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**LIBERTARIAN PARTY  
NEW SOUTH WALES  
CONSTITUTION**

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## **1. Commencement of Constitution**

- 1.1. This Constitution shall come into effect at such time as—
  - 1.1.1. The Federal Division of the Party passes constitutional reform, resolving that the Party be federated and the delegated authorities of each State division be replaced with separate constitutions, and/or
  - 1.1.2. The Constitution is approved by a simple majority of Members at an Annual General Meeting or Special General Meeting.

## **2. Continuance of Party Registration**

- 2.1. This Constitution is intended to repeal and replace the Party Constitution dated 15th July 2022. Nothing in this document is to be interpreted or otherwise construed as constituting a new political party.

## **3. Operation of Constitution and By-Laws**

- 3.1. This Constitution, and all By-Laws made by the State Executive of the Party under this Constitution, shall be binding on all Members, Executive Members, Senior Officials and any other office-bearers.
- 3.2. If any article of this Constitution and or its By-Laws as originally stated (or as are later amended) is not legally valid, or is unenforceable, or is inconsistent with an earlier article, then the balance of this Constitution and its By-Laws will remain valid, and only the offending article or articles are to be ignored.

## **4. Party Names**

- 4.1. The name of the Party in New South Wales shall be the “Libertarian Party (formerly Liberal Democrats)”.
- 4.2. The name of the Federal Division of the Party, as recognised by this Constitution, shall be such name as is registered with the Australian Electoral Commission.
  - 4.2.1. At the date of passage of this Constitution, the name of the Federal Division of the Party was the “Libertarian Party”.
  - 4.2.2. The name of the Federal Division of the Party, as referred to in Article 4.2.1, may be updated and amended by the Secretary, at such time as the State Executive receives notice from the Federal Division of a name change, and passes a motion by simple majority to update and amend the name.
- 4.3. The Party may adopt such name abbreviations as are necessary and proper from time to time, as determined by a simple majority of the State Executive.
  - 4.3.1. The abbreviated name of the Party in New South Wales shall be the “Libertarian Party”.

## 5. Definitions

- 5.1. *Associate Member* shall mean a natural person who has formally agreed to abide by this Constitution, Party By-Laws and any other conditions set from time-to-time by the State Executive, who is not also a Financial Member.
- 5.2. *Executive Member* shall mean a Financial Member who has been elected by the Party to the State Executive or has otherwise been appointed to a vacant position by a simple majority of the State Executive.
- 5.3. *Federal Constitution* shall mean the Constitution of the Federal Division of the Party, as registered with the Australian Electoral Commission.
- 5.4. *Federal Division* shall refer to the federal affiliate party entity registered with the Australian Electoral Commission.
- 5.5. *Federal Executive* shall mean the elected office-bearers of the Federal Division.
- 5.6. *Financial Member* shall mean a natural person who has paid a membership fee, as prescribed by the Party.
- 5.7. *Members* shall mean those persons defined in Article 9 of this Constitution.
- 5.8. *Party* shall mean the Libertarian Party (formerly Liberal Democrats) in New South Wales.
- 5.9. *Senior Official* shall mean any person appointed to lead a committee by the State Executive and acting in a proper manner in that capacity, excluding a management or other employee of the Party, unless that person is also an Executive Member.
- 5.10. *State Executive* shall mean the elected office-bearers of the Party.
- 5.11. *Voting Member* shall mean a Financial Member who has held financial status for at least six (6) continuous months immediately prior to the date the vote is held.

## 6. Interpretation of this Constitution

- 6.1. This Constitution is to be given an interpretation and construction that is consistent and harmonious with the Federal Constitution, and all relevant state and federal legislation.
- 6.2. Where a term in this Constitution is not defined in Article 5, or elsewhere within this Constitution, its meaning is to be determined based on the ordinary definition and usage at the time of ratification by the Members.
- 6.3. This Constitution is binding on all office-bearers and employees of the Party, except as required by law.
- 6.4. No part of the Party may adopt any rule, policy or procedure inconsistent with this Constitution, except as required by law.
- 6.5. When a decision of the State Executive, any office-bearer or employee, is inconsistent with this Constitution, the latter shall prevail, and the former shall, to the extent of the inconsistency, be deemed invalid.

