

# Australian Greens Bylaws

As amended by National Council, October 2006

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# 1. Election of National Office Bearers

[National Office Bearers are: Convenor, Secretary, and Treasurer and their deputies.

Relevant clauses in the national constitution pertaining to Office Bearer elections are in section 23.6.5 and 28.]

1.1. Nominations for Office Bearer positions are to be in writing to the National Secretary indicating: (see Appendix 1.)

- a. the position sought;
- b. details of person nominated (name, address, contact numbers, membership of local group, number of terms served on national executive);
- c. name of person nominating and membership of local group;
- d. name of seconder and membership of local group;
- e. written acceptance of the nomination by the person nominated; and
- f. approximately 1/2 page background to nominee to accompany each nomination.

1.1.1 Any member of the Australian Greens may be nominated. Nominators and seconders must also be members.

1.2. Nominations open 12 weeks prior to the Annual National Conference. This should be announced in "Green" and through state secretaries.

1.3. Nominations close 6 weeks prior to the Annual National Conference.

1.4. In the exceptional case that no nominations for a position have been received, or in the case of a single nomination not being agreed to by a 2/3 majority of delegates present at the Annual National Conference, then the Annual National Conference will elect a person to fill the position from the floor.

1.5 At the Conference, nomination forms should be publicised and available for late nominations.

1.5.1 Nominations (on the standard form, and supported by 1/2 page background) should be made before COB on the first day of the Conference.

1.6. A list of all those who have nominated along with the positions nominated for should be posted on the wall of the Conference as soon as possible after close of nominations.

1.7. If only one nomination has been received for a position that person will be deemed elected or otherwise by agreement of a 2/3 majority of delegates present at the Annual National Conference.

1.8. The Returning Officer will conduct the election, refer to section 28 of the constitution.

1.9 Each nominee or their representative will give a short presentation followed by answers to questions from delegates.

1.10. Each candidate can appoint a scrutineer for the ballot.

1.11 NOTE: If an Office Bearer who has served two consecutive terms seeks to renominate then the eligibility of the nomination will be considered by the conference before proceeding to the ballot, according to provision in clause 28.3.

1.12 The format of the nomination form is in Appendix 1.

1.13 Nomination forms are obtainable from National/State Secretaries.

## 2. Voting Procedure

2.1. Delegates who have instructions from their states to block consensus on the initial wording of a particular proposal should declare such conditions before an issue is discussed. Delegates should indicate if there are any conditions under which they can participate in consensus.

2.2. Observers shall have limited speaking rights. Speaking rights of observers will be determined by the meeting.

2.3. A "reasonable period of time" before a procedural question/motion is put to move the meeting into voting meeting procedure to be defined as:

- a. when the time limit on an agenda item under discussion has passed; and
- b. any resolution by consensus is unlikely to be reached quickly; or
- c. when consensus on a proposal is continually blocked and there is obviously no movement towards resolution by consensus; and
- d. all avenues to reach consensus have failed, e.g.
- e. small group process;
- f. objectors to a proposal prepared to step aside; and
- g. new proposals or amendments put forward to address concerns raised defeated.

2.4. When a "reasonable period of time", as defined above, has passed and a decision cannot be deferred, the facilitator of the meeting may call for a procedural motion to allow the meeting to move into voting meeting procedure so that a vote may be taken.

2.5. If consensus cannot be reached under the process outlined in item 2.1, then a delegate may call for a procedural motion.

2.6. Once the procedural motion has a mover and a seconder then a vote will be taken by a show of hands and recorded.

2.7. A two-thirds majority of delegates present in favour of moving to a vote will deem the procedural motion carried and the meeting will move into voting meeting procedure.

2.8. The facilitator will confirm that the presenter of the original proposal agrees to move it as the substantive motion, and will call for a seconder for that motion. The following order of debate will be followed to clarify the motion to be voted on and will precede the taking of the vote:

1. mover (5 mins);
2. seconder (unless reserves rights) (3 mins);
3. speakers from a speakers list (one if seconder has reserved, two if not) (3 mins);
4. mover's right of reply (3 mins); and
5. a vote taken.

2.9. When the meeting has moved into voting procedure, the order of debate for an amendment is the same as for a motion, except that there is no right of reply.

1. A debate on an amendment suspends debate on the motion.
2. As the amendment is a separate question, speakers who have already spoken to the proposal may speak to the amendment.
3. Once the amendment has been voted on, debate on the motion resumes where it was suspended.

2.9.4 NOTE:

- a. Any amendment needs a mover and seconder
- b. If the mover and seconder of the original motion agree with the amendment put forward then it will be automatically included as part of the motion to be voted on.
- c. If the mover and seconder of the original motion do not agree with the amendment, but subsequently the amendment is carried then the mover and seconder of the amendment become the mover and seconder of the "new" substantive motion.

2.10. Voting will be carried out by a show of hands and delegates votes recorded; delegates' abstentions may be recorded but will not count as votes for or against.

2.11. A motion will be deemed carried by a two-thirds majority of delegates present, as prescribed by the constitution.

2.12. Once the vote has been taken the meeting will revert back to the consensus process.

2.13. If some aspect of formal meeting procedure is not covered by these by-laws the meeting should refer to the reference book by Renton [\[1\]](#) on meeting procedure.

## **3. Postal Ballot Procedure**

**3.1** The purposes of plebiscites are to:

1. make Party policy;
2. amend current Party policy;
3. amend the Constitution;
4. decide on any other matters referred by National Council.

