer becomes the Returning Officer for any electorate for which a Returning Officer has not been appointed. They may, at their discretion, appoint Deputy Returning Officers to aid them in their duties. The requirements that Returning Officers, deputy or otherwise, remain uninvolved in other preselection matters must be observed.
  - d) the Probity Panel will have until 48 hours after the close of nominations for preselection to conclude its duties.

- e) the default method of preselection will be assumed to be either electronic ballot or preselection panel. Other methods may be approved by the VCC on a case by case basis.
- f) a decision to appoint a candidate by preselection panel still requires concurrent decisions of the preselecting body and the VCC, or the VCC and the State Executive.

## 30 Confidential Records and Minutes

### Modification History

Action	Body	Date
Endorsed	State Conference	2015-09-05

- 1) The purpose of this bylaw is to give effect to Clause 70.1 of the AGV Constitution. To avoid doubt, this bylaw confers no rights on persons who are not members of the AGV.
- 2) For the purpose of this bylaw, “confidential”, in relation to any matter, such as a record or document of any kind, means that access is only available to those persons:
  - a) who, are required in the execution of their duties as an authorised office- bearer of the AGV or its constituent groups or as a member of any appointed or elected Committee (including of any body established under these rules), to have such access;
  - b) who are required in the performance of their duties as a duly appointed or authorised employee or agent of the AGV, to have such access;
  - c) who have been authorised to have access to that record by the office-bearer (or the most senior staff member) who has the care custody or control of such records;
  - d) who have access pursuant to a decision of the State Executive or the State Council;
  - e) who are investigating a relevant matter as a member of the Disputes Panel, or who are required to see such a document as part of an effective investigation;
  - f) to whom in all the circumstances the release is harmless and reasonable.
- 3) State Council may on reasonable grounds determine that any record, or any class of records, is confidential. State Executive and any Standing Committee may (subject to any contrary decision of State Council) determine that any record, or any class of records, is confidential. State Council may also determine that any record can be made available to party members or publicly.
- 4) Clause 2 above does not limit the right of State Executive or the Campaign Committee subject to any subsequent decision of State Council, to limit access to a particular record or class of records to certain named persons or officers.
- 5) Until and unless a decision is otherwise made under this bylaw, the following classes of documents are confidential:
  - a) Records relating to the performance, selection, appointment or termination of individual staff;
  - b) Records relating to litigation or potential litigation, or like dispute, where the release of such records might prejudice the position of the Party;
  - c) Minutes of meetings held in camera (This bylaw does not limit the effect of any other bylaw dealing with in camera minutes, and is not to be read in that manner);
  - d) Records relating to any commercial negotiation where the release of such records might prejudice the position of the Party;
  - e) Records relating to any individual donation or like payment to the party, except as otherwise provided for in the bylaws;
  - f) Any record or document provided on a bona fide confidential basis by a third party (but not where provision was primarily done in order to render the document confidential);
  - g) Any document in relation to campaigning or electoral matter whose value consists in its contents not being widely known;

- h) Any document whose release would be (in the opinion of the officer or the most senior staff member having care custody or control of that record) highly prejudicial to the Party or unreasonably and unfairly damaging to a third party. Provided further that where access is denied to any member only on this ground and no other, the member seeking access must be advised when access is denied, that the matter will be referred to the next meeting of the State Executive, and that unless the State Executive confirms the denial, access will be granted. The member denied access shall have an opportunity to address the State Executive, in person or in writing as he or she wishes, as to why access should be granted.



## 31 Standing Electorate Campaign Committees

### Modification History

Action	Body	Date
Endorsed	State Council	2016-01-30

### Scope and purpose

- 1) This bylaw gives effect to clause 55.5 of the Constitution.