## **7. Principles**

- 7.1. The Party is a political party that stands for individual liberty, free markets and small government.
- 7.2. It regards government as the principal threat to these values and therefore seeks to reduce its intrusion into our lives to the lowest level possible consistent with the preservation of a civilised society.
- 7.3. It aims to restore to individuals the right to make their own choices and to accept responsibility for their consequences, on the basis that they make better decisions than the government.
- 7.4. The following Principles represent its enduring values.
  - 7.4.1. Economic Principles
    - 7.4.1.1. Free markets and freedom of choice.
    - 7.4.1.2. Small government, low taxation, limited government spending and regulation.
    - 7.4.1.3. Widespread ownership of private property.
  - 7.4.2. Social Principles
    - 7.4.2.1. Civil society and volunteerism.
    - 7.4.2.2. Civil liberties and individual freedom.
    - 7.4.2.3. Individual liberty and personal responsibility under the rule of law.
  - 7.4.3. Government Principles
    - 7.4.3.1. Constitutional liberal democracy.
    - 7.4.3.2. Ethical and impartial government under the rule of law.
    - 7.4.3.3. Devolution of power including decentralised government and competitive federalism.
  - 7.4.4. International Principles
    - 7.4.4.1. Free trade in goods, services and capital.
    - 7.4.4.2. Free trade in ideas and culture.
    - 7.4.4.3. Freedom and human rights.

## **8. Objectives**

- 8.1. The objectives of the Party are to—
  - 8.1.1. Promote the Principles of the Party, and
  - 8.1.2. Seek the election of its candidates to the—
    - 8.1.2.1. Commonwealth House of Representatives and Senate in NSW electorates.
    - 8.1.2.2. NSW Legislative Assembly and Legislative Council.
    - 8.1.2.3. Local Government bodies within NSW.

- 8.2. The assets and income of the Party shall be applied solely in furtherance of these objectives and no portion shall be distributed directly or indirectly to the Members except as bona fide compensation for services rendered or expenses incurred on behalf of the Party.
- 8.3. In the event of the Party being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes and which has rules prohibiting the distribution of its assets and income to its members.

## 9. Membership Categories

- 9.1. There shall be two (2) categories of members:
  - 9.1.1. **Individual Member** - Individuals who have applied for and been accepted as members in their own right and not as representatives of an organisation or group.
  - 9.1.2. **Affiliate Member** - Organisations that have applied for and been accepted as affiliate members, provided that the individuals who belong to such organisations shall not become individual members of the Party by virtue of their membership of that organisation.
- 9.2. Subject to this Constitution the State Executive may create categories of individual and affiliate membership.

## 10. Individual Membership

- 10.1. Individual membership of the Party is open to any person who has not been expressly excluded from membership, has not been convicted of a disqualifying electoral offence within ten (10) years before the person applies to become a Member, and who agrees to comply with this Constitution.
- 10.2. Individual membership may be either 'Financial' or 'Associate'.
- 10.3. A person may not become a Member or remain a Member, while at the same time holding membership of another political party, unless with the specific approval of the State Executive.
- 10.4. Individual membership shall include membership of both the Party and any subordinate bodies to which the Member is, by virtue of his/her location, entitled to belong.
- 10.5. Only Voting Members shall be entitled to vote on Party matters. Individual Members so recognised shall have one (1) vote each.
- 10.6. Loss or relinquishment of financial membership status does not, by itself, lead to cessation of membership.

## 11. Affiliate Membership

- 11.1. Affiliate membership of the Party is open to any organisation that has not been expressly excluded from membership and agrees to comply with this Constitution.