**3.2** National Council will appoint an ad hoc Plebiscite Working Group, comprising one delegate from each member body, to determine the wording for arguments "for" and "against" the proposal.

1. The Plebiscite Working Group will seek input from those known to be supporters and opponents of the proposal, and may delegate the formulation of each case to the respective group.
2. The word limit for the "for" and "against" arguments will be 1000 words each.
3. The Plebiscite Working Group will provide the Returning Officer with the proposal and the accompanying arguments no later than four weeks after the initiation of the plebiscite.
4. Names are not to be attached to "for" and "against" arguments.
5. If, three weeks after the initiation of the plebiscite the proposal is not agreed to by consensus, an agreement by a two thirds majority will enable the ballot to proceed.

### **3.3 Voters' Roll**

1. The National Membership Secretary will be responsible for keeping a current roll of eligible voting members.
2. If a national roll is not available, the National Membership Secretary will, within seven (7) days of the decision to hold a plebiscite, request membership rolls from the states, and the states must supply their membership rolls including necessary name and address information to the National Membership Secretary within a further seven (7) days for their membership to be eligible to vote.
3. A copy of the voters' roll, detailing all members eligible to vote in a particular ballot, must be provided to the Returning Officer within twenty-one (21) days of the decision to initiate a plebiscite.
4. Eligibility for voting in party plebiscites will be determined on the basis of current financial membership of the Australian Greens.
5. The Returning Officer will retain the voters' roll and the ballot papers one year from the close of the ballot.
6. Any member may inspect, but may not copy, the voters' roll by arrangement with and in the presence of the Returning Officer during the period in which it is retained.

### **3.4 Ballot paper**

1. The ballot paper is the written instrument, drawn up by the Returning Officer, upon which the member may cast a vote.
2. The ballot paper may contain more than one proposal for ballot.
3. The ballot paper will contain or be accompanied by such instructions to members as considered necessary to guarantee the identity of the voters and secrecy of the ballot, including the requirements to be satisfied for the member's vote to be accepted to the count.
4. Only one member's vote will be recorded on a given ballot paper.

### **3.5 Return of Votes**

1. The closing date for the poll will be at least twenty-one (21) days, but not more than twenty eight (28) days from the date of posting or distributing the ballot papers.
2. The completed ballot papers must be received at the designated postal address by the date and time specified by the Returning Officer.

### **3.6 Security and Count of the Ballot**

1. The Returning Officer will appoint sufficient Assistant Returning Officers to ensure the efficient counting of the ballot papers.
2. The counting of the ballot papers will be done at a time and place nominated by the Returning Officer.
3. The Returning Officer will advise any member who should so request, of such time and place.
4. Only members nominated by a voting entity at National Council (eg each State party) will be eligible to attend the count as scrutineers, up to a limit of three scrutineers representing each entity.
5. Candidates are not permitted to attend any count of a ballot on which their name appears.
6. The Returning Officer may exclude any person from the count.
7. The Returning Officer must ensure that all ballot papers are kept in a secure location and are not opened prior to the commencement of the count.
8. No person present at or involved in the count may divulge information about which members voted in the ballot or the manner in which they voted.

### **3.7 Announcement of the result**

1. The result of a ballot will be announced by the Returning Officer on the completion of counting.
2. The result will be posted on the Australian Greens website and notified to State Secretaries at the earliest opportunity.
3. Members will be informed of the result of the ballot via email bulletin and through the Green magazine.
4. The outcome of a ballot will take effect from the date of the count unless a later date has been specified in the Constitution or as part of the substance of the ballot question itself.
5. The results of a ballot of the membership, as declared by the National Returning Officer, will be:
  - a. considered definitive as to the opinion of the membership, and

b. binding on all members, officers and bodies of the Party.

**3.8** A question which has been determined by plebiscite may not be re-balloted within twelve months following the declaration of that ballot unless required by the constitution or as a consequential requirement of the plebiscite.

**3.9** National Council may appoint the Australian Electoral Office to conduct the referendum.

## 4. Policy Documents

- 4.1 Each policy of the Australian Greens will comprise three parts - a background, frame-work and policy detail.
- 4.2. The policy background is for information and describes the basis upon which the policy is built.
- 4.3. The policy framework is policy view which spokespeople and representatives may not publicly contradict. As such, it should be reasonably general, but not as broad as the Charter of The Greens.
- 4.4. The policy details described in more detail and with specific proposals, policies suggested in the framework. Spokespeople and representatives of The Greens are not obliged to support all policy details.
- 4.5. Notwithstanding the fact that a policy document is adopted in one layout, authorised persons or working groups may "cut and paste" parts of various policy documents into new documents for the purposes of packaging and presentation of Green policies.

## 5. Register of Members

It is a requirement of incorporation to keep a register of members and have this register available for inspection by members. This register can be held by the National Secretary or by the Membership Secretary. The following by-laws specify access and conditions regarding that access to the Register of Members.

5.1. The information contained within the lists consists solely of each member's name, address and date of joining the Greens.

5.2. The locations at which the register will be kept for inspection will be agreed to by the National Council. The register cannot be moved from these locations without prior authority of the National Council.

5.3. The membership list is not to be used without the express permission of two Australian Greens office bearers and the relevant state party.

5.4. The register can only be inspected in the presence of the Public Officer, Secretary, or other person authorised by the National Council to hold a copy of the register, at times that suit these people.

