

# **TASMANIAN GREENS CONSTITUTION**

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## DEFINITIONS

**THE AUSTRALIAN GREENS:** The National Greens Party of Australia.

**THE CHARTER:** The Charter of the Australian Greens as listed in section 1.

**CONFERENCE:** The meeting of the full membership of the Tasmanian Greens Party, held annually or more frequently, which is the supreme decision making body of the Party.

**DEBT:** any amount of money owing, even briefly - eg. an account is a debt.

**ELECTION CAMPAIGN COMMITTEE:** A committee formed under this constitution for the purpose of conducting campaigns in support of endorsed candidates.

**ELECTORATE BRANCHES:** This is The Tasmanian Greens organisation based on a state and federal Lower House electorate. The Electorate Branch membership includes all Members of The Tasmanian Greens registered in that electorate.

**EXECUTIVE:** The administrative arm of the Tasmanian Greens Party, responsible for day to day management of the Party.

**LOCAL GROUPS:** Local Groups may comprise members of a suburb, town, workplace, neighbourhood, geographic area or any other affinity group.

**MEMBER BODY:** Member bodies are state political parties (comprised of their various constituent groups) that agree to abide by The Charter and the National Constitution.

**MEMBERS:** "Members" refers to members of The Tasmanian Greens as defined in this Constitution.

**MEMBERS IN PUBLIC OFFICE** who are endorsed by The Tasmanian Greens: Members of The Tasmanian Greens who stand as publicly endorsed candidates for

The Tasmanian Greens in local, state or federal elections and who are subsequently elected to seats in local government, state parliament or federal parliament.

**NATIONAL CONSTITUTION:** The Constitution of the Australian Greens.

**NATIONAL COUNCIL:** The Greens organisation based on national representation according to the National Constitution.

**OPTIONAL PREFERENTIAL SYSTEM (of voting):** the voter's choice of candidates in a ballot and their choice of order of preference - eg. 1 or 1, 2 or 1, 2, 3, etc.

**PARTY:** The Tasmanian Greens party.

**POLICY PROMOTION GROUP:** A working group established with the purpose of preparing, promoting and communicating policy.

**PROSCRIBED ORGANISATIONS:** are other political parties or the subordinate bodies of other political parties. A list of these proscribed organisations will be decided upon and published by the National Council of The Greens.

**TGL:** Tasmanian Greens Limited (ACN 120 135 355) is an associated entity of the Tasmanian Greens Party. It operates as the legal entity of the Party for the purposes of entering into legal relations. It is the financial arm of the Party.

## SECTION I CHARTER AND OBJECTIVES

### 1 THE CHARTER OF THE GREENS

1.1 The purpose of the Tasmanian Greens is to achieve the widest possible adoption and implementation of the Charter of the Greens.

1.2 The Charter is the governing guide for the Tasmanian Greens. The Charter principles, which are the principles of the Tasmanian Greens, are:  
Reflecting an awareness of the

interrelatedness of all ecological, social and economic processes, our general principles are:

#### ECOLOGY

- to ensure that human activity respects the integrity of ecosystems and does not impair biodiversity and the ecological resilience of life-supporting systems;
- to encourage the development of a consciousness that respects the value of all life.

#### DEMOCRACY

- to increase opportunities for public participation in political, social and economic decision making;
- to break down inequalities of wealth and power which inhibit participatory democracy.

#### SOCIAL JUSTICE

- to eradicate poverty by developing initiatives that address the causes as well as the symptoms of poverty;
- to provide affirmative action to eliminate discrimination based on gender, age, race, ethnicity, class, religion, disability, sexuality or membership of a minority group.
- to introduce measures that redress the imbalance between rich and poor.

#### PEACE

- to adopt and promote non-violent resolution of conflict;
- to develop an independent, nonaligned foreign policy;
- to develop a self-reliant, defensive, non-nuclear defence policy;

#### AN ECOLOGICALLY SUSTAINABLE ECONOMY

- to develop economic policies which will ensure greater resource and energy efficiency as well as development and use of environmentally sustainable technologies;
- to reduce dependence on nonrenewable resources and ensure sustainable use of renewable resources;
- to adopt more comprehensive social,

environmental and technology assessment practices;

- to facilitate socially and ecologically responsible investment;

#### MEANINGFUL WORK

- to encourage, develop and assist work that is safe, fairly paid, socially useful, personally fulfilling and not harmful to the environment;
- to encourage and facilitate more flexible work arrangements, ongoing education, training and social welfare so that more people can engage in meaningful work.