## 12. Governance of Membership

- 12.1. Membership may be granted on application to the Party as follows.
  - 12.1.1. **Individual Membership** - A person wishing to become an Individual Member shall complete an application form or application forms as prescribed by the State Executive. The State Executive may prescribe the use of online forms available on the Party's website. The person must specify details including full name, residential address and other details as prescribed by the State Executive. The person shall lodge such forms in a manner prescribed by the State Executive, which may include submission via the Party website.
  - 12.1.2. **Affiliate Membership** - An organisation wishing to become an Affiliate Member shall apply in writing to the Secretary.
- 12.2. An application for individual or affiliate membership is subject to acceptance by the State Secretary. In this the Secretary shall comply with any direction from the State Executive and with this Constitution. A person or organisation whose application for membership has been accepted shall be advised accordingly. The State Executive may direct the Secretary to reject any application for membership (individual or affiliate) on the grounds that its acceptance would be against the interests of the Party as defined in Article 12.7.
- 12.3. The State Executive may suspend or expel any Member at any time on the grounds that not doing so would be against the interests of the Party as defined in Article 12.7. The procedures for suspension and expulsion of Members shall be based on the principles of procedural fairness and natural justice. These procedures shall include either advising the person or organisation in writing of the suspension or expulsion, or, if the State Executive considers that a delay in the suspension or expulsion would not significantly damage the interests of the Party, advising the person or organisation in writing that the State Executive is considering a suspension or expulsion. In the latter scenario, the person or organisation shall be requested to respond in a timely manner, and the State Executive shall endeavour to defer a decision on suspension or expulsion until any such response is received and considered.
- 12.4. Subject to Article 12.3, the State Executive may suspend or terminate the membership of any Individual or Affiliate Member on the grounds that it is against the interests of the Party as defined in Article 12.7.
- 12.5. Any Member or subordinate body may recommend to the State Executive that an application for membership be rejected or a Member suspended or expelled.

- 12.6. Any refusal to admit a person as an Individual Member, and any suspension or expulsion from the Party of a Member, shall be accompanied by a statement of reasons which is made available to any Member on request to the Secretary. This statement shall include a majority opinion as well as any dissenting opinions.
- 12.7. An Individual Member may only have their application rejected or be expelled from the Party for the following reasons.
  - 12.7.1. Publicly contradict the Party's Principles.
  - 12.7.2. Intentionally undermine the Party's objectives or campaigns.
  - 12.7.3. Has expressed views or behaviour that may bring the Party into significant, public disrepute.
- 12.8. A simple majority of the Financial Members of the Party at an Annual General Meeting or Special General Meeting can reverse any Member's expulsion from the Party.
- 12.9. A relevant Court or Tribunal in the State of NSW may consider if any expelled Member has been denied 'natural justice' and if so, it is empowered to reverse or set aside the expulsion.
- 12.10. A person ceases to be a Member if he/she dies, resigns or is expelled from the Party by the State Executive.
- 12.11. A Member convicted of a disqualifying electoral offence is deemed, at the time a conviction is recorded in the court of law, to be automatically terminated of membership.
- 12.12. A Member may at any time by notice in writing to the Secretary resign his/her membership.
- 12.13. If a Member of the Party ceases to be a Member, the Secretary must make an appropriate entry in the register of Members recording the date on which membership ceased.
- 12.14. Membership entitlements are not transferable. A right, privilege or obligation which a person or organisation has by reason of being a member of the Party is not capable of being transferred or transmitted to another person or organisation, and terminates on cessation of membership.
- 12.15. The liability of a Member of the Party to contribute towards the payment of the debts and liabilities of the party or the costs, charges and expenses of the winding up of the Party is limited to the amount, if any, unpaid by the member in respect of membership of the Party.
- 12.16. The liability of Members of the Party's governing bodies shall be the same as for ordinary Members.
- 12.17. No Member, including Executive Members, shall have the authority to act or speak on behalf of the Party without the approval of the State Executive.