5.5. Members are not allowed to copy any contents of the register while inspecting it.

5.6. Members who wish to communicate in writing with groups of other members can only do so through the recognised party publications and mailouts, as allowed for in clause 9.5, and not through using the address information contained in the register of members.

5.7. A confidentiality agreement will be signed by any member wishing to inspect the register of members as well as those office bearers holding copies of the register.

# 6. Australian Greens Coordinating Group (AGCG)

## 6.1 STRUCTURE

1. Quorum - 2/3 of total number of members.
2. Size - the Group membership is nine, as follows:
  - a. the Convener;
  - b. the Secretary;
  - c. the Treasurer;
  - d. the Deputy office bearers (3); and
  - e. three (3) members elected by proportional representation at National Conference. It is preferable that one of these positions be reserved for the outgoing convener of the Australian Greens if appropriate.
3. It is important that
  - a. each state and territory is represented on the AGCG; and
  - b. that gender equity is achieved.
4. Affirmative action in that order of priority should be considered at the time of nomination to the positions and made clear to the delegates before the election. Affirmative action cannot be imposed after the election.
5. Appointment is a 12-month term or part thereof, for terms corresponding with Officer Bearers.
6. All employees of The Australian Greens must, when requested, attend AGCG meetings in an ex officio capacity (ie: non-members who attend in an advisory / reporting capacity) and this is treated as working hours.
7. If an AGCG member who is not a National Officebearer fails to attend three consecutive AGCG meetings without leave, their position as an AGCG member immediately becomes vacant, and the National Council may appoint an interim AGCG member for the period until the next Annual National Conference.

## 6.2 FREQUENCY OF MEETINGS

1. Meetings will be held at least once every 2 month, generally by phone link up, and at least four weeks before National Council - or more frequently as required.
2. AGCG will meet at each National Council meeting.
3. Additional meetings may be conducted electronically if agreed by, and accessible to, all group members. Any decisions would be ratified by the next face to face meeting.

## 6.3 CONSTITUTIONAL AUTHORITY FOR THE AGCG

Constitutional authority for the AGCG resides in Sections 29, 30 and 31 of the Constitution - relating to responsibilities and duties of the office bearers.

## 6.4 DELEGATED RESPONSIBILITIES AND DUTIES - GENERAL

To the extent specified in this mandate, the AGCG is responsible for the day-to-day administrative management of The Australian Greens. The AGCG will:

1. monitor and report on the implementation of all National Council decisions;
2. monitor and report on adherence with all legal obligations of an administrative nature e.g. the Associations Incorporation Act;
3. support and facilitate the overall functioning of the party and be available to members and groups as required;
4. be collectively responsible for the management of staff, volunteers, and contractors to the extent specified by this mandate;
5. provide detailed written reports to National Council; and
6. do any other tasks specifically delegated by National Council.

## 6.5 PUBLICATIONS

In the absence of any relevant working groups or by-laws, the AGCG will approve and accept responsibility for the suitability and accuracy of the content of any other 'central' Australian Greens publication or document (eg: website, membership brochures, general Australian Greens information).

## 6.6 OFFICE BEARERS

### 6.6.1 The AGCG will:

- a. give support to the office bearers in their performance of their duties as outlined in the Constitution;
- b. provide a forum for office bearers to raise issues of concern; and
- c. collectively advise office bearers on the following specific aspects of their respective roles.

### 6.6.2 The AGCG will support the CONVENOR to:

- a. monitor the constitutional compliance of all party groups and functions;
- b. give notice of, and draft agendas for, General Meetings, AGMs, State Conferences, National Council meetings and meetings of the Quick Decision Making Group (QDMG), utilising sub-groups if necessary and appropriate;
- c. bring issues forward to National Council for discussion; and
- d. provide and distribute discussion papers on national issues as required.

### 6.6.3 The AGCG will support the SECRETARY to:

- a. approve all standard (form letter) outgoing office correspondence in consultation with the Office Manager;
- b. delegate, or issue guidelines about, non-standard outgoing office correspondence and responses to incoming office correspondence;
- c. maintain a file of all incoming and outgoing office bearer and office correspondence (note that single copies of all current and former standard outgoing office correspondence is sufficient);
- d. review National Council proposals for clarity before distributing to States;
- e. oversee the register of members;

- f. support the Secretary with minutes duties; and
- g. monitor the minute-taking procedures and record keeping of the party, including Working Groups, and provide assistance when requested.

6.6.4 The AGCG will support the TREASURER to:

- a. draft the Australian Greens budget for approval by National Council;
- b. ensure budgetary decisions of National Council are implemented and the overall budget is adhered to;
- c. approve regular and / or budgeted expenditure (after the fact) and report to National Council;
- d. approve minor or unavoidable administrative budgetary changes (up to \$750, and provided the overall budget is adhered to) and report to National Council;
- e. refer to National Council any items not covered by 3) or 4);
- f. organise the Office Bearers and the Office Manager as cheque signatories (at least one Office Bearer to sign each cheque);
- g. manage account transfers;
- h. oversee petty cash procedures;
- i. monitor the bookkeeping procedures and financial record keeping of the party, including Working Groups, and provide assistance when requested;
- j. recommend and implement (or delegate the implementation of) any fundraising initiatives approved by National Council; and
- k. approve accountants and recommend auditors to the Annual General Meeting (AGM).