#### CULTURE

- to respect and protect ethnic, religious and racial diversity;
- to recognise the cultural requirements of the original Australians;
- to assist in ensuring the achievements of Aboriginal land rights and self-determination.

#### INFORMATION

- to facilitate a free flow of information between citizens and all tiers of government;
- to ensure that Australians have the benefit of a locally responsible, diverse, democratically controlled, independent mass media.

#### GLOBAL RESPONSIBILITY

- to promote equity between nations and peoples by:
  - facilitating fair trading relationships;
  - providing for increased development assistance and concerted international action to abolish Third World debt;
  - providing increased green technology transfer and skills to developing countries;
  - opposing human rights abuses and political oppression;
  - ensuring that Australia plays an active role in promoting peace and ecological sustainability.

## LONG RANGE FUTURE FOCUS

- to avoid action which might risk long-term or irreversible damage to the environment;
- to safeguard the planet's ecological resources on behalf of future generations.

1.3 The Charter is the basic document of agreement which defines the principles and aims of the Party. As such, Members and Electorate Branches may not publicly put forward ideas at variance with The Charter without calling into question their continued membership of the Party.

1.4 To change The Charter an amendment must be supported in a plebiscite by at least 75 per cent of eligible party members nationwide. For the result of such a plebiscite to be valid, at least 50 per cent of members must have participated. The plebiscite will be by postal vote.

## 2 NAME AND REGISTERED OFFICE

2.1 The name of the party is The Tasmanian Greens ('the Party').

2.2 This Constitution identifies the principles and the rules governing the conduct of the Party. All other party documents are subordinate to this Constitution with the exception of The Charter.

2.3 The registered office of the Party shall be at 83 Harrington Street Hobart or such other place as the Executive may from time to time determine.

2.4 The only persons with authority to make public statements on behalf of party are spokespersons appointed by Conference or Executive, Members in Public Office, and candidates for public office who are endorsed by the Party.

## 3 CONSTITUTIONS: STATE AND NATIONAL COORDINATION

3.1 The Greens are a national confederation of state parties. To facilitate smooth

operations between the state and national organisations, the National Constitution and all State Constitutions must remain compatible with one another.

## 4 OBJECTIVES

The Party's objectives are the following:

4.1 To seek the election or appointment to public office of people who are committed to The Charter.

4.2 To be a registered political party pursuant to the Commonwealth and State Electoral Acts.

4.3 To encourage other political parties to adopt our policies and principles.

4.4 To promote and assist other individuals, associations, organisations, and community networks, in working for the objectives of the Party.

4.5 To promote the development of, and participate and communicate with, the Green political movement locally, nationally and globally.

## SECTION II MEMBERSHIP

### 5 MEMBERSHIP

5.1 Membership of the Party shall be open to any person who accepts and abides by the Constitution of the Party and who has read and supports The Charter and who is not a current member of any other political party other than a Green Party abroad and who is not a member of a Proscribed Organisation.

5.2 Membership of the Party shall automatically confer membership of:

1. the Electorate Branch in which the Member resides if the member resides in Tasmania; and
2. the Australian Greens.

5.3 A register of Members shall be maintained at the registered office, which shall contain the names and addresses of current financial Members. Electorate

Branches will be entitled to the lists of their own Members.

5.4 Membership of the Party shall entitle members to vote on the business of the Party at state or Electorate Branch level (except as stated in Section 19) and to be delegates to Conference and Electorate Branch meetings and to hold office.

5.5 A person shall cease to be a member:

1. When their written or verbal resignation is received by the Executive either directly or through their Branch Convenor or the Party Administrator or Networker; or
2. When the person ceases to accept or abide by the rules of the Party. This will be determined by the Executive following the application of the Party's Grievance Resolution Procedure; or
3. When the person dies; or
4. When the person has not paid their Party membership subscription during the period of ninety days since its due date; or
5. If and when the person joins another political party or Proscribed Organisation.

## 6 MEMBERSHIP FEES

6.1 Each Member will pay annual membership fees. The Executive will determine the amount of the membership fee and how it is to be allocated between the Tasmanian Greens and the Australian Greens.

6.2 In the event that the membership fee of any Member is not paid by the due date, the Member will remain financial for a period of ninety days, after which membership will lapse.