### **13. The State Executive**

- 13.1. There shall be one (1) State Executive, comprised of no more than seven (7) individual Members duly elected in accordance with this Constitution.

- 13.2. Executive Members shall serve for a period of two (2) years and, upon expiry of the term, are eligible for re-election.
- 13.3. An Executive Member may only receive financial remuneration from Party funds if approved by a simple majority of the Voting Members at an AGM, SGM or via a circular motion emailed to all Voting Members. Such approvals expire at the following AGM.

#### **14. Elections of the State Executive**

- 14.1. The State Executive shall be comprised of Executive Members, directly chosen by the Financial Members, voting as one (1) collective.
- 14.2. For elections of the State Executive where all positions are declared vacant—
  - 14.2.1. The first four (4) candidates elected shall serve a two (2) year term.
  - 14.2.2. The following three (3) candidates shall serve a one (1) year term.
- 14.3. For the purposes of Article 14.2, the term of service of an Executive Member shall be taken to begin on the first day following the day of his/her election.
- 14.4. Only Financial Members who have held financial status for at least twelve (12) continuous months immediately prior to the Annual General Meeting may stand for election to the State Executive unless exempted from this limitation by the State Executive.
- 14.5. Nominations for election to the State Executive shall be submitted to the Secretary not less than two (2) weeks prior to the Annual General Meeting. Members standing for election to the State Executive must be nominated and seconded by two or more Financial Members eligible to vote at the AGM and signify their consent to the nomination.
- 14.6. The method of voting for the State Executive shall be optional preferential, conducted by secret ballot.
- 14.7. Candidates for election to the State Executive may each appoint one (1) scrutineer to observe the counting of votes.
- 14.8. A vacant position on the State Executive may be filled by the State Executive until the next Annual General Meeting when it shall be filled by election. The term of any Executive Member so elected shall be the remainder of the term of the Executive Member whose departure created the vacancy.
- 14.9. A Returning Officer may be appointed to conduct the election and shall not be entitled to vote.

#### **15. Power of the NSW State Executive**

- 15.1. The State Executive shall, subject to the laws of the State of NSW and this Constitution, have the power to govern the Party, make decisions and pass resolutions for the promotion of the Party and its Members' interests, to ensure good governance of the Party, and advancement of liberty in New South Wales in all cases whatsoever.



## **16. Structure of the State Executive**

- 16.1. The State Executive shall be constituted by the following office-bearers.
  - 16.1.1. President
  - 16.1.2. Vice President
  - 16.1.3. Secretary
  - 16.1.4. Treasurer
- 16.2. At the first meeting of the State Executive following an election, the State Executive must, by simple majority, elect the office-bearers.
- 16.3. Office-bearers in Article 16.1 must be Executive Members, and no more than two (2) office-bearer positions may be filled by one (1) Executive Member.
- 16.4. The State Executive shall elect the Registered Officer, who must be a Financial Member.
- 16.5. The State Executive shall elect the Party Agent, who must be a Financial Member and is not also the Registered Officer.
- 16.6. The State Executive may from time to time, create such other office-bearing roles as it sees necessary and proper. The State Executive may only elect Financial Members to such other office-bearing roles that it sees fit to create.

## **17. The President**

- 17.1. The State President shall—
  - 17.1.1. Be the Senior Executive Officer of the Party.
  - 17.1.2. Chair all State Executive and Annual General Meetings of the Party.
  - 17.1.3. Be a member “ex officio” of all committees.
  - 17.1.4. Have the casting vote in any other Party meeting where a vote is tied.
- 17.2. Before or during any absence of the President, the State Executive may choose an Executive Member to perform his/her duties in his/her absence.

## **18. The Vice President**

- 18.1. The Vice President shall—
  - