



THE TASMANIAN GREENS

THE CONSTITUTION OF THE TASMANIAN GREENS

Version 10

December 2022

REVISION HISTORY OF THE CONSTITUTION

- Version 10** This is the latest version. It was endorsed by a ballot of party members conducted in November 2022, to take effect on 1 April 2023. This version is an entirely new constitution, drafted through a major review of the party's governance.
- Version 9** This version was endorsed by a ballot of party members conducted in April 2020. This made minor revisions to the then constitution, related to the provisions for amending the constitution.
- Earlier** The previous constitution remained largely unchanged for many decades with a series of mainly minor amendments.

1. This Constitution

- 1.1. This is the constitution of the association that is named “The Tasmanian Greens”.
- 1.2. Some of the terms used in this constitution have the meanings specified in the Dictionary of Terms set out in Schedule A.
- 1.3. The Charter of the Australian Greens, as amended from time to time in accordance with the Constitution of the Australian Greens, is an integral part of this constitution and its text is set out in Schedule B.
- 1.4. Transitional Provisions apply for two years from the commencement date of this constitution and are set out in Schedule C.

2. Purpose and Activities

- 2.1. The Tasmanian Greens is a political party and is referred to throughout this constitution as “the Party”.
- 2.2. The purpose of the Party is to bring about a better world, a better Australia, and a better Tasmania, in accordance with the Charter of the Australian Greens, through participation in democratic and civic processes.
- 2.3. The primary activities of the Party for pursuing its purpose are:
 - a. Securing the election of Green elected representatives to the Parliament of Australia, the Parliament of Tasmania, and the councils of local government authorities in Tasmania;
 - b. Developing and promoting Green policies that are consistent with the Charter of the Australian Greens;
 - c. Providing education, advice and advocacy about political matters and Green policies;
 - d. Working with other organisations and other political parties to promote and advance the implementation of Green policies;
 - e. Supporting and working with Green elected representatives to advance the implementation of Green policies; and
 - f. Developing the organisational capacity and campaigning strength of the Party.
- 2.4. The Party undertakes other activities, manages its resources, owns assets and incurs debts to support the pursuit of its purpose and its primary activities.
- 2.5. The Party may manage its resources, assets and debts through separate corporate bodies that are controlled by the Party.

3. Australian Greens

- 3.1. The Party is a member body of the Australian Greens.

- 3.2. The Party may only withdraw as a member body of the Australian Greens by a vote of party members to amend this constitution and repeal clause 3.1, in accordance with section 14 of this constitution.

4. Party Members

- 4.1. The members of the Party are natural persons who become and remain party members in accordance with the party by-laws.
- 4.2. All decision making authority within the Party ultimately comes from the party members, and all accountability is ultimately to the party members, in accordance with this constitution and the party by-laws.
- 4.3. A party member cannot exercise their member voting rights until after six months from the date on which they became a party member.
- 4.4. A party member cannot be expelled except by a super majority decision of State Council on a proposal that has been circulated to all voting members and associate members of State Council, not less than 14 days and not more than 60 days before the proposal is considered by a meeting of State Council.

5. State Conferences and General Meetings

- 5.1. The Party convenes state conferences and general meetings of party members.
- 5.2. The Party must provide at least 21 days' notice to party members when a state conference or a general meeting of party members is called.
- 5.3. The Party must convene an Annual General Meeting of party members within five months of the end of every financial year.
- 5.4. The State Convenor and other relevant party office bearers must provide annual reports to party members at each Annual General Meeting in accordance with the party by-laws.

6. Party Bodies and Decision-Making

- 6.1. The Party has party bodies which make decisions, co-ordinate activities and provide advice.
- 6.2. The party bodies are:
- a. State Council;
 - b. State Management Committee;
 - c. Party branches; and
 - d. Other groups established and maintained in accordance with the party by-laws.
- 6.3. Party bodies make decisions at meetings and through other decision making processes in accordance with the party by-laws.
- 6.4. Decision making processes within the Party must give priority to reaching decisions by consensus, with decisions only reached by voting when it is determined that consensus is not possible.

- 6.5. Meetings within the Party must be conducted so that all meeting participants are able to participate in a safe and fair manner.
- 6.6. A party body, other than State Council, can be suspended by a super majority decision of State Council.

7. State Council

- 7.1. The Party has a State Council which oversees the governance of the Party.
- 7.2. The voting members of State Council are:
 - a. State Convenor;
 - b. General Delegates – ten delegates elected by a ballot of party members;
 - c. Branch Delegates – one delegate chosen by each party branch;
 - d. Federal Parliamentary Representatives' Delegate – one delegate chosen by Green elected representatives who are members of the Australian Parliament;
 - e. State Parliamentary Representatives' Delegate – one delegate chosen by Green elected representatives who are members of the Tasmanian Parliament; and
 - f. Local Government Representatives' Delegate – one delegate chosen by Green elected representatives who are members of councils of local government authorities in Tasmania.
- 7.3. The ordinary terms of appointment of General Delegates end in the second year after the start of their terms and are staggered with the terms of five General Delegates ending each year.
- 7.4. The voting members of State Council have the right to speak at meetings and to participate in the decision making processes of State Council.
- 7.5. The associate members of State Council are those of the following people who are otherwise not voting members of State Council:
 - a. Green elected representatives;
 - b. General Members of State Management Committee; and
 - c. Party office bearers who are in party office positions which are designated by the party by-laws to confer such associate member status.
- 7.6. The associate members of State Council have the right to speak at meetings but not to participate in the decision making processes of State Council.
- 7.7. All party members have the right to attend meetings of State Council, except for sessions that are closed to consider confidential matters.
- 7.8. The quorum for meetings and other decision making processes of State Council is one half of the voting members, rounded up to the next whole number.
- 7.9. A meeting of State Council must be convened at least once in every period of one hundred and fifty days.

8. State Management Committee

- 8.1. The Party has a State Management Committee which manages the activities and resources of the Party.
- 8.2. The members of State Management Committee are:
 - a. State Convenor; and
 - b. General Members of State Management Committee – six members chosen each year by State Council.
- 8.3. State Council must choose the General Members of State Management Committee so that the State Management Committee has:
 - a. The necessary skills to discharge its responsibilities;
 - b. Diversity in the gender of its members; and
 - c. Diversity in the backgrounds of its members.
- 8.4. The members of State Management Committee must collectively and individually act and make decisions in the best interests of the Party as a whole.
- 8.5. The quorum for meetings and other decision making processes of State Management Committee is one half of the members, rounded up to the next whole number.

9. Party Branches

- 9.1. The Party has party branches which support the participation of party members in the decisions and activities of the Party.
- 9.2. Each party branch has branch members who participate in the decisions and activities of the party branch.
- 9.3. All branch members must be party members.

10. Party Office Bearers

- 10.1. The Party has party office bearers who are elected or appointed to party office positions on a voluntary basis.
- 10.2. Party office positions have specific roles and responsibilities within the Party, in accordance with this constitution and the party by-laws.
- 10.3. Party office positions can be shared by two party members unless this is contrary to a relevant law or a party by-law.
- 10.4. The State Convenor is the party office bearer who has the leading role for facilitating the decisions and activities of the Party.
- 10.5. The State Convenor is elected each year by a ballot of party members.
- 10.6. State Council may appoint a party member to any party office position in which a casual vacancy occurs, for the remainder of the ordinary term of appointment of that position.

- 10.7. State Management Committee may temporarily appoint a party member to any party office position in which a casual vacancy occurs, to the next meeting of State Council.
- 10.8. A party office position can be declared vacant by a super majority decision of State Council.
- 10.9. Party office bearers and other party members who act with written authority on behalf of the Party, and who accept or incur any personal pecuniary liability are held indemnified against that personal liability in respect of such action.