6.3 Membership fees are not refundable.

## 7 EXPULSION

7.1 The Executive may expel any Member if their conduct is considered to be inconsistent with the Charter or Constitution of the Party. Such a decision shall be arrived

at following application of the Party's Grievance Resolution Procedure. The result will be communicated in writing to the Member.

7.2 A false declaration as to membership of another political party or Proscribed Organisation will be sufficient grounds for expulsion.

7.3 If there are strong and compelling reasons, the Executive may pass a resolution that disassociates a Local Group or Electorate Branch from the Party. Electorate Branches can also be censured by the Executive.

## 8 FRIENDS OF THE PARTY

8.1 Any organisation or community body or major donor who shares the principles, aims and objectives of the Party may apply to become a "Friend of The Tasmanian Greens".

8.2 Application to become a Friend is subject to approval of the Executive and may be revoked by the Executive following the application of the Party's Grievance Resolution Procedure.

8.3 An organisation or community body accepted as a Friend of the Party will pay a subscription fee.

8.3 A Friend of The Tasmanian Greens will receive the newsletter of the Party and may, at the discretion of Executive or the Electorate Branch Convenor, attend Conference or Electorate Branch meetings.

## 9 AFFIRMATIVE ACTION

9.1 The Greens are committed to the principle of women and men having equal status within society and will practice gender equity and equal opportunity principles.

9.2 The Greens will instigate affirmative action for women to encourage them into non-traditional positions.

9.3 At no time will any Member be discriminated against due to gender, age, race, ethnicity, class, religion, disability, sexuality or marital status.

### SECTION III STRUCTURE

#### 10 STATE CONFERENCE AND GENERAL MEETINGS

10.1 The Annual State Conference (hereafter “Conference”) shall be considered the supreme body and set the political direction of the Party.

10.2 The Conference shall include the Annual General Meeting (“the AGM”) of the membership and shall be held within three months of the end of the financial period and shall be held at such time and place as may be designated by the Executive.

10.3 The time and place of the Conference shall be notified to all members and friends not less than two months prior to such meeting being held.

10.4 A Special State Conference may be called by Executive or by three Electorate Branches. In this case the State Convenor will organise the Special Conference after giving at least two weeks notice to Members, preferably more.

10.5 AGM Conference and Special State Conferences shall be open to all financial Members .

10.6 Conference, the AGM and any Special State Conferences shall, except where they decide otherwise, also be open to the media and public as nonparticipating observers.

10.7 The business of the AGM includes:

1. the State Convenor’s Annual Report;
2. the State Treasurer’s Annual report including the audited financial statements for the previous financial year;
3. election of State Office Bearers;
4. appointment of delegates to the

National Conference and other national bodies as required; and  
5. other reports tabled.

10.8 The business of Conference also includes, but is not limited to:

1. discussion of Party strategy and political direction;
2. discussion of proposed amendments to the Constitution;
3. ratification of party policy;
4. discussion of campaign strategies.

#### 11 STATE EXECUTIVE

11.1 The State Executive (hereafter called ‘Executive’) shall be considered the Party’s administrative body, responsible for the day to day overall administration of the Party, instructed by and answerable to the membership, Electorate Branches and Conference. Executive will act in a manner consistent with these rules and with the will of the Party as expressed through Conference and Special General Meetings and any agreement between the Parliamentary Wing and Executive.

11.2 The Executive shall consist of:

- The State Convenor
- The State Treasurer
- The State Secretary
- The Deputy Convenor
- The Party Election Co-ordinator
- The Branch Convenor from each Electorate Branch (5 in total) or his/her nominated delegate
- One person selected by State Parliamentary representatives as their delegate
- One person selected by Local Government representatives as their delegate
- One person selected by Federal Parliamentary representatives as their delegate

11.3 Paid employees working for the benefit of the Party,, for example the Party Networker and Party Administrator, shall attend Executive meetings, as directed by the Executive and participate in discussion,

but will not have voting rights.

11.4 Executive may co-opt people from outside Executive. Such co-opted persons shall have a time limit placed on their term of service at the time of appointment.

11.5 The Executive shall, subject to the direction of the Party in Conference and Special State Conferences, be the administrative body in all matters concerned with the affairs of the Party excluding Policy, and shall pursue the objects and protect the interests of the Party and without limiting the scope of its powers shall have authority to:

11.5.1 Exercise any lawful powers not inconsistent with these rules or the decisions of Conference as made from time to time;

11.5.2 Subject to delegated authority from Tasmanian Greens Limited (ACN 120 135 355) (TGL), make decisions on capital expenditure, allocation of Party funds and allocation of fees, provided that such decisions are:

1. consistent with any commitments to the Australian Greens
2. within the financial capacity of TGL and
3. consistent with the Constitution or Replaceable Rules of TGL;

11.5.3 Subject to delegated authority from TGL, borrow or raise money from time to time with or without security and upon such terms as the Executive sees fit;

11.5.4 Elect any State Office Bearer where that position becomes vacant outside of a Conference or remove any Office Bearer where that Office Bearer is unable to perform their duties as defined by the Executive - provided that any removal only occurs following application of the Party's Grievance Resolution Procedure;

11.5.5 Expel any Member;

11.5.6 Appoint such working groups from the membership as it considers necessary for the efficient administration of the

Party's affairs.

In doing so:

- it may delegate any of its powers and duties to any such committee or to any person. The committee or person may without confirmation by the Executive exercise or perform the delegated powers or duties in the same way and with the same effect as the Executive could itself have done;
- any committee or person to whom the Party has delegated powers or duties will be bound by the rules of the Party and any terms or conditions of the delegation set by the Executive;
- the Party will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Executive.

11.6 The Executive shall meet:

- whenever it is scheduled by the Executive; or
- whenever a minimum of three members of Executive agree to call an Executive meeting in which case the meeting will be held within 30 days of its being called. Notice of Executive meetings and telephone conferences shall be given to all Executive members.

11.7 Members of the Executive shall act in the interests of the Party as a whole rather than simply as representatives of their Electorate Branch.

11.8 Any Member may normally attend a face to face Executive meeting. Speaking rights may be granted at the discretion of Executive. The Executive may declare a meeting closed to all persons other than Executive members where to do otherwise would put at risk the privacy of an individual or seriously prejudice the interests of the Party.

11.9 The quorum for Executive shall consist of two state office holders, three Electorate Branch Convenors and one elected representative.

11.10 Decisions of the Executive can be made outside of normally scheduled meetings via e-mail or telephone. In this case all executive members shall be notified of the issue (by telephone or email) and the requested decisions and given a time frame to provide a reply. All Executive members will then be notified of the decision taken which shall be included in the minutes of the following Executive meeting.

## 12 TGL

12.1 Tasmanian Greens Limited (ACN 120 135 355) (TGL) shall be considered the associated entity of the Party, responsible for the legal relations and the financial management of the Party.

12.2 The Party is an unincorporated association of Members whereas TGL is an incorporated body (a public company limited by guarantee) with its own legal identity.

12.3 The directors and members of TGL shall be the State Convenor, State Secretary, State Treasurer and the Registered Party Officer or a person appointed as the representative of one of these elected office bearers.

12.4 The directors and members of TGL are required to act in accordance with

- relevant Corporations Legislation; and
- its Replaceable Rules or Constitution.

12.5 TGL shall be the legal entity of the Party for the purposes of entering into legal relations and the raising and expenditure of funds. Without limiting the powers of TGL, it shall have power to:

- employ staff;
- delegate authority within statutory limits;
- hold, purchase, sell, lease or licence property;
- raise and expend funds;
- borrow or raise money from time to time with or without security and upon such terms as the Directors see fit.

12.6 All agreements intended to bind the Party shall be made with TGL.

12.7 TGL may delegate its authority to the Executive to the extent limited by statute. Where that occurs, the Executive shall act as the administrative and financial arm of the Party and report to TGL.

## 13 STATE OFFICE BEARERS AND MANAGERS

13.1 The State Office Bearers of the party will be the Convener, Secretary, Treasurer and such other positions that may be determined by Executive from time to time.

13.2 State Office Bearers will be appointed by Conference but, if a position becomes vacant during the year, this vacancy can be filled by a decision of Executive.

13.3 Job descriptions for all Party Office Bearers (which must include guidelines and objectives) shall be provided by the Executive and adopted by either Executive or Conference.

13.4 Paid managers will be appointed by TGL, upon request from the Executive from time to time and will vary in relation to need and funding. Key managers are a Party Networker and a Party Administrator. Where such positions are filled, the managers will report to the appropriate State Office Bearer and TGL Director, who will take responsibility for that person's employment, including mentoring, performance review and induction. A State Office Bearer will take responsibility to ensure that a satisfactory handover and induction occurs with managers.