### Jurisdiction and Review of Standing Electorate Campaign Committees

- 2) The State Executive will appoint a person or establish a committee prior to 31 January in each year, which will be responsible for drafting a proposal (the draft report) to determine the number and jurisdiction of standing electorate campaign committees in accordance with this bylaw. The person or committee may be the same as that appointed under clause 14.1 of the Constitution.
- 3) The person or committee will receive all necessary support from AGV constituent groups, to enable that person or committee to present the draft report to the State Executive by 30 April in each year.
- 4) The person or committee will, by 14 April, set out as part of the draft report:
  - a) Each Victorian Legislative Assembly and House of Representatives lower house electorate with its newest boundaries (i.e. current boundaries or boundaries gazetted which will take effect at the next general election, whichever are newer), and whether each electorate will or will not be governed by a standing electorate campaign committee. In doing so, the person or committee will set out in the case of each electorate:
    - i) Whether it does not fall wholly or partly within the jurisdiction of a Branch, and therefore clause 55.4 (b) of the Constitution applies; or
    - ii) Whether it falls wholly or partly within the jurisdiction of a Branch, and therefore clause 55.4 (a) of the Constitution applies, and:
      - (1) It is an electorate where on the best information available the person or committee appointed under clause 2 above understands that all Branches in existence with coverage of that electorate have decided that there should not be a standing electorate campaign committee, including past decisions which have not been superseded, in which case there will be no standing electorate campaign committee; or
      - (2) All circumstances other than described in sub clause (1) above, in which case there will be a standing electorate campaign committee.
  - b) Key information about each standing electorate campaign committee. In doing so, the person or committee will set out in the case of each standing electorate campaign committee:
    - i) Its name (which will usually take the form “[Electorate/s] State ECC” or “[Electorate/s] Federal ECC”);
    - ii) The electorate/s it covers (a committee can cover up to 3 State electorates or up to 2 Federal electorates (but not a combination of State and Federal electorates) if on the best information available the Branches in the relevant areas wish it to be the case, or if the pre-existing structure has allowed for it, otherwise there will be one committee per electorate. Where there is an incumbent Greens MP or by a decision of State Council including through

the adoption of a campaign strategy identifying priority or winnable electorates, there will be one committee per electorate);

- iii) Based on the report provided to the State Executive under clause 14.5 of the Constitution, the number of representatives each Branch is entitled to appoint as member of the committee, such that:
  - (1) If there is only one Branch which falls wholly or partly within the jurisdiction of the committee, that Branch shall be entitled to appoint 4 or 5 representatives;
  - (2) If there are two or three Branches which fall wholly or partly within the jurisdiction of the committee there will be six Branch representatives in total.
  - (3) If there are four or more Branches which fall wholly or partly within the jurisdiction of the committee there will be seven Branch representatives in total.
  - (4) The number of positions appointed by each Branch will be as closely as possible consistent with that Branch's proportion of the membership in the relevant electorate(s), provided that then, without increasing the number, any Branch without a representative will be allocated one. Where any Branch entitled to one representative has advised that it does not wish to appoint such a representative, the number of positions determined in this clause will not take into account such a Branch.
- iv) Whether the committee is currently suspended under clause 55.9 of the Constitution and when the suspension is to be lifted, if known.

- 5) The person or committee will then:
  - a) Forward the draft report to all Branches, existing standing electorate campaign committees and the Victorian Campaign Committee for comment, not less than 14 days before its scheduled consideration by the State Executive;
  - b) Consider comments on the draft report which are received not less than 7 days before the draft proposal's scheduled consideration by the State Executive, and any other comments as it chooses; and
  - c) Provide to the State Executive an updated draft report incorporating any amendments which are necessary due to the identification of any errors or due to new information being disclosed in relation to clauses 4(a) or 4(b). Other comments received which did not result in amendment/s will be attached to the updated draft report.
- 6) Upon receiving the updated draft report the State Executive will, by 30 April, either: endorse it; or amend it to reflect comments made, including those made by a Branch, existing standing electorate campaign committee or the Victorian Campaign Committee, or to correct any error.
- 7) Upon endorsing the report and by 7 May, the State Executive will release the endorsed draft report (the final report) to State Council members, Branches, existing standing electorate campaign committees and members of the Victorian Campaign Committee, and the findings of the final report will come into effect and be binding as at 1 July. If there is an objection to the decision made by the State Executive under this clause, the State Executive may refer a matter to the State Council if it considers appropriate, or may vary its own decision.
- 8) By 14 May, the most senior staff member or delegate will write to all office bearers of Branches and existing standing electorate campaign committees within the jurisdiction of each standing electorate campaign committee which will come into (or have continuing) effect as at 1 July and which is not suspended, setting out the name, jurisdiction, powers, responsibilities and membership structure of the committee, so as to ensure that Branches and existing standing electorate campaign committees are specifically aware of any changes to campaign structures and are reminded of Branch representative appointment entitlements.

