

SHOOTERS, FISHERS AND FARMERS PARTY (NSW) INCORPORATED CONSTITUTION**1 Name**

The name of the party shall be THE SHOOTERS FISHERS AND FARMERS (NSW) (hereinafter referred to as the "party").

2 Objectives

The objectives of the party shall be:

- a) To select and endorse candidates for elections and by-elections in New South Wales for Local Government, Legislative Assembly and the Legislative Council.
- b) To improve and protect the rights, freedoms and public image of farmers, licensed shooters, fishers and other major constituency groups.
- c) To champion and promote the policies of the Shooters Fishers and Farmers Party in Parliament.

3 Membership

- (a) The Party shall consist of ordinary members, honorary members and life members, all of whom are subject to approval by the State Executive.
- (b) Membership is available only to individuals who are members in their own right and not as representatives of any other organisation or group.
- (c) The definitions and rights of members shall be as laid down in this Constitution.
- (d) All applications for ordinary membership shall be on the application form as prescribed by the State Executive and shall be accompanied by payment of a combined annual membership fee and campaign contribution.
- (e) Honorary Members and Honorary Life members shall be proposed by three (3) Party members and elected at the State Conference with a 75% majority.
- (f) All successful applicants for membership shall be informed of the decision of the State Executive.
- (g) All members shall be issued with a membership certificate in a form as prescribed from time to time.
- (h) The State Executive shall have the power to allocate a member to a suitable branch.
- (i) A person who is a member of another political party may not be a member of the party.
- (j) A member loses his or her rights and privileges afforded under the constitution once they cease to be a financial member of the Party.

4 Register of members

The Secretary shall keep a register of members containing the names and addresses of members. The Secretary may give responsibility for the maintenance of the register to the Treasurer or another Committee member.

5 Resignation of members

A member may at any time by notice in writing to the Secretary resign his/her membership of the Party, but shall continue to be liable for any unpaid membership fees and other unpaid monies which are due and unpaid at the date of resignation.

6 Infringement of rules

- (a) The State Executive shall have the power to penalise any member found guilty of infringing any Party rule, or of bringing the Party or the shooting, fishing or farming movement generally into disrepute.
 - (i) For the purposes of this clause, the expression "bringing the party or the shooting, fishing or farming movement generally into disrepute" includes the publishing of any written article, notice or statement by any means, or any oral statement.
 - (ii) For the purposes of this clause, the expression "publishing" means prepare and issue for public sale or otherwise by any means, or make generally known by any means, or announce formally by any means
- (b) Any member who may be considered to have infringed (a) above shall be called to appear before the State Executive to answer such charges as may be laid against him or her, and if such charges be found proven, the State Executive may suspend, reprimand or expel such member.
- (c) Any charge which might lead to suspension or expulsion of a member shall be lodged with the Secretary in writing, signed by any member and detailing the circumstances which give rise to such charge.
- (d) The Secretary shall inform the member of the charge who may submit, in writing, an explanation, or resign from the Party. Such explanation shall be tabled at the State Executive meeting at which the charge is heard.
- (e) Any member suspended, reprimanded or disqualified shall be notified in writing by the Secretary within twenty-one (21) days of such penalty being imposed.
- (f) Any member suspended, reprimanded or expelled shall have the right to appeal against such penalty to an Appeals Committee consisting of five members appointed by the State Committee whose decision after hearing both parties shall be final.

7 Patron and vice-patrons

- (a) There may be one Patron and several Vice-Patrons.
- (b) These are positions of honor which may be granted by the State Conference.

8 State Executive

- (a) Chairman
 - (i) There shall be one Chairman.
 - (ii) The Chairman shall be the Senior Executive Officer of the Party.
 - (iii) He/she shall preside at all State Conference and State Executive meetings of the Party.
 - (iv) He/she shall be a member "ex officio" of all regular and special committees.

- (v) He/she shall have a casting vote on all motions before any meeting.
- (b) Vice-Chairman
- (i) There shall be one Vice-Chairman.
 - (ii) He/she shall perform the duties of the Chairman during his/her absence or at his/her request.
 - (iii) He/she shall be a member "ex officio" of all regular and special committees.
- (c) Secretary
- (i) There shall be one Secretary.
 - (ii) He/she shall keep a record of the proceedings of the State Conference and the Extraordinary General Meetings of the Party.
 - (iii) He/she shall keep a record of the proceedings of the meetings of the State Committee and all regular and special meetings of Committees.
 - (iv) He/she shall be responsible for correspondence in connection with the party.
 - (v) He/she shall be a member "ex officio" of all regular and special committees.
 - (vi) The Secretary shall keep a register of members containing the full names and address of all members.
 - (vii) There may be one Assistant Secretary as appointed by the State Executive.
- (d) Treasurer
- (i) There shall be one Treasurer.
 - (ii) He/she shall be responsible for the care of the Party finances.
 - (iii) He/she shall be responsible for the collection of all monies due to the Party and shall maintain a register of all assets belonging to, or on loan to, the Party.
 - (iv) He/she shall forthwith pay all monies collected into a bank approved by the State Executive.
 - (v) He/ she shall record in books of account the receipt and expenditure of all monies connected with the Party.
 - (vi) He/she shall produce each year to the auditor of the Party the books of account.
 - (vii) He/she shall at the State Conference present a duly audited balance sheet and a profit and loss account covering the financial year immediately preceding the State Conference.
 - (viii) He/she shall at least quarterly prepare a signed certificate of balance for the Chairman (or in his absence the Vice Chairman) so as to certify the cash at bank and monies on deposit, which the Chairman (or Vice Chairman as the case may be) shall circulate to the State Executive as requested.

- (ix) He/she shall be a member "ex officio" of all regular and special committees.
- (e) The positions of Secretary and Treasurer may both be occupied by one (1) person.
- (f) Meetings shall be held of the State Executive at such times and places as decided by the State Executive.
- (g) The State Executive shall have authority to:
 - (i) make, repeal and amend such by-laws as are from time to time considered necessary for the well-being of the party, which shall have effect until otherwise determined by a General Meeting.
 - (ii) Hire, employ and fix remuneration, job specifications and contract conditions for servants of the party to function in areas including, but not limited to, state administration; fund raising; membership or other areas as desired. These offices will report to the Chairman and/or Secretary.
- (h) The State Executive, in addition to the powers herein specifically conferred upon it, shall have control of the day to day administration and finances of the party, power to engage, control and dismiss servants of the party, and all such administrative powers as may be necessary for properly caring out the objects of the party in accordance with this Constitution.
 - (i) The Chairman and Secretary of the party are to comprise a Management Committee of two (2) and as such to make any decisions deemed necessary for the well-being, protection, advancement, and day-to-day running of the party. If either is unavailable, the Vice-Chairman may substitute.

9 State Committee

- (a) The State Committee shall consist of:
 - (i) The State Executive, and
 - (ii) Six (6) ordinary members unless decided otherwise by the State Executive.
- (b) Four (4) members of the State Committee, one of who is the Chairman or Vice-Chairman acting in the absence of the Chairman shall form a quorum.
- (c) Withdrawal of monies from the party bank accounts shall be authorised only by the State Executive and each withdrawal approved by two members of the State Executive.
- (d) All matters before the State Committee shall be decided by a simple majority of those present except where this Constitution provides otherwise. When a vote is tied the Chairman (or the Vice-Chairman acting in the absence of the Chairman) shall have a casting vote.
- (e) One member of the State Executive shall function as the Party's Registered Officer for the purpose of the electoral laws and in particular shall nominate the party's endorsed candidates to the Electoral Commissioner.
- (f) The State Committee shall have authority to:
 - (i) Formulate and approve policies and objectives according to the expressed wishes of the members of the party and the needs of the community.
 - (ii) Undertake activities to improve public perceptions of shooters, fishers and farmers.