## 6.7 OFFICE FUNCTIONING

The AGCG is collectively responsible for the Australian Greens office and will, in consultation with the Office Manager:

6.7.1 ensure efficient office functioning;

6.7.2 ensure an organised, positive office environment is maintained;

6.7.3 ensure detailed office procedures are documented for all office functions and that these are adhered to and regularly updated;

6.7.4 ensure the office is appropriately and effectively staffed;

6.7.5 ensure the office is appropriately resourced and equipped;

6.7.6 oversee all appropriate secretarial, financial and other agreed functions as delegated from office bearer roles; and

6.7.7 address any office problems or issues and refer to National Council if necessary.

## 6.8 STAFF MANAGEMENT

The AGCG is collectively responsible for the management of staff, volunteers, and contractors, in accordance with Australian Greens procedures (if any) and National Council decisions and will do the following:

#### 6.8.1 POSITIONS AND ROLES

- a. Recommend new staff positions and create detailed position descriptions (or terms of agreement, in the case of contractors) for National Council approval.
- b. In accordance with Australian Greens recruitment procedures (if any) and the relevant legislation, create a sub-group to advertise for, shortlist, interview, and select any new staff for positions created by National Council.
- c. After consultation with staff, recommend staff promotions and / or role changes to National Council for a decision.
- d. In accordance with Australian Greens procedures - including performance management and grievance procedures - and the relevant legislation, dismiss staff or contractors. Staff have the opportunity to appeal to National Council if dismissed.

#### 6.8.2 GENERAL STAFF MANAGEMENT

- a. Be responsible for ensuring that staff operate in accordance with the constitution and the decisions of National Council.
- b. Oversee and manage all staff to ensure their roles are effectively carried out.
- c. In consultation with the staff member concerned appoint a Key Support Person (a member of the AGCG, who will then report to the AGCG) for each staff member as their first point of contact.
- d. If necessary for particular purposes, delegate supervision of staff, volunteers and contractors.
- e. Provide (or delegate) appropriate orientation, training and support for staff, volunteers and contractors.
- f. Ensure staff are well treated and appropriately paid, as per their award which includes taking responsibility for issues such as industrial relations, occupational health and safety, insurance, working hours, entitlements, holidays and other leave and working conditions generally.
- g. Ensure volunteers are appropriately trained, treated and acknowledged.
- h. Consult with and consider staff needs, views and preferences on administrative issues.

#### 6.8.3 STAFF PERFORMANCE / CONCERNS

- a. Recommend Staff Performance Indicators to National Council for approval.
- b. Ensure staff are recognised and acknowledged for excellent or improved performance.
- c. Provide a forum for staff to raise issues or concerns.
- d. Ensure issues or concerns raised by staff are appropriately and sensitively addressed.
- e. Facilitate staff conflict resolution utilising outside mediation or counselling as necessary and as per staff grievance procedure.
- f. Pro-actively address any problems with staff performance.

- g. Conduct annual performance, salary and position description reviews of all staff.
- h. Three months after employment, conduct performance and position description reviews of all new staff.

## 6.9 PROCEDURES OF THE AGCG

6.9.1 All face to face meetings shall be open to any member of the Australian Greens as observers; except where the AGCG deems it to be necessary for the meeting or sections of the meeting to be held in camera where matters for discussion pertain to legal, employment or politically sensitive material requiring confidentiality.

6.9.2 The tasks of agenda preparation, facilitation and minute taking shall be rotated.

6.9.3 With the exception of any urgent meetings, the intended agenda for each meeting must be provided to each AGCG member at least two days before the meeting and made available to all other members of the Australian Greens upon request.

6.9.4 All decisions shall be made by consensus. Where necessary, the AGCG may seek the assistance of an outside facilitator in order to attempt to reach consensus.

6.9.5 In the event that consensus cannot be reached on a particular matter a vote may be taken, in the usual manner as per section 36 of the constitution, as this vote is reported to the National Council. An AGCG member may refer the matter to National Council for decision or to the QDMG for decision if there is insufficient time prior to the next National Council meeting.

6.9.6 Any item for discussion on the AGCG agenda may, with consensus, be referred to National Council for decision.

6.9.7 The AGCG shall keep detailed minutes, which are in addition to the written report mentioned above at 4.1 and are available to members of the Australian Greens on request.

6.9.8 Decisions by the AGCG that are within the scope of this mandate shall stand unless and until National Council decides otherwise.

6.9.9 In matters relating to particular Working Groups, States or individual members, the AGCG shall consult where possible with those affected before making decisions.

# 7. Generic Terms of Reference for Working Groups

The National Council or the National Conference will approve all Terms of Reference for all national working groups.

## 7.1 Terms of Reference will specify:

- a. name of the group;
- b. whether the group membership be skills-based and/or represent the member states;
- c. membership;
- d. roles of the group and specification of its status/responsibilities/powers;
- e. activities of the group where necessary with associated timelines;
- f. budgetary considerations;
- g. procedures for communication and decision making;
- h. anticipated longevity of the group; and
- i. reporting or accountability considerations

[In the case of policy groups these Terms of Reference should be checked against the guidelines for policy to make ensure consistency.]

## 7.2 Roles of the group and specification of its status/responsibilities/powers

The Terms of Reference will specify the type of working group and its corresponding status, responsibilities, authorities and powers. For example, the group could consist of a small core group with a specific mandate, or it might be a larger group with more general tasks.

## 7.3 Membership Considerations

7.3.1 Each working group will, where appropriate, have a minimum of one member from each State. The method of selection for state delegates should be democratic and follow wide advertisement of the existence of the working group, its mandated tasks and the working arrangements. The group should as general practice allow participation of additional interested Party members.