## 14 REGISTERED OFFICER OF THE PARTY

14.1 At least every four years, Conference will appoint:

1. a Registered Officer (who shall also be the public officer); and
2. a Deputy Registered Officer.

14.2 The Registered Officer in the state will also automatically assume the position and powers of a Deputy Registered Officer at the



national level. Using the powers conferred on them by the relevant legislation, any three Deputy Registered Officers have the power to remove the national Registered Officer.

14.3 Candidates for the position of Registered Officer and Deputy Registered Officer must have been a Member of the Party for at least two years.

14.4 The Registered Officer and Deputy Registered Officer will be entrusted to carry out the duties required of them by the various acts that govern the regulation of political parties.

14.5 A temporary appointment of a Registered Officer or Deputy Registered Officer may be made by Executive and this decision should be endorsed or reviewed at the next Conference.

14.6 The appointment of the Registered Officer and Deputy Registered Officer will be subject to a written agreement with TGL.

## 15 ELECTORATE BRANCHES

15.1 Electorate Branches comprise all members in a state/federal lower house electorate.

15.2 The main functions of Electorate Branches shall be:

- The coordination of Party activities promoting Party objectives within that Electorate (including support of any Local Groups);
- Engagement with Policy Promotion Groups;
- The facilitation of member interactions within that Electorate;
- The communication of Member views to the Executive and the communication of Executive and Conference decisions to the Members within that Electorate;
- Fund raising or other finance related activities as requested by the State Treasurer from time to time;
- The identification and preselection of candidates for election to all levels of

public office including local government, state and federal;

- The support of elected representatives during and in between elections.

15.3 Within the Party, Electorate Branches will have the autonomy to make decisions relating to how to achieve the functions listed under 15.2, provided that:

- Their decisions are consistent with The Charter and this Constitution;
- Their decisions are consistent with ratified Party policy;
- They take into account national and state campaign priorities and election strategies;
- They keep Executive informed of activities and decisions through regular reporting.

15.4 If the provisions in 15.3 above are not being met, then the Executive may take responsibility directly for coordinating the activities of an Electorate Branch. In this situation, Executive may dissolve any Electorate Branch appointments and convene directly a meeting of Members within that Electorate Branch.

15.5 Electorate Branches will normally appoint a Branch Convenor, a Branch Treasurer and a Branch Membership Secretary to coordinate the activities of the Electorate Branch. Guidelines for these roles (including objectives and type of activities) will be prepared by Executive and provided to each Electorate Branch to assist them.

15.6 Party Officer Bearers and staff will assist the Electorate Branches to meet their objectives and in particular will coordinate the sharing of ideas and information between Electorate Branches.

15.7 Electorate Branches will keep minutes of any decisions taken at meetings and provide these to the Party Secretary within two weeks of the meeting.

15.8 Electorate Treasurers will keep financial records of all financial transactions and provide these to the State Treasurer or Administrator on a quarterly basis. Failure

to provide these records may lead to the State Treasurer assuming control of an Electorate Branch's finances. This reflects tax and other legal requirements.

15.9 Electorate Treasurers will regularly make payments to the TGL account in order to meet the Electorate Branch funding obligations to the Party.

15.10 In accordance with Section 33.3, Electorate Branches will not incur or raise debt. Should Electorate Branches require additional seed capital to carry out an event, this will be requested from the State Treasurer.

15.11 The State Treasurer will provide financial guidelines for Electorate Branches, covering management of funds, spending limits and disclosures and such other things necessary for the sound financial management of the Party.

15.12 TGL may delegate any of its various functions to the State Treasurer, within statutory limits. That delegation must be in writing. If the delegation is not in writing it is void.

## 16 LOCAL GROUPS

16.1 Local Groups are any group of Members who wish to undertake activities for the Party and who are bound together by geography, affinity, profession or some other commonality.

16.2 Any group of at least six Members may apply in writing to the State Convenor to form a Local Group who will then consult with relevant groups (the Executive, Electorate Branch or other Local Groups) as to approval of that Local Group.

16.3 On approval, the Local Group will be free to use the name 'The Greens' in its description of itself and to carry out functions similar to that of an Electorate Branch, with the exception that Local Groups may not operate a bank account unless specifically allowed by the State Treasurer.

## 17 OTHER GROUPS AND COMMITTEES

17.1 Executive and Electorate Branches may establish working groups and committees and in so doing will determine their membership, terms of reference and duration.