- (iii) Form such Advisory or Standing Committees as may from time to time be required.
- (g) Meetings shall be held of the State Committee at such times and places as decided by the State Committee:
 - (i) At least twice each financial year; or
 - (ii) Within thirty (30) days of the receipt by the Secretary of a requisition by a majority of branches.
 - (iii) Such meetings may be held by telephonic, audio-visual, or other electronic means, as deemed necessary.
- (h) The State Committee may, if considered appropriate, establish an Advisory Council to be made up of invited delegates of recognised organisations and associations. Such Advisory Council shall work in cooperation and conjunction with the State Committee on any matter; and may also function as a channel of communication between shooting organisations and the party.
- (i) The two (2) most senior Shooters Fishers and Farmers Party Members of the NSW Legislative Council, shall be, ex officio, members of the State Committee.

10 Branches

- (a) Member branches may, subject to the approval of the State Executive, be formed within the State.
- (b) A branch shall consist of a minimum of ten (10) members not being members of any other branch.
- (c) A branch in formation or a branch which for any reason has less than ten (10) members shall be a sub-branch or merged branch with the nearest branch having twenty members. On reaching the required membership level a sub-branch or merged branch may with the approval of the State Executive become a full branch.
- (d) A branch may be based on a geographical region such as a State or Federal Electorate, a shooting, fishing or farming related club, or on some other common interest approved by the State Executive.
- (e) Branches shall hold meetings as determined by the Branch Committee.
- (f) The Branch Committee shall be elected at the branch's Annual General Meeting.
- (g) Provided that the Branch Committee remains functional, a branch shall continue to be recognised by the State Executive as a valid branch.
- (h) Each branch may appoint one (1) of its members as a delegate and one (1) of its members as an observer to the annual State Conference. Such appointments must have the support of a majority of members present at a meeting of the branch.
- (i) A branch may, by resolution having majority support at a meeting of the branch, direct its delegate to vote accordingly at General Meetings of the party. In the absence of such direction the delegate may vote at his or her discretion.
- (j) The alternate delegate shall, in the absence of the delegate, have the same rights as the delegate to vote on matters before the Meeting.

- (k) Each branch may open a bank account in consultation with the Party Treasurer. The branch shall be accountable to the State Executive for the conduct of such account and shall send funds to the Party Treasurer if instructed to do so by the State Executive.
- (l) Notwithstanding the above, each branch shall operate within the scope of the Branch Information Kit, and shall adhere to the rules and guidelines as set out in the Branch Information Kit which may change as required and approved by the State Committee.

11 Affiliated associations

- (a) The party may maintain active and mutually beneficial contact with organisations having goals compatible with those of the party, but this contact shall not require any financial benefit to the party.
- (b) Such organisations may, by invitation, nominate observers to the State Conference or other General Meetings of the party, but such observers may speak at such meetings only by invitation, and shall not be entitled to vote.

12 Subcommittees

- (a) The State Executive may appoint such Sub-Committees as it decides and may depute to them such powers and duties of the State Executive as the State Executive shall determine.
- (b) Sub-Committees shall report their proceedings and conduct their business in accordance with the directions of the State Executive.
- (c) A Policy Sub-Committee shall be appointed to maintain a continuous review of policies of the Party and such Sub-Committee may consist of the State Executive as a whole. All decisions on policy made by the Policy Sub-Committee shall be final.

13 Elections

- (a) The State Committee shall be elected at the State Conference and shall officiate until the next State Conference.
- (b) All elections shall be by secret ballots unless otherwise decided unanimously by the meeting and in case of a secret ballot the presiding Chairman of the meeting shall ask delegates to nominate persons to scrutineer the count of the ballot papers.
- (c) At each State Conference the Chairman shall declare all positions vacant.
- (d) Each retiring State Committee member shall be eligible for re-election provided that he or she is nominated in accordance with this Constitution.
- (e) Any vacancy occurring during the year may be filled by the State Committee ex-officio.
- (f) The State Committee may appoint as many voting or non-voting members to the State Committee during the year as it sees fit, in order to meet the requirements of the party and fulfil any task which the elected members cannot fulfil.

14 Nominations

- (a) A member who wishes to stand for election to the State Committee shall be nominated in writing by two other financial members and sign the nomination himself / herself.
- (b) All nominations shall reach the Secretary two (2) months prior to the State Conference.

- (c) If there is no written nomination for a position by the due date, the Chairman may take nominations at the State Conference.

15 Subscriptions

- (a) The annual membership fee shall be decided at the State Conference, or at any General Meeting of the Party which is called for that express purpose and of which due notice has been given.
- (b) Any member whose combined membership fee and campaign contribution is not paid by the anniversary of joining the party, or within two (2) months of receiving a renewal notice, will be deemed to be un-financial and membership shall lapse.
- (c) The State Committee shall have the authority to determine the appropriate proportions of the combined annual membership fee and campaign contribution, to the total level approved by the General Meeting.

16 Levies

- (a) Party levies shall be fixed only at a General Meeting of the party and levies may, if the State Executive so resolves, be paid by instalments.

17 State Conference

- (a) There shall be one (1) State Conference per year.
- (b) The State Conference shall be held in accordance with this Constitution at a time and place to be decided upon by the State Executive.
- (c) Notice of the State Conference will be given by the Secretary to each Branch.
- (d) The Chairman of the State Conference shall be the Chairman of the party. In his/her absence the Vice Chairman shall take the Chair, or in their absence a member appointed by the meeting.
- (e) All material for the State Conference shall be in the hands of the Secretary two (2) months before the date of the State Conference.
- (f) The Secretary shall forward all such matters, to each branch, and State Committee Member not less than one (1) month before the date of the State Conference.
- (g) Motions on notice from State Committee, delegates and branches shall be only administrative and/or constitutional in nature.
- (h) The agenda for the State Conference shall be:
 - (i) Opening of Meeting and Roll Call
 - (ii) Apologies
 - (iii) Admission of non-notified delegates
 - (iv) Minutes of previous State Conference and of any Extraordinary General Meetings
 - (v) Secretary's Report
 - (vi) Treasurer's Report

- (vii) Chairman's Report
- (viii) Parliamentary Representative(s) Reports(s)
- (ix) Motions on Notice
- (x) General Business, including fixing of membership fees and levies
- (xi) Election of Members of the State Committee

18 Extraordinary General Meetings

- (a) The State Committee may at any time for any special purpose call an Extraordinary General Meeting of the party.
- (b) The Secretary must call an Extraordinary General Meeting within thirty (30) days of receiving a valid requisition.
- (c) A requisition for an Extraordinary General Meeting shall only be valid if:
 - (i) It is supported by a majority of branches, and
 - (ii) Each supporting branch resolution has been confirmed by a secret ballot of Branch members, and
 - (iii) The requisition states by way of notice of motion(s) the business to be transacted.
- (d) No matters of General Business shall be dealt with at the State Conference or any general meeting of the party unless they have been contained in Notices of Motion, duly furnished in accordance with Section 17 of this Constitution.

19 General meetings of the party

- (a) Ten (10) voting members (being branch delegates and members of the State Executive) shall form a quorum for a General Meeting.
- (b) In the event that a quorum is not present thirty (30) minutes alter the scheduled time of any General Meeting, such meeting shall be abandoned.
- (c) A meeting shall be called within two (2) weeks of the abandoned meeting, to carry out the business laid down in the agenda of the abandoned meeting.
- (d) The second meeting shall proceed with those members present at the scheduled starting time being considered to form a quorum.
- (e) All notices shall be deemed to have been duly delivered on the day following the date of dispatch.
- (f) All matters before a General Meeting shall (unless otherwise specified in this Constitution) be decided by a simple majority of valid votes cast except that in the event of a tied vote, the Chairman may exercise a casting vote.
- (g) A branch not having a delegate at a General Meeting may submit a proxy provided that:
 - (i) The proxy is in writing and signed by a member of the Branch Executive.

- (ii) The proxy is submitted to either the Secretary or Chairman not less than one (1) hour prior to the scheduled commencement of the meeting.
 - (iii) A branch may give a proxy to the Chairman of the General Meeting, or to the Secretary or to any delegate attending the General Meeting and may direct its proxy how to vote on particular matters, or may leave the vote to the proxy's discretion.
- (h) At any General Meeting a vote may only be cast by:
- (i) A branch via its delegate (or his/her alternate), appointed in accordance with this Constitution;
 - (ii) A branch by proxy, or
 - (iii) A member of the State Committee.
- (i) A delegate who is also a member of the State Committee has two (2) votes at party General Meetings.