7.3.2 The group may, either at its discretion or at the discretion of the Greens as specified, seek out expert opinion/advice/guidance from members (and non-members as approved). Experts may be invited to participate in working group activities, but no non-member of the Party may be a member of the working group or be afforded voting or blocking rights.

7.3.3 In the first instance National Council will appoint an interim Convenor of the working group whilst the group is being established. Once it is formally established, the group will elect a Convenor by consensus.

7.3.4 Where a state delegate is unable to act at a particular meeting of the working group, that state may nominate a proxy. Where a parliamentary delegate is unable to act at a particular meeting of the working group, that parliamentary delegate may nominate a proxy.

7.3.5 The working group may allow a state to have an observer, in addition to their state delegate, for the specific purpose of facilitating a handover from one delegate to another.

7.3.6 States may also nominate members as "email group observers" with read-only access to e-group discussions but holding no official status within the Working Group.

#### **7.4 Specifying activities of the group where necessary with associated timelines**

The working group or its appointing body will specify schedules and timelines for working group activities. This will include a schedule of meetings and dates for submissions from states for consideration by the working group.

#### **7.5 Budgetary considerations**

7.5.1 Working group budgets should cover costs of meetings, whether telephone conferences or face to face meetings involving travel by delegates and funding for a professional facilitator where necessary and where there is no suitable facilitator available in the Party.

7.5.2 Budgets must be approved by National Council or Conference.

7.5.3 Fundraising plans must be identified in the budget and must be coordinated with the work of the National Fundraiser.

7.5.4 The Convenor will be responsible for approving expenditure in the budget although any member may request funding for activities.

7.5.5 The convenor is responsible for acquittal in co-ordination with the National Treasurer.

#### **7.6 Procedures for communication and decision making**

7.6.1 To avoid a potential conflict of interest, National Council will determine on a case by case basis the appropriateness of voting rights for any Australian Greens employee on a working group, having reference to, among other things, whether the employee or their working conditions might be directed or determined by the working group.

7.6.2 Where possible, working groups will be facilitated by a trained and experienced facilitator.

7.6.3 Where it is anticipated that issues to be considered by the group will be contentious or controversial, members of the working group can request independent

facilitation which can be sourced from inside or outside the party and paid if necessary.

7.6.4 The working group will develop agreed procedures for the conduct of meetings (including whether independent facilitation is required), for developing agendas, and for all other matters of significance to the work of the group.

7.6.5 It is desirable that all delegates to working groups are trained in consensus processes.

7.6.6 All meetings will be held in accordance with Australian Greens meeting procedures.

7.6.7 All members of the group must be given a previously agreed time to review draft documents submitted in the name of the group before they are submitted, and be given the opportunity to recommend changes to them.

### **7.7 Anticipated Longevity**

7.7.1 The Terms of Reference should differentiate between one-off, specific purpose groups and standing/ongoing ones such as policy groups.

7.7.2 In the case of the former there would be an indication of when and how the group will wrap up.

7.7.3 In the case of the latter there would be proposals for review, changeover of convenors and possibly a notion of succession planning so that there is through flow of ideas and the possibility of entrenching power bases is moderated.

### **7.8 Reporting or accountability considerations**

The Terms of Reference will specify how, when and to whom the group reports back on the results of its work.

## 8. Bylaw on Donations to the Australian Greens

- 8.1. The Australian Greens (AG), 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 through donations.
- 8.2. In the current situation where donations, including gifts-in-kind as defined by the Australian Electoral Commission, are used by parties throughout the political cycle, AG, using transparent practices, will accept donations, subject to ethical review.
- 8.3. In accordance with the above AG will –
  - 8.3.1. Ensure that where any donor's cumulative donations to AG total \$1,500 or more within a twelve month period their donations are reviewed by the AG Donations Reference Group (DRG).
  - 8.3.2. Seek to ensure that the values and aspirations of all donors are not inconsistent with those encapsulated in the policies and the Charter of the Australian Greens.
  - 8.3.3. Accept donations only for supporting the aims of the Party.
  - 8.3.4. Seek to ensure that no donation be accepted or retained if it gives rise to or is likely to give rise to a conflict of interest as defined below.
  - 8.3.5. Ensure that federally elected Greens representatives, federal preselection candidates, endorsed candidates for a federal election and members of the Greens do not solicit or accept personally any donation to be used for activities on behalf of the Party or to advance the member's standing within the Party including campaigning or fundraising, unless granted an exemption by the Donations Reference Group. Donations instead will be directed to AG, a State party or a local group.
  - 8.3.6. Maintain transparency in donor identity by making public at the end of each three month period all donors and the cumulative total of their donations to AG over the previous twelve month period where those cumulative totals amount to \$1,500 or more.
  - 8.3.7. Ensure that donations rejected as a result of this bylaw will be returned to the donor at the earliest opportunity.
- 8.4. The acceptance of any donation by AG does not imply endorsement of the activities, undertakings or processes of the donor.
- 8.5. Implementation of this donations bylaw will be overseen by the DRG.

- 8.6. It is the responsibility of the AG Treasurer to monitor all donations received or offered to AG and ensure all donations which are subject to review by the DRG, or may be subject to rejection under this bylaw are promptly referred to the DRG for consideration.
- 8.7. It is the responsibility of any other person receiving an offer of a donation to AG that the offer be referred to the AG Treasurer for possible action under this bylaw prior to the donation being accepted.
- 8.8. Any State may request the AG Treasurer to refer any donation it is aware of having been offered to or received by AG to the DRG for consideration.