## **Powers and Responsibilities of Standing Electorate Campaign Committees**

- 9) With full and ongoing support from the relevant branches, standing electorate campaign committees will have the power and responsibility to do the following in relation to the electorates within its jurisdiction:
  - a) Conduct (but not determine the method of) preselection;
  - b) Determine the campaigning strategies to be used within the area under their jurisdiction, by complementing and by not contradicting endorsed strategies and decisions of the Victorian Campaign Committee and State Council (and the National Council in the case of Federal electorates);
  - c) Develop a budget and make expenditures in line with established campaign goals;
  - d) With the approval of the most senior staff member of the AGV, conduct any staff employment process, noting however that only the most senior staff member of the AGV may sign employment contracts;
  - e) Establish, if it considers appropriate, a campaign management team to coordinate the campaign on a day to day basis, and delegate to that team clearly defined powers other than the power to alter the endorsed budget, or to make expenditure decisions which are not consistent with the endorsed budget. If a campaign management team is established, it will be required to record its decisions and report in writing to each meeting of the committee advising of all substantive decisions it has made;
  - f) Appoint a Returning Officer, either for a specific election, or on an ongoing basis;
  - g) Contribute to a supportive and accountable working environment for all people working on the campaign;
  - h) Manage local access and appropriate input to information systems to maintain data integrity; and
  - i) Co-opt committee members in accordance with clause 12(f).
- 10) Standing electorate campaign committees are at all times accountable for:
  - a) Ensuring its financial management is undertaken in accordance with bylaw 10 (AGV Constituent Bodies Financial Management and Reporting);
  - b) Ensuring its financial record keeping is undertaken in accordance with clauses 55.7 and 55.8 of the Constitution and any advice issued by the State Council or its standing committees;
  - c) Ensuring that donations received by the committee are managed in accordance with bylaw 6 (Donations and Loans not from Financial Institutions);
  - d) Providing all necessary information to the State Convenor, the Secretary and the Treasurer, Party Agent and Registered Officer for the purposes of compliance with relevant Commonwealth or Victorian legislation; and
  - e) Complying with directives of the State Council and/or the Victorian Campaign Committee.
- 11) Standing electorate campaign committees must provide a written report within three months of the conclusion of an election for the electorate/s it covers to its constituent Branches and the Victorian Campaign Committee, setting out the findings and recommendations of the committee in relation to the campaign. The Victorian Campaign Committee may direct that the written report take a particular form.

## **Membership of and Roles Within Standing Electorate Campaign Committees**

- 12) Standing electorate campaign committees will consist of:

- a) Branch representatives as set out in the report endorsed and released by the Executive under clause 7, plus one Branch representative from any Branch which falls partly or wholly within the electorate(s) overseen by the committee and which was established after the endorsement of the report in respect of any year, who shall be voting members;
  - b) The endorsed candidate/s for the electorate/s within the jurisdiction of the committee, who shall be voting members;
  - c) Where there is an incumbent Greens MP in the electorate within the jurisdiction of the committee, that MP or an AGV Member appointed by that MP, who shall be a voting member;
  - d) At the Victorian Campaign Committee's discretion, an AGV member appointed by the Victorian Campaign Committee, who shall be a non-voting member of the committee and who may not block consensus on any question before the committee;
  - e) The most senior staff member (who is an AGV member) employed to work on a campaign for an electorate covered by the committee, who shall be non-voting members of the committee and who may not block consensus on any question before the committee;
  - f) Any AGV Member the committee decides to co-opt, including:
    - i) Persons with the responsibility of liaising with other campaign committees operating in the same area, for example a Local Government election campaign committee established by a Branch. Such persons will be non-voting members;
    - ii) One member from a Branch which falls partly or wholly within the electorates overseen by the committee, if the Branch is not already represented on the committee (that is, a Branch which had a resolution that it did not wish to appoint such a representative which was current at the time of determination of the report under clause 7, but where that Branch has later resolved that it does wish to appoint such a representative). Such a person will be a voting member;
    - iii) Any member of the campaign management team, if one has been established, who is not otherwise a member of the committee. Such a person will be a non-voting member; and
    - iv) Any other person to complement the skills of existing committee members. Such persons will be non-voting members.
- 13) Branch representatives will be elected by their Branches from time to time such that:
- a) If a Branch has not had a general election for its fully entitled number of Branch representatives on the committee since its previous Annual General Meeting, a fresh election for all the Branch's representatives must be held at the Annual General Meeting; and
  - b) A Branch may fill any casual vacancy for one or more of its representatives at any time.
- 14) Branch representatives are expected to report committee activities and decisions to their Branches and to communicate the expectations of their Branches to the committee.
- 15) A Branch representative member may be removed at any time by a Branch, or by a two-thirds majority vote of a standing electorate campaign committee, upon which the Branch may appoint a new representative.
- 16) Standing electorate campaign committees will appoint office bearers, being a Convenor (or co-Convenors), a Secretary (or co-Secretaries) and a Treasurer (or co-Treasurers), on an annual basis at their first meeting after 1 July, or at the next general meeting of the committee where there is any vacancy in any office.
- 17) The Convenor (or co-Convenors) shall be responsible, among other things, to facilitate meetings or appoint meeting facilitators, be the main contact person/s for the committee, provide the Victorian Campaign Committee with written reports on the activity of the standing electorate campaign committee as and when requested, and supervise any staff employed to work on a campaign for an electorate covered by the committee subject to any conditions imposed by the most senior AGV staff member.
- 18) The Secretary (or co-Secretaries) shall be responsible, among other things, to provide notice of meetings and prepare and distribute meeting agendas after consulting the Convenor, and prepare and