11. Green Policies

- 11.1. The Party promotes Green policies which are statements about the changes to laws, structures, programs and other elements of government and society that the Party is striving to achieve.
- 11.2. The Party participates in national policy processes managed by the Australian Greens to develop and revise Green policies about matters that are primarily national or international issues.
- 11.3. The Party operates state policy processes in accordance with the party by-laws to develop and revise Green policies about matters that are primarily Tasmanian issues.
- 11.4. The Party must develop and revise Green policies so that they are consistent with the Charter of the Australian Greens.
- 11.5. The Party must operate policy processes that enable participation in the development and revision of Green policies by party members.

12. Green Elected Representatives

- 12.1. The Party has Green elected representatives who are party members with party endorsement, and who are members of:
 - a. The Parliament of Australia;
 - b. The Parliament of Tasmania; or
 - c. Councils of local government authorities in Tasmania.
- 12.2. Prospective and current Green elected representatives receive and retain party endorsement in accordance with the party by-laws.
- 12.3. The party endorsement, by which a current Green elected representative continues to be such a Green elected representative, can only be withdrawn by a super majority decision of State Council on a proposal that has been circulated to all voting members and associate members of State Council, not less than 14 days and not more than 60 days before the proposal is considered by a meeting of State Council.
- 12.4. Green elected representatives must work to achieve the implementation of Green policies, subject to their own consciences and the party by-laws.
- 12.5. Green elected representatives must work with other Green elected representatives in accordance with the party by-laws.

13. Party Governance Documents

- 13.1. The order of precedence of party governance documents and decisions in descending order is:
 - a. The Constitution of the Australian Greens, provided that the Party is a member body of the Australian Greens in accordance with section 3 of this constitution;
 - b. This constitution;
 - c. The party by-laws;
 - d. Decisions of State Council; and
 - e. Other decisions by party bodies and party office bearers.
- 13.2. Party by-laws are created, amended or repealed by the following process:
 - a. A by-law proposal is circulated to all voting members and associate members of State Council, not less than 14 days and not more than 60 days before the proposal is considered by a meeting of State Council;
 - b. State Council considers and may amend the by-law proposal, provided that the scope of any amended proposal is not significantly different to the scope of the original proposal;
 - c. State Council adopts the proposal by a super majority decision.
- 13.3. State Council interprets this constitution and the party by-laws if a dispute arises over the meaning of any provision.

14. Amendment of Constitution

- 14.1. This constitution may be amended by a ballot of party members, provided that:
 - a. At least two-thirds of votes support the proposed amendment; and
 - b. At least 20% of eligible party members participate in the ballot.
- 14.2. If it is a requirement of a relevant law to do so, then any amendment to this constitution is confirmed by a general meeting of party members in accordance with that law.
- 14.3. State Council may by a super majority decision change the text of this constitution to add or remove the words "Incorporated" or "Inc" in the name of the Party if it is a requirement of a relevant law to do so, and such a change is not an amendment to this constitution.
- 14.4. State Council may by a super majority decision change the text of Schedule B to incorporate any changes to the Charter of the Australian Greens that are made in accordance with the Constitution of the Australian Greens, and such a change is not an amendment to this constitution.

15. Dissolution of Party

- 15.1. The Party may only be dissolved by a dissolution proposal and amendment to this constitution that is supported by:
 - a. A super majority decision of State Council; and
 - b. A subsequent ballot of party members in accordance with section 14 of this constitution.

- 15.2. 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 of the Party must be distributed to the Australian Greens or to another organisation having similar aims and principles to the Party, as decided by State Council.