### **Definition of Donation**

(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.)

Any loan received by or offered to AG by an individual or entity which is subject to an agreement including conditions that could result in the loan being converted to a donation on occurrence of a particular election result or event will also be subject to this policy.

### **Definition of Conflict of Interest**

AG 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.

Useful reading: Independent Commission Against Corruption, Crime and Misconduct Commission (2004) Managing conflicts of interest in the public sector. Guidelines.

# 9. Job Descriptions

Extent of Commitment: As these are entirely voluntary positions, all National Coordinators will devote time to this function to the extent possible, whilst recognising that available time during regular work hours may on many occasions be limited. The Coordinator positions can be shared.

## 9.1 National Campaign Coordinator

### 9.1.1 ROLE:

The role of the National Campaign Coordinator is to facilitate preparation for and smooth day-to-day running of The Greens federal election campaign, and to help raise the public profile of The Greens as a national party through coordinated activity, especially in relation to the Senate team.

### 9.1.2 RESPONSIBILITIES PRE-ELECTION:

Until an election is called, the National Campaign Coordinator's responsibilities are to:

- a. establish a volunteer team to assist in campaign coordination;
- b. establish and maintain contact files for The Greens and affiliated groups (local, state, national) and registers of other essential information (e.g. agreed election policies, opinion polls, market research, etc);
- c. in conjunction with the ECT, prepare detailed plans and budgets for the national campaign and coordinate national events (e.g. speaking tours);
- d. manage the budget and oversee fundraising for the national component of the federal election campaign;
- e. coordinate the collection, analysis and distribution of electoral data as a basis for campaign planning, identification of priority Senate candidates, and decisions about preference allocation;
- f. coordinate the preparation and distribution of training materials and a campaign handbook for candidates and campaign teams;
- g. in conjunction with the ECT/PCG, Media Coordinator and Senate team, monitor polling, carry out market research and identify key themes and messages for the campaign; and
- h. in conjunction with the Media Coordinator, prepare a media strategy to promote the Senate team and highlight key themes and messages.

### 9.1.3 RESPONSIBILITIES DURING ELECTION CAMPAIGN AND AFTER:

Responsibilities include the relevant tasks listed in 9.1.2, and in addition:

- a. coordinate implementation of the election campaign plan;
- b. organise national events as required;
- c. prepare and circulate national campaign up-dates quickly;

- d. maintain frequent personal contact with campaign coordinators in each State and the Senate campaign team;
- e. refer inquiries to appropriate people (NOTE: Media Coordinator will be responsible for media. but Campaign Coordinator should refer media inquiries to appropriate contacts);
- f. establish and co-ordinate election night tally, analysis and media contact point; and
- g. oversee preparation, printing and distribution of initial round of election results and analysis.

#### 9.1.4 RESPONSIBLE TO:

The National Campaign Coordinator is responsible to the Election Campaign Team, and ultimately to the National Council.

## 9.2 Policy Coordinator

The Policy Coordinator for the Australian Greens is appointed by the Annual National Conference for a year at a time. The Coordinator can be, but does not have to be, a representative of a State or a Territory on the Policy Coordinating Group (PCG).

#### 9.2.1 RESPONSIBILITIES:

The Policy Coordinator:

- a. facilitates the PCG;
- b. arranges phone link-ups with the PCG whenever necessary;
- c. is responsible for the budget of the PCG;
- d. appoints convenors and deputy convenors of documents in collaboration with the PCG;
- e. controls the production of policy documents in accordance with the constitution;
- f. reports to National Council on the progress of the PCG;
- g. keeps address lists of policy convenors, deputy convenors, state contacts, and members of the PCG;
- h. tries to make convenors deliver drafts on time, either directly or through State representatives on the PCG;
- i. directs the work of the PCG on quality control and compatibility checks of policy drafts; and
- j. edits the final drafts (this task can be delegated).

9.2.2 It is necessary for the Coordinator to have access to (order of importance): phone, letter writing material, computer and word processor, e-mail facility, photocopier and fax.

9.2.3 It is important but not necessary for the Policy Coordinator to be persuasive when attempting to make convenors deliver documents, to be tolerant of a multitude of different opinions and to be infinitely patient.

## 9.3 International Secretary

The International Secretary is appointed by the Australian Greens Annual Conference. His/her/their responsibilities, in liaison with national office staff, include:

- a. keeping an up-to-date database of overseas Green Parties, Associations, federations and kindred NGOs;
- b. receiving, disseminating and responding to information and correspondence from overseas Green Parties, Associations, Federations and kindred NGOs;
- c. receiving and disseminating information about international conferences, meetings, campaigns and events, including editing a regular newsletter and ensuring postings to the website;
- d. convening the Australian Greens international focus group;
- e. liaising with International contact persons in the State and Territory parties, including facilitation of mentor relationship with developing Asia-Pacific Greens parties;
- f. liaising regularly with the Members of Parliament on relevant issues;
- g. liaising with the executive of the Australian Greens about the Asia Pacific Federation of Green Parties and the Green Shield initiative;
- h. ensuring that the resolutions passed at the Global Greens Conference 2001 are considered and actioned appropriately;
- i. communicating with the Australian Greens about issues related to the Global Green Charter;
- j. maintaining a list of country/regional experts with connections to the Australian Greens;
- k. responsibility to the National Council of the Australian Greens; and
- l. liaising with the National Executive, Parliamentarians, and State and Territory parties.