distribute meeting minutes, keep a record of all committee correspondence and other documentation, and provide the AGV State Secretary with any committee documentation requested.

- 19) The Treasurer (or co-Treasurers) shall be responsible, among other things, to lead the committee's budget planning process, provide financial reports to meetings of the committee (except where a staff member has been employed to undertake this role), lead the committee's financial management and record keeping work (except where a staff member has been employed to undertake this role), and provide the AGV State Treasurer with any committee documentation requested.
- 20) The standing electorate campaign committee will choose one of its members to be the campaign co-ordinator for the purposes of clause 55.7 of the Constitution. This will normally be an office bearer or a staff member employed to work with the committee.

## **Meetings of Standing Electorate Campaign Committees**

- 21) Quorum of any meeting of any standing electorate campaign committee shall be a majority of all voting members appointed as at the date of the meeting, or 3, whichever is more.
- 22) Standing electorate campaign committees will meet at least once per year, and:
  - a) If the committee covers a State electorate/s, at least quarterly during the 12 months preceding a State general election; or
  - b) If the committee covers a Federal electorate/s, at least quarterly during the period between two years following a Federal general election and the next Federal election.
- 23) Where the date for the next meeting has not been set in advance by a meeting of a standing electorate campaign committee, the committee Secretary, after consulting the Convenor, shall be responsible for advertising the next meeting with at least five days notice. Meetings may be called with less than five days notice if the Convenor and Secretary can reasonably establish an urgent reason to do so.

## **Transitional Provisions Upon Dissolution or Change of Jurisdiction of Standing Electorate Campaign Committees**

- 24) Where, in advance of 1 July of any year and in accordance with the report endorsed and released by the Executive under clause 7 a standing electorate campaign committee is anticipated either to be dissolved or to change its jurisdiction in a way which alters the Branch representative makeup of the committee (i.e. different Branch/es will fall within the committee's jurisdiction and/or Branch representative entitlements change), the committee will, by 30 June, attempt to decide how any funds or other resources held by the committee will be redistributed. Any decision on this question must be by consensus, and any funds held by the committee may not be transferred to a Branch except with the permission of the Finance, Administration and Infrastructure Committee. Where any committee has failed to reach consensus on this question, the State Executive may determine the fair redistribution of any funds held by the committee.
- 25) Where, in advance of 1 July of any year, a standing electorate campaign committee is anticipated to materially change its jurisdiction (i.e. different Branch/es will fall within the committee's jurisdiction) in accordance with the report endorsed and released by the Executive under clause 7, Branches should elect their representatives to the post 1 July committees as soon as practicable after the release of the report.