17.2 Executive and Electorate Branches may from time to time establish Election Campaign Committees to conduct campaigns in support of candidates endorsed for public office and, in so doing, will determine their membership, terms of reference and duration.

17.3 Except in the case of Local Government election campaigns, the Election Campaign Committees will appoint a campaign coordinator and will authorise the coordinator to expend funds up to a specified limit.

17.4 In the case of Local Government election campaigns, the candidate may appoint a person to be his or her agent and that agent may incur or authorize expenses on behalf of that candidate up to the statutory limit.

17.5 The Election Campaign Committees will at all times be accountable to their founding group and are constrained to follow the Charter, policies and constitution of the Party.

17.6 Election Campaign Committees will provide all necessary information to the Convenor, Secretary, Treasurer and Registered Officer for the purposes of compliance with the relevant Electoral and Corporations Acts.

17.7 Each Election Campaign Committee will keep its own separate set of record books, which shall include books of account.

17.8 Accurate financial records must be returned to the Australian Electoral Commission for them to check. The following will also need to be recorded

separately:

- all gifts as defined in the relevant (ie. Commonwealth or Tasmanian) Electoral Acts;
- record of election expenses;
- if applicable, claims for reimbursement of electoral expenses up to the amount allowed.
- If applicable, all disputed claims and all unpaid claims.

17.9 Financial records relating to election campaign expenses will be kept for up to four years (minimum of one year) after an election.

## 18 MEETING AND DECISIONS MAKING PROCEDURES

18.1 Every meeting shall appoint a facilitator who will be responsible for running the meeting in an efficient and an inclusive manner.

18.2 The facilitator will ensure that all participants are able to express their view in a non-confrontational manner and that sufficient time is allowed, within reason, for participants to express their views.

18.3 Every effort will be made to reach decisions by consensus. Where this is not possible, a vote will be taken by a show of hands and dissenters names recorded on request.

18.4 Executive or Conference may decide to poll its Members through a postal ballot. For a motion to succeed it needs to be approved by more than two thirds of the valid votes cast. A plebiscite may also be convened if initiated by ten per cent of the individual membership in writing. For the results of the plebiscite to be valid a minimum of thirty per cent of the state-wide membership must have participated in the plebiscite.

## 19 CONFLICT RESOLUTION

19.1 The Party's Grievance Resolution Procedure shall be followed where conflict within the Party arises.

19.2 Where conflict emerges in any Electorate Branch or Local Group, it will be the responsibility of that group to initiate the Party's Grievance Resolution Procedure.

## SECTION IV CANDIDATES AND REPRESENTATIVES

### 20 ENDORSEMENT OF CANDIDATES

20.1 Procedures for the selection and approval of candidates for public office shall be determined by the Executive. They shall be documented and made available to all Members.

20.2 The responsibilities of the Executive regarding preselection of candidates for public office include, but are not limited to, the following tasks:

20.2.1 Determine the timing of the call for nominations and of the preselection process.

20.2.2 Determine the need for a Member ballot for candidate(s) and/or running order.

20.2.3 Place advertisements calling for nominations for preselection in Party communications to Members.

20.2.4 Document criteria for candidate selection, a description of the process and a draft of the candidate agreement and make these available to potential candidates and selection committees.

20.2.5 Inform Electorate Branches of preselection schedules.

20.2.6 Oversee the process of preselection of candidates in electorates where there is no Electorate Branch.

20.2.7 Ratify decisions made by Selection Committees, including Electorate Branch selection committees.

20.2.8 Review decisions made by Selection Committees in the event of an appeal being lodged by a nominee or candidate.

20.3 It is the policy of the Party to endorse Green candidates for all levels of public office, including local government, state and federal level.

20.4 Where the procedure determined by the Executive for pre-selecting a candidate includes a ballot, this ballot shall be administered by the Registered Officer with the assistance of Executive and any paid Party employees. The ballot shall use the Optional Preferential System.

20.5 Where a ballot is held to pre-select candidates, only Members who have been Members for at least six (6) months prior to the date of distribution of the ballot will be eligible to vote in the ballot. Eligibility will be determined by the Registered Officer in accordance with this section and no discussion entered in to. The ballot requires that the votes cast be at least 50% of the eligible membership. If this is not achieved, candidates will be pre-selected by Executive.

## 21 CANDIDATE AGREEMENTS

21.1 Approved nominees for any public office must sign and agree to abide by a contract made between themselves and the Executive, subject to delegated authority from TGL, on the agreed basis by which they go forward as candidates. The agreement shall contain (without limiting the terms of the agreements):

- 21.1.1 Agreement to uphold and abide by the rules of the Party and to support The Charter;
- 21.1.2 Agreement to promote and abide by the ratified policy of the Party;
- 21.1.3 The opportunity to state specific objections to ratified policy which candidates cannot in good conscience support;
- 21.1.4 Recognition of the Party principle of tithing, and that they will contribute at least 10% of their gross parliamentary income (excluding allowances) to the Party;
- 21.1.5 Procedures for resigning candidacy and/or leaving the Party; and
- 21.1.6 Grievance procedures and disciplinary measures.

## 22 DIRECTION OF PREFERENCES

22.1 The decision on the allocation of preferences for State Upper House and State Lower House elections will be made by Executive. The decision on the allocation of preferences for Local Government seats will be made by the Electorate Branch concerned.

22.2 The decision on the allocation of preferences for Senate and Federal Lower House elections will be made by the Executive in consultation with the Australian Greens.

## 23 SELECTION CRITERIA

23.1 Nominees for candidacy for public office must be members of the Tasmanian Green Party.

23.2 Other criteria for selection will be determined by the Executive, as described in section 20.2.4.

23.3 Incumbent Members in Public Office shall submit to the preselection process.

23.4 In the event that only one nomination is received, that person will become the endorsed candidate if they meet the selection criteria and are endorsed by the Executive.

## 24 INSUFFICIENT NOMINATIONS

24.1 In the event that there are insufficient nominations received, the Selection Committee and Executive shall agree on a process to appoint the necessary number of candidates.

24.2 In the event that the nominees do not meet the selection criteria, the selection committee and State Executive shall agree on a process to appoint the necessary number of candidates.

## 25 DISENDORSEMENT

25.1 An endorsed candidate in breach of their agreement may be disendorsed by the selection committee.

25.2 Notification of disendorsement shall be provided to the candidate in writing.

25.3 If a conflict arises as the result of disendorsement of a candidate, the Grievance Resolution Procedure shall be followed.

## 26 GREENS IN PUBLIC OFFICE

26.1 The actions and activities of all Members in public office will be consistent with The Charter.

26.2 Members elected to public office will use their voting power to further the policies of the Party.

26.3 If a candidate for public office identifies a potential conflict with either their conscience, or a Party policy, the conflict will be recorded and taken account of during the pre-selection process.

26.4 If an elected member recognizes a conflict with their conscience and Party policy, they will furnish a statement accounting for their position to Executive.

26.5 If an elected member intends to vote against Party policy, they will at the earliest opportunity furnish their Electorate, Executive and relevant Caucus with a statement giving reasons.

26.6 Where no policy exists, the elected Member will:

26.6.1 use The Charter and policy principles as a guide.

26.6.2 refer where possible to Party structures for guidance.

26.7.1 All Tasmanian Greens State Parliamentarians will be Members of the Greens State Parliamentary Party Room (subject to clause 26.7.3);

26.7.2 The Parliamentary Party Room will follow in respect of decisions relating to expulsion the procedures for decision-making in meetings set out in clauses 18.1-18.3 and for conflict resolution, set out in

clauses 19.1;

26.7.3 The Parliamentary Party Room has the power to expel from the Party Room a Parliamentarian whose actions are causing or are likely to cause severe damage to the Party and may refer the matter to the State Executive to consider whether the person should be expelled or suspended from the Party;

26.7.4 Any such expulsion will require the Parliamentary Party Room, the expelled Member and the State Executive to hold an independently mediated meeting.

## 27 CAUCUS

27.1 Where there are three or more elected Party representatives together in office at local, state or federal level, they may form a Greens caucus to facilitate their work.

27.2 The caucus may have an elected leader.

27.3 By a vote of at least two thirds, the caucus may expel one of its members from the caucus (but not from the Party).

## SECTION V POLICY

### 28 FORMULATION OF POLICY

28.1 All policies developed by the Party will be consistent with The Charter and with the ratified policies of the Australian Greens.

28.2 Policies will be developed through a consultative process involving Members and Members in Public Office working closely together.

28.3 Policies will be developed through the formulation of Policy Promotion Groups comprising the relevant Members in Public Office, Members with skills or expertise in the policy area, and such other co-opted members as the Policy Promotion Group may deem necessary from time to time.