20 Financial year

The financial year of the party shall end on the 30 June each year, at which date the accounts of the party shall be rendered in accordance with relevant electoral laws.

21 Auditors

The books and financial accounts of the party shall be subject to an annual audit by an auditor appointed by the State Executive in accordance with any relevant electoral laws.

22 Variation of the constitution

This Constitution may be amended by motion by any State Conference or Extraordinary General Meeting, on a 75% majority of those eligible to vote.

23 Dissolution

- (a) If at any General Meeting a motion for the dissolution of the party is passed by a majority, then an Extraordinary General Meeting shall be called not less than four (4) weeks or more than six (6) weeks later to reconsider the motion.
- (b) The quorum for this meeting shall be a majority of branch delegates.
- (c) In the event that a quorum is not present thirty (30) minutes after the scheduled commencing time the motion shall be lost.
- (d) If the motion is put to the meeting, it shall require a 75%, majority of those eligible to vote.
- (e) The State Executive shall proceed to realize the assets of the party and distribute them to financial members equally.

24 Matters not covered in this constitution

Where any subject, dispute or matter not covered by this Constitution is brought before the party, the State Executive shall have power to adjudicate on the matter and its decision shall be binding, but subject to revision by any General Meeting on proper notice of motion.

BY-LAWS OF THE SHOOTERS FISHERS AND FARMERS (NSW)

- 1 The Shooters Fishers and Farmers Party (NSW) does not recognise organisations, companies or other groups as part of its voting membership. Membership is available only to individuals, who cannot be recognised as representing any outside group.
- 2 Parliamentary candidate selection process:
 - a) Where a sitting member intends to seek re-election to Local Government or State Parliament, that member will be given the same place on the Party ticket for the ensuing election, subject to approval of the Party Candidate Selection Panel.
 - b) There shall be a Party Candidate Selection Panel.
 - c) The Party Candidate Selection Panel shall consist of the NSW State Executive, the two (2) most senior NSW Party Members of the Legislative Council, and the NSW State Director.
 - d) The Party Candidate Selection Panel may, at any time prior to the statutory period for election that may be set by the Electoral Commission with respect to any elections or by-elections, endorse or revoke candidates for elections and by-elections in NSW for Local Government, Legislative Assembly and the Legislative Council.
 - e) The decision of the Party Candidate Selection Panel is final, with the Chairman having the casting vote in the case of a tie vote.
 - f) Any financial member of the party may nominate himself or herself as a candidate in Local Government, Legislative Assembly and/or Legislative Council elections and by-elections the party is contesting.
 - g) In the event a member of the Party Candidate Selection Panel nominates himself or herself as a candidate for Local Government, Legislative Assembly or Legislative Council elections or by-elections the party is contesting, that member will have to abstain from discussions and voting on the decision of said candidacy.
 - h) In the event two or more members of the Party Candidate Selection Panel nominate themselves as candidates for Local Government, Legislative Assembly or Legislative Council elections or by-elections the party is contesting, those members will have to abstain from discussions and voting on the decision of each other's candidacy, including their own.
 - i) The Party Candidate Selection Panel shall decide the order of the Legislative Council and/or Senate party ticket nominations for any elections and by-elections.
 - j) In the event of a casual vacancy, the Party Candidate Selection Panel shall fill the vacancy in the same manner as prescribed in the by-laws.
 - k) No member of the Party Candidate Selection Panel shall have a proxy vote.
- 3 Endorsed candidate provisions:
 - a) The party or its delegated representative shall handle all on ballot "preference" recommendations without exception for all endorsed Local and State candidates.
 - b) Endorsed Local and State candidates will be jointly liable to raise funds for their own election campaigns.

Registered party information required under the *Electoral Act 2017* and the *Local Government Act 1993*:

Please provide written responses in the spaces provided to address the following party information if it is not explicitly outlined in the party's constitution. This information will be published on the NSW Electoral Commission's website with the party's constitution.

(i) the party's objects:

(ii) the procedure for amending the party's written constitution:

(iii) the rules for membership of the party, including the procedure for accepting a person as a member and ending a person's membership:

(iv) a description of the party structure and of how the party manages its internal affairs:

(v) the procedure for selecting a person to hold an office in the party and for removing a person from office:

Refer attached

(vi) the names of the officers or members of the party responsible for ensuring the party complies with the *Electoral Act 2017* and the *Electoral Funding Act 2018*:

Please provide clear statements that explicitly outline all of the required information.

Procedure for selecting a person to hold office in the party

Office holders are all up for re-election at each Annual General Meeting (AGM) of the party. Members at the AGM vote for nominees to fill all the vacant positions of the party committee. Per the party constitution:

14 Nominations

- (a) A member who wishes to stand for election to the State Committee shall be nominated in writing by two other financial members and sign the nomination himself / herself.
- (b) All nominations shall reach the Secretary two (2) months prior to the State Conference.
- (c) If there is no written nomination for a position by the due date, the Chairman may take nominations at the State Conference.

13 Elections

- (a) The State Committee shall be elected at the State Conference and shall officiate until the next State Conference.
- (b) All elections shall be by secret ballots unless otherwise decided unanimously by the meeting and in case of a secret ballot the presiding Chairman of the meeting shall ask delegates to nominate persons to scrutineer the count of the ballot papers.
- (c) At each State Conference the Chairman shall declare all positions vacant.
- (d) Each retiring State Committee member shall be eligible for re-election provided that he or she is nominated in accordance with this Constitution.
- (e) Any vacancy occurring during the year may be filled by the State Committee ex-officio.
- (f) The State Committee may appoint as many voting or non-voting members to the State Committee during the year as it sees fit, in order to meet the requirements of the party and fulfil any task which the elected members cannot fulfil.

Removing a person from office

Similar to any party member, office holders are subject the same rules as all members as set out in the party constitution as follows:

6 Infringement of rules

- (a) The State Executive shall have the power to penalise any member found guilty of infringing any Party rule, or of bringing the Party or the shooting, fishing or farming movement generally into disrepute.

(i) For the purposes of this clause, the expression "bringing the party or the shooting, fishing or farming movement generally into disrepute" includes the publishing of any written article, notice or statement by any means, or any oral statement.

(ii) For the purposes of this clause, the expression "publishing" means prepare and issue for public sale or otherwise by any means, or make generally known by any means, or announce formally by any means

(b) Any member who may be considered to have infringed (a) above shall be called to appear before the State Executive to answer such charges as may be laid against him or her, and if such charges be found proven, the State Executive may suspend, reprimand or expel such member.

(c) Any charge which might lead to suspension or expulsion of a member shall be lodged with the Secretary in writing, signed by any member and detailing the circumstances which give rise to such charge.

(d) The Secretary shall inform the member of the charge who may submit, in writing, an explanation, or resign from the Party. Such explanation shall be tabled at the State Executive meeting at which the charge is heard.

(e) Any member suspended, reprimanded or disqualified shall be notified in writing by the Secretary within twenty-one (21) days of such penalty being imposed.

(f) Any member suspended, reprimanded or expelled shall have the right to appeal against such penalty to an Appeals Committee consisting of five members appointed by the State Committee whose decision after hearing both parties shall be final.

In addition the Incorporated Association Act includes the following in its model constitution:

19 Removal of committee members

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

Registered party information required under the *Electoral Act 2017* and the *Local Government Act 1993*:

Please provide written responses in the spaces provided to address the following party information if it is not explicitly outlined in the party's constitution. This information will be published on the NSW Electoral Commission's website with the party's constitution.

(i) the party's objects:

As per the constitution

(ii) the procedure for amending the party's written constitution:

As per the constitution

(iii) the rules for membership of the party, including the procedure for accepting a person as a member and ending a person's membership:

As per the constitution

(iv) a description of the party structure and of how the party manages its internal affairs:

As per the constitution

(v) the procedure for selecting a person to hold an office in the party and for removing a person from office:

As per the constitution

(vi) the names of the officers or members of the party responsible for ensuring the party complies with the *Electoral Act 2017* and the *Electoral Funding Act 2018*:

GRANT LAYLAND
JOHN ANTHONY HOWDEN
MICHAEL PATRICK CLEARY
ROBERT BORSAK
TIMOTHY BASILY

Please provide clear statements that explicitly outline all of the required information.