## 9.4 National Membership Secretary

The National Membership Secretary is appointed by the Australian Greens Annual Conference. His/her/their responsibilities, in liaison with national office staff, include to:

- a. act on behalf of the secretary to keep a record of the current national membership, as required by the constitution;
- b. obtain the data required for mailing Green magazine and other national mail-outs such as the annual report and letters from Senators;
- c. in accordance with the resolution of the 2002 National Conference, assist in changing state constitutions and processes to permit members to transfer between states without needing to apply for membership and without waiting periods;
- d. facilitate the standardisation of database software and fields between states/territories, when required, to allow for the simplified collection of data at the national level;
- e. assist in examining the possibilities for an on-line membership database;
- f. assist in the exchange of information between states/territories on membership issues and to assist in organising database systems;

- g. assist the Northern Territory Greens with membership records;
- h. oversee the on-line membership application system from the national web site to ensure that it is operating effectively and securely and in accordance with state parties; and
- i. perform other membership-related tasks as requested by National Council.

## **9.5 National Information Exchange Officer**

### 9.5.1 BASIS FOR ACTION

Information is empowerment: if you know the issues back to front there will be little room for confusion when the going gets difficult.

### 9.5.2 OBJECTIVES

The objectives of the National Information Exchange Officer will be to:

- a. encourage and support the exchange of information and ideas through The Green network, nationally and internationally;
- b. acquire information and to facilitate the dissemination of GREEN information on request to enhance campaigns, etc;
- c. maintain contact with like-minded groups;
- d. maintain a register of events, i.e. conferences, seminars, work-shops, etc; and
- e. reinforce the notion through-out the community that there is an Australian Green presence.

### 9.5.3 MEANS

Prerequisites: computer, printer, modem, fax, answering machine, photocopier.

Communication Skills: Able to liaise with numerous organisations and extract as much information as is possible at the least expense i.e. minimise phone-line time.

Budget to cover phone and fax use; subscriptions; photocopying.

# **10. Donations Reference Group Terms of Reference**

## **10.1 Role/Responsibility**

10.1.1. The Donations Reference Group (DRG) is to consider donations received by the Australian Greens (AG) according to the National Donations Bylaw and any additional guidelines provided by National Council from time to time.

10.1.2. The DRG will aim to make decisions on whether to accept donations to AG within 3 working days of the donation being referred to the DRG, subject to the need to undertake an appropriate level of research, consultation and discussion in relation to the respective donations.

10.1.3. If requested by a State party or local group in receipt of a donation, the DRG will consider and advise on the donation in the context of the National Donations Bylaw and National Council guidelines, as requested.

10.1.4. The DRG will monitor the effectiveness of the National Donations Bylaw and additional guidelines in their application to the deliberations of the working group and will propose amendments to National Council as required.

## **10.2 Membership**

10.2.1 The membership of the DRG comprises the National Treasurer in an ex-officio and non-voting capacity who will act as the convenor of the group, and one delegate for each State.

10.2.2. States will be responsible for their membership appointments. Members may be appointed for a fixed term or on an ad hoc basis.

## **10.3 Communication and decision making**

10.3.1 All meetings of the DRG shall be conducted in accordance with AG meeting procedures for communication and decision making.

10.3.2 Meetings may take place face to face, by telephone or by email or other electronic means.

10.3.3 The quorum for DRG decisions is two thirds of the voting membership.

10.3.4 Where possible, decisions will be by consensus, otherwise by a two-thirds majority. Minority views on an issue will be recorded.

10.3.5 Where a decision to accept a donation is not agreed by at least a two-thirds majority the donation will be refused.

10. 3.6 All meetings will be recorded in minutes or on tape.

## **10.4 Budget**

10.4.1 The DRG shall only expend funds provided by AG where this is in accordance with a budget that has been endorsed by National Council.

10.4.2 The DRG has no authority to incur debt or secure loans on behalf of the party.

## **10.5 Reporting and accountability**

10.5.1 The National Treasurer will furnish an activity report to each meeting of National Council and Conference on behalf of the DRG.

## **10.6 Anticipated longevity**

10.6.1 The DRG is an ongoing working group of National Council.

# 11. Observers on e-lists

11.1 Any member seeking observer status on an elist will request their state membership officer to forward their request with verification of membership status to the administrator of list and send a copy back to member. That the administrator of elists will undertake an annual review.

11.2 That an observer can have their observer status revoked by a decision of the QDMG.

11.3 States regularly review observer membership on elists

11.4 That the elists for the following committees or groups be closed to observers:-

11.4.1 Australian Greens Coordinating Group (AGCG) Coordinating Committee

11.4.2. National Election Campaign Committee (NECC)

11.4.3 Quick Decision-Making Group (QDMG)

11.4.4 Preferences Working Group

11.4.5 Policy Committee

11.4.6 Strategic Plan Working Group

## **12. Submissions to National Council or National Conference**

12.1 A proposal to the National Organisation may be submitted by a:

12.1.1 Constituent Group (local group/branch, electorate branch, regional group);

12.1.2 Member Body (State Party)

12.1.3 National Working Group

12.1.4 National Office Bearer

12.1.5 Greens Member of Parliament

12.1.6 National Delegate

12.2 The deadline for normal proposals for National Council or Conference to be submitted to the National Secretary is six weeks before the meeting.