28.4 Policy Promotion Groups will communicate their activities to Members via

appropriate forms, for example discussion papers in the Party newsletter and discussions at Electorate Branch meetings.

28.5 Policies will normally include objectives, strategies and costings. They will be concise and communicated in plain English to facilitate broad distribution and understanding.

28.6 Policy Promotion Groups will report their progress to the Executive which will ensure that communication between the Policy Promotion Group and the Members is occurring.

## 29 RATIFICATION OF POLICY

29.1 Policies will be ratified at Conference and remain ratified until amended by a subsequent Conference.

29.2 Draft policies will be circulated to Members prior to Conference in a timely manner.

29.3 Conference will work to ensure that policies can be ratified, noting the importance of ratified policies for the functioning of the Party. Where consensus can not be reached, a vote will be taken. Where a two-thirds majority cannot be reached, and the policy is a major one, Conference will vote on whether the policy will go to a postal ballot of all Members as described in Section 18.4.

## SECTION VI FINANCIAL MANAGEMENT AND DISSOLUTION

### 30 FINANCE MANAGEMENT

30.1 TGL may delegate its authority to the Executive to the extent limited by statute.

30.2 Where TGL has delegated its authority, the Treasurer shall act at the direction of the Executive. At the first meeting of the Executive following each Annual General Meeting, the Executive will decide by resolution the following:

30.2.1 How money will be received by the

Party;

30.2.2 Who will be entitled to produce receipts;

30.2.3 How expenditure commitments will be budgeted for by the Party;

30.2.4 What bank accounts will operate for the ensuing year, including the purposes of and access to accounts;

30.2.5 Who will be allowed to authorize the production of cheques and the names of cheque signatories;

30.2.6 Who will be allowed to authorize the ordering of goods and services;

30.2.7 Policy concerning the investment of money by the Party, including what type of investment will be permitted; and

30.2.8 The type and frequency of financial reporting required during the year.

30.3 Where TGL has delegated its authority, the Executive may invest surplus funds as it sees fit provided that the investment does not conflict with the Party's objects.

30.4 A Treasurer's report must be prepared and all books and records so kept must be completed up to date for presentation at the Annual General Meeting, according to the requirements of the relevant acts, including Corporations Legislation as it relates to TGL.

30.5 The State Treasurer must report to TGL as directed by TGL.

30.6 Where TGL has delegated its authority to the Executive that delegation must be in writing. If the delegation is not in writing it is void.

### 31 FUNDING AND FEES

31.1 Substantial funding of the party and parliamentary candidates will be open to public inspection in accordance with statutory obligations.

31.2 Membership fees will be set and distributed as defined in Section 6.1.

## 32 PROPERTY

32.1 The property and income of The Tasmanian Greens will be applied solely towards promoting the principles and achieving the objectives of The Tasmanian Greens and no part of that property or income may be applied or otherwise distributed, directly or indirectly, except in good faith for that purpose.

## 33 POWERS TO INCUR DEBTS

Subject to section 30,

33.1 Executive may raise funds and incur debts in the name of TGL where TGL has delegated its authority to do so.

33.2 Electorate Branches and Local Groups will not incur debt.

33.3 Where TGL has delegated its authority to the Executive that delegation must be in writing. If the delegation is not in writing it is void.

## 34 DISSOLUTION

34.1 The Party will not be dissolved except by a resolution of the full membership passed in a postal ballot and unless there are 75 per cent or more of the votes cast which favour the resolution and the total number of votes cast is at least 30 per cent of the full membership. The dissolution of the Party will be effective within 30 days after the result of the ballot, or which ever day is stipulated by the ballot.

34.2 On dissolution of an Electorate Branch any surplus funds or property will be transferred to the control of the Executive.

34.3 If, when winding up the Party, any property of the Party remains after satisfaction of the debts and liabilities of the Party and the costs, charges and expenses of winding up, the property will, on the recommendation of Executive be distributed to the Australian Greens or another organisation having similar aims and principles as the Party.

## 35 AMENDMENTS TO THE CONSTITUTION

35.1 Executive will interpret the Constitution should a dispute arise over the meaning of any provision. Their interpretation will be subject to ratification at the AGM.

35.2 The Constitution can be amended by a two-thirds majority of the AGM, or State Conference, or by a ballot of members – provided that at least 10% of members are present at the AGM or State Conference and that at least 20% of members cast votes in a ballot.