## **Special Provisions for the Year 2016**

- 26) Upon adoption of this bylaw and in relation to that set out in the table below, certain decisions are deemed to have been made, being that:
  - a) Each Federal lower house electorate standing electorate campaign committee described in column 2 has come into effect;



- b) All decisions made by the Party body identified in column 1 are deemed to have been made by the committee identified in column 2 of the same row. References in previous decisions and documents of other Party bodies to the body listed in Column 1 are taken to be references to the body in Column 2;
- c) All funds held by the Party body identified in column 1 are deemed to be no longer held by that body and are instead held by the committee identified in column 2 of the same row; and
- d) All Branch representative appointments made to the Party body identified in column 1 are deemed to be Branch representatives appointed to the committee identified in column 2 of the same row (noting however that the review of standing committees' membership structures will occur in 2016 in accordance with this bylaw).

Column 1	Column 2
Batman Election Campaign Committee.	A committee covering the electorate of Batman.
Flinders Election Campaign Committee.	A committee covering the electorate of Flinders.
Gellibrand Election Campaign Committee.	A committee covering the electorate of Gellibrand.
Higgins Election Campaign Committee.	A committee covering the electorate of Higgins.
	A committee covering the electorate of Indi.
Lalor Election Campaign Committee.	A committee covering the electorate of Lalor.
	A committee covering the electorate of Maribyrnong.
McEwen Campaign Committee.	A committee covering the electorate of McEwen.
Federal Melbourne Election Campaign Committee.	A committee covering the electorate of Melbourne.
Melbourne Ports Election Campaign Committee.	A committee covering the electorate of Melbourne Ports.
Bendigo Regional Election Campaign Committee	A committee covering the electorate of Bendigo.
Ballarat Election Campaign Committee	A committee covering the electorate of Ballarat.
Moreland Wills Election Campaign Committee	A committee covering the electorate of Wills

- 27) The State Executive will make any decision necessary to give effect to the intent of this bylaw in the first year of its operation, 2016, which may include decisions to allocate bank accounts previously held by a Branch-based electorate campaign committee to a standing electorate campaign committee. Decisions will be consistent with the previous clause.

## **Interpretational Issues**

- 28) Wherever this bylaw provides for a Branch to provide advice to another body or person, or to agree or not agree to any act matter or thing, that body or person shall be entitled to rely upon written advice (or agreement, etc.) from the relevant Branch Secretary or Convenor as representing the Branch's position.

## 32 Branch Boundaries

### Modification History

Action	Body	Date
Endorsed	State Council	2016-01-30

- 1) Whereas, subject to Schedule 1, the Constitution prescribes that each Branch shall have a jurisdiction which corresponds to one or more Local Government Area, the purpose of this by-law is to give effect to that requirement and to the terms of Schedule 1. The Table 1 below sets out the name of each Branch established under the Constitution (in the left column) and the jurisdiction of that Branch by reference to Local Government Areas.
- 2) Nothing in the Tables below shall prevent any of the following:
  - a) The establishment of any new Branch by members in respect of any Local Government Areas in respect of which no Branch has jurisdiction;
  - b) The extension of the jurisdiction of an existing Branch to include an adjacent Local Government Area in respect of which no Branch has jurisdiction, provided that any Branch adjacent to the area the subject of the proposed extension is given 45 days' notice and the State Executive approves the extension.
  - c) The dissolution under the Constitution of any Branch named in Table 1
- 3) Table 1 - Branches and their corresponding Local Government Areas as at 30 January 2016:

Branch	Local Government Area
Ballarat and District Branch	Ballarat City Council Hepburn Shire Council
Banyule Branch	Banyule City Council
Bass Coast Branch	Bass Coast Shire Council
Bayside-Glen Eira Branch	Bayside City Council Glen Eira City Council
<b>Bellarine Branch</b>	Borough of Queenscliffe Council Greater Geelong City Council Wards of <ul style="list-style-type: none"> <li>• Beangala</li> <li>• Coryule</li> <li>• Cheetham</li> <li>• Buckley (the western portion divided by Staceys Rd, Barwon Heads Rd, Breamlea Rd, Blackgate Rd and Thompson Creek to the Tasman Sea)</li> </ul>
Bendigo Branch	Greater Bendigo City Council
Boroondara Branch	Boroondara City Council
Brimbank Branch	Brimbank City Council
Cardinia Branch	Cardinia Shire Council
Casey Dandenong Branch	Casey City Council Greater Dandenong City Council
<b>Dandenong Ranges Branch</b>	Yarra Ranges Shire Council - Wards of: <ul style="list-style-type: none"> <li>• Billanook</li> </ul>



<b>Branch</b>	<b>Local Government Area</b>
	<ul style="list-style-type: none"> <li>• Chandle</li> </ul>
	<ul style="list-style-type: none"> <li>• Chirnside</li> </ul>
	<ul style="list-style-type: none"> <li>• Lyster</li> </ul>
	<ul style="list-style-type: none"> <li>• Melba</li> </ul>
	<ul style="list-style-type: none"> <li>• Streeton</li> </ul>
	<ul style="list-style-type: none"> <li>• Walling</li> </ul>
Darebin Branch	Darebin City Council
East Gippsland Branch	East Gippsland Shire Council
Frankston Branch	Frankston City Council
<b>Geelong and District Branch</b>	<p>Greater Geelong City Council Wards of</p> <ul style="list-style-type: none"> <li>• Buckley (the easter portion divided by Staceys Rd, Barwon Heads Rd, Breamlea Rd, Blackgate Rd and Thompson Creek to the Tasman Sea)</li> <li>• Austin</li> <li>• Brownhill</li> <li>• Corio</li> <li>• Cowie</li> <li>• Deakin</li> <li>• Kardinia</li> <li>• Kildare</li> <li>• Windermere</li> </ul>
Gippsland Branch	<p>Baw Baw Shire Council                      Latrobe City Council                      South Gippsland Shire Council                      Wellington Shire Council</p>
Goulburn Murray Branch	<p>Greater Shepparton City Council                      Moira Shire Council                      Campaspe Shire Council</p>
<b>Healesville Branch</b>	Yarra Ranges Shire Council - Ryrie Ward
Hobsons Bay Branch	Hobsons Bay City Council
Hume Branch	Hume City Council
Inner West Branch	Maribyrnong City Council
Kingston Branch	Kingston City Council
Macedon Ranges Branch	Macedon Ranges Shire Council
Manningham-Warrandyte Branch	Manningham City Council
Maroondah-Knox Branch	<p>Knox City Council                      Maroondah City Council</p>
Melbourne Branch	Melbourne City Council
Monash Branch	Monash City Council
Moonee Valley Branch	Moonee Valley City Council
Moreland Branch	Moreland City Council

<b>Branch</b>	<b>Local Government Area</b>
Mornington Peninsula Branch	Mornington Peninsula Shire Council
Mount Alexander Branch	Mount Alexander Shire Council
Nillumbik Branch	Nillumbik Shire Council
North East Branch	Alpine Shire Council Benalla Rural City Council Indigo Shire Council Mansfield Shire Council Towong Shire Council Wangaratta Rural City Council Wodonga City Council
Otways Branch	Colac Otway Shire Council
Port Phillip Branch	Port Phillip City Council
Stonnington Branch	Stonnington City Council
Surf Coast Branch	Surf Coast Shire Council
Thomastown-Whittlesea Branch	Whittlesea City Council
<b>Upper Yarra Branch</b>	Yarra Ranges Shire Council - O'Shannassy Ward
Warrnambool Branch	Warrnambool City Council Moyne Shire Council
Whitehorse Branch	Whitehorse City Council
Wyndham Branch	Wyndham City Council
Yarra Branch	Yarra City Council

Branches **highlighted in yellow** are Schedule 1 Branches as defined in the AGV's Constitution

4) Table 2 - LGA's current without AGV Branches:

<b>LGA's without Branches</b>
Campaspe Shire Council
Buloke Shire Council
Central Goldfields Shire Council
Corangamite Shire Council
Gannawarra Shire Council
Glenelg Shire Council
Golden Plains Shire Council
Hindmarsh Shire Council
Horsham Rural City Council
Loddon Shire Council
Melton City Council (formerly Melton Shire Council)
Mildura Rural City Council
Mitchell Shire Council
Moorabool Shire Council
Murrindindi Shire Council
Northern Grampians Shire Council

Pyrenees Shire Council
Southern Grampians Shire Council
Strathbogie Shire Council
Swan Hill Rural City Council
West Wimmera Shire Council
Yarriambiack Shire Council