SCHEDULE A – DICTIONARY OF TERMS

TERM	MEANING
Associate Member	A member of a party body with the right to speak at meetings, but not to participate in the decision making processes of the body.
Australian Greens	The national confederation of Green political parties in Australia.
Ballot	A process by which participants express a secret choice from amongst multiple candidates or options, using communications technology or the postal service.
Branch Member	A party member who has the right to participate in the decisions of the party branch, in accordance with the party by-laws.
By-Law Proposal	A proposal to create a new party by-law, to amend an existing party by-law, or to repeal an existing party by-law.
Charter of the Australian Greens	The document of agreement which defines the basic principles and aims of Green political parties in Australia.
Commencement Date	The date on which this constitution takes effect.
Decision Making Process	The means by which decisions are made: <ol style="list-style-type: none"> 1. At a meeting, by meeting participants with voting rights; or 2. Between meetings, by members of a party body with voting rights.
Expelled	Removed as a party member for a reason other than: <ol style="list-style-type: none"> 1. Death; 2. Resignation; 3. Failure to renew membership in accordance with the party by-laws; or 4. Failure to satisfy the requirements required to renew or continue membership in accordance with the party by-laws.
Financial Year	The year ending on 30 June.
General Delegate	A voting member of State Council elected by a ballot of party members in accordance with section 7 of this constitution.

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TERM	MEANING
Green Elected Representative	A party member with party endorsement who is a member of: <ol style="list-style-type: none">1. The Parliament of Australia;2. The Parliament of Tasmania; or3. A council of a local government authority in Tasmania.
Green Policy	A statement about the changes to laws, structures, programs and other elements of government and society that the Party is striving to achieve.
Meeting	An assembly of participants, convened to discuss specific matters and to make decisions, held at either a single location or at multiple locations that are connected through communications technology.
Member Body	A state or territory Green political party that is a member of the Australian Greens.
Member Voting Rights	The rights of a party member to participate in decision making processes in: <ol style="list-style-type: none">1. Ballots of party members;2. State conferences and general meetings of party members;3. Meetings of branch members of party branches.
Party Body	A group which makes decisions, co-ordinates activities and/or provides advice, operating in accordance with section 6 of this constitution.
Party Branch	A party body which supports the participation of party members in the decisions and activities of the Party, operating in accordance with section 9 of this constitution.
Party By-Law	A party governance document that has been adopted and has effect, in accordance with section 13 of this constitution.
Party Endorsement	A status conferred and maintained on prospective and current Green elected representatives, in accordance with the party by-laws.
Party Governance Document	A constitution, by-law or related document which sets out structures, processes and/or procedures for governing the Party.
Party Office Bearer	A party member who has been elected or appointed to a party office position on a voluntary basis.

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TERM	MEANING
Party Office Position	A position which has specific roles and responsibilities within the Party, established and maintained in accordance with this constitution and the party by-laws.
Party Member	A natural person who becomes and remains a member of the Party, in accordance with the party by-laws.
Resources	Financial, people, accommodation, information, technology and other resources.
State Conference	A meeting of party members which is convened so that the members can participate in information sharing and decision making activities.
State Council	The party body which oversees the governance of the Party, operating in accordance with section 7 of this constitution.
State Management Committee	The party body which manages the activities and resources of the Party, operating in accordance with section 8 of this constitution.
Super Majority Decision	A decision which is made at a meeting at which a quorum is present, and which is supported by at least 75% of the meeting participants with voting rights.
The Party	The Tasmanian Greens.
Voting Member	A member of a party body with the right to speak at meetings, and to participate in the decision making processes of the body.

SCHEDULE B – CHARTER OF THE AUSTRALIAN GREENS

We live at a crucial time in history. Never before have we had so many answers to the problems that have dogged our developing world.

Solutions now exist that could greatly decrease the poverty, hunger and ill health of our fellow humans and we now have technologies to reduce and repair much of the ecological damage on our planet wrought by our industrial and agricultural activities. Clean air, clean water and ecological sustainability are possible. Yet this is not being done.

World-wide, governments lack the political will to make the necessary adjustments that will bring an end to the conflict, pollution, poor health and social inequity that characterise our time. The Greens have evolved in this climate to show a new way forward.

A Green response to the ecological crisis proceeds on the basis of a respect for all life, both human and non-human. We recognise the mutual interdependence between humanity and the rest of nature and we seek to move toward an ecologically sustainable path. We seek to eradicate poverty, oppression and discrimination and to build a society underpinned by values of participatory democracy, social justice, and the respect for cultural and ecological diversity. We aim to transform the political, social and economic structures that disempower and oppress people and to develop a rich, participatory cultural life that enables the flourishing of new democratic movements for progressive change.

We believe that contesting elections is a necessary step towards the building of an ecologically sustainable and socially just society, but that it is by no means the only step. We recognise and seek to facilitate grassroots movements and community initiatives that are working towards ecological responsibility, social justice, affirmative action on behalf of groups who are discriminated against, Aboriginal land rights, peace, and Third World development.

We seek to avoid parochialism and to cultivate a global, ecological consciousness and long-range perspective in order to safeguard the interests of both existing and future generations and non-human species. We believe Australia should play an active role in building a more co-operative and ecologically sustainable world that is capable of addressing the glaring disparities in energy and resource consumption and quality of life between the rich and poor. We aim to extend recognition and assistance to progressive social movements in Australia and other countries and to international institutions that are working towards these ends.

Reflecting an awareness of the interrelatedness of all ecological, social and economic processes, the general principles of The Greens are:

Ecology

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

Democracy

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

Social Justice

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

Peace

1. To adopt and promote the nonviolent resolution of conflict.
2. To develop an independent, nonaligned foreign policy.
3. To develop a self-reliant, defensive, non-nuclear defence policy.

An Ecologically Sustainable Economy

1. To develop economic policies which will ensure greater resource and energy efficiency as well as development and use of environmentally sustainable technologies.
2. To reduce dependence on non-renewable resources and ensure sustainable use of renewable resources.
3. To adopt more comprehensive social, environmental and technology assessment practices.
4. To facilitate socially and ecologically responsible investment.

Meaningful Work

1. To encourage, develop and assist work that is safe, fairly paid, socially useful, personally fulfilling and not harmful to the environment.
2. To encourage and facilitate more flexible work arrangements, on-going education.

Culture

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

Information

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

Global Responsibility

To promote equity between nations and peoples by:

1. Facilitating fair trading relationships;
2. Providing for increased development assistance and concerted international action to abolish Third World Debt;
3. Providing increased green technology transfer and skills to developing countries;
4. Opposing human rights abuses and political oppression;
5. Ensuring that Australia plays an active role in promoting peace and ecological sustainability.

Long-Term Future Focus

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

SCHEDULE C – TRANSITIONAL PROVISIONS

1. The Party is a continuation of the unincorporated association that was named the “Tasmanian Greens”.
2. The commencement date of this constitution is 1 April 2023, or such other date, no more than six months later, that was agreed to by the former State Executive of the Tasmanian Greens.
3. The constitution of the Tasmanian Greens that was in effect up to the commencement date is repealed on that date.
4. From the commencement date, and subject to this constitution and the party by-laws:
 - a. Members of the Tasmanian Greens continue as party members;
 - b. Party bodies, except the former State Executive, continue to operate;
 - c. Party office bearers continue in their appointments to party office positions;
 - d. The procedures and processes of the Party continue to operate; and
 - e. State Council exercises the powers conferred on the former State Executive in accordance with the procedures and processes of the Party.
5. On the commencement date, the initial General Delegates to State Council and their respective terms of appointments are as confirmed by the former State Executive following a ballot of party members that was conducted prior to the commencement date.
6. On the commencement date, the initial General Members of State Management Committee are the party members who are then the party office bearers in the following party office positions:
 - a. Deputy Convenor;
 - b. State Treasurer;
 - c. State Secretary; and
 - d. State Election Co-ordinator.
7. On the commencement date, the party member in the party office position of State Convenor commences a new term of appointment in that position which ends in the first year after the commencement date.