12.3 A proposal submitted after the deadline for normal proposals but more than three weeks before the meeting can be accepted provided it is:

12.3.1 The result of a working group and there is an expectation that a proposal will be coming to the meeting

12.3.2 Genuinely urgent, not controversial, consistent with an existing policy, and, there is not a request for money

12.3.3 A modification of already circulated proposals where feedback has been received and they are an attempt to represent a position closer to a consensus position

12.3.4 Accepted by the meeting as an urgency proposal.

12.4 A proposal submitted three weeks or less before the meeting can only be considered if deemed by the meeting to be an urgency proposal.

12.5 A proposal submitted after the deadline for a normal proposal may be considered as an urgency proposal if the meeting determines one or more of the following:

12.5.1 There would be a serious consequence to the party from not making a decision at this National meeting

12.5.2 A decision cannot wait for material reasons (for example a donation to a disaster fund, agreeing preferences, by-elections or snap elections)

12.5.3 the QDMG has not met, or is not able to meet, to deal with the situation.

12.6 The deadline for reports to be submitted to the National Secretary is three weeks before the meeting.

# Appendix A - Nomination Form

## NOMINATION FORM FOR THE ELECTION OF NATIONAL OFFICE BEARER POSITION FOR THE AUSTRALIAN GREENS

I, (name) -----  
-----

of (address) -----  
-----

-----  
(phone).....

am a fully paid up member of (local group) -----  
-----

and accept the nomination to stand for the position of-----  
-----

Signed:(nominee) -----  
-----

Nominator: I, (name) -----  
-----

being a fully paid up member of(local group) -----  
-----

nominate (nominee) -----  
-----

for the position of -----  
-----

Signed: (nominator) -----  
-----

Seconder: I, (name) -----  
-----

being a fully paid up member of (local group) - -----  
-----

second the nomination of -----  
-----

for the position of -----  
-----

Signed: (seconder) -----  
-----

NOTE: if the nominee has served as a National Office Bearer, indicate the position and the years served in that position. Please attach approximately 1/2 page of background for this nomination.

## Appendix B - Working Group Terms of Reference Template

Australian Greens [insert name] Working Group  
Terms of Reference

### Name

1. The name of the Working Group shall be the Australian Greens [insert name] Working Group ([insert acronym, eg AG-XXWG])

### Membership

2. [Define if WG is representative of State parties, or is skill-based. Example if representative:] Each state and territory shall be invited to nominate a voting member to the AG-XXWG, with that person also preferably being the contact/liaison person for their state party and State Greens Senator.

3. [State other ex-officio members and define whether they have voting rights, can block consensus & can have proxies. Examples:] The National Officer will be a non-voting member of [AG-XXWG].

4. Experts may be invited to actively participate within [AG-XXWG] activities, but non-members of the Greens may not be a member of [AG-XXWG] or be afforded voting or blocking rights.

5. In the first instance the Australian Greens [select: National Council / Coordinating Group (AGCG) / other] will appoint an interim Convenor of [AG-XXWG] whilst the group is being established. Once it is formally established, the group will elect a convenor, preferably by consensus.

### Roles of the Group

6. [Insert paragraphs defining what the WG's responsibilities are or what it is set up to do. Be as specific as possible. Example:] The [AG-XXWG] will liaise with the Australian Greens and State Greens spokespeople to:

a. provide assistance upon request;

b. act as a source of information regarding current issues in [topic];

c. provide suggestions regarding potential campaign opportunities on issues associated with [topic].

7. [Another example:] The [AG-XXWG] will act as a policy think tank on issues affecting [topic], reviewing Greens policy as appropriate to ensure appropriate consideration of these issues, and making recommendations to national council.

8.[Another example:] The [AG-XXWG] will also liaise and work with NGOs actively advocating on these issues.

Target Activities for 200X (to be updated annually)

9.[If an on-going group, insert any specific and/or critical activities for the current year. Otherwise, this heading can be deleted].

#### Budget

10.The [AG-XXWG] has no authority to incur debts or secure loans on behalf of the party.

11.The [AG-XXWG] will only expend funds provided by the party where this is in accordance with a budget that has been ratified by National Council.

12.The [AG-XXWG] Convenor will be responsible for approving expenditure in the budget, although any member may request funding for activities.

13.The [AG-XXWG] Convenor is responsible for acquittal in coordination with the National Treasurer.

#### Communication and Decision Making

14.The [AG-XXWG] will meet [insert how the group meets, and how often.

Example:] not less than 4 times per year either in person, via phone link up or by any other appropriate method available.

15.Where possible, meetings will be facilitated by a trained and experienced facilitator.

16.The [AG-XXWG] will develop agreed procedures for the conduct of meetings, and act in accordance with Australian Greens meeting procedures.

17.All members of the group must be given a previously agreed time to review draft documents submitted in the name of the group before they are submitted, and be given the opportunity to recommend changes to them.

#### Anticipated Longevity

18.The [AG-XXWG] is [insert whether ongoing or fixed term. Example:] an ongoing policy and campaigning working group.

19.[Sample paragraph if ongoing:] In the event that the [AG-XXWG] fails to meet its minimum meeting requirement for the twelve-month period between national conferences, and/or fails to present a report to national conference, then it will be deemed to have dissolved.

20.[Sample paragraph if ongoing:] The [AG-XXWG] will elect a convenor for the group at least every twelve months.

#### Reporting and Accountability

21.The [AG-XXWG] will provide a brief written report of activity to each national council meeting, with a more comprehensive report to be tabled at each national conference.

22.The report to national conference must detail as a minimum:

- a.Current membership, including state representation;
- b.Details of meeting activity;
- c.Progress towards goals of Working Group as defined in the terms of reference;
- d.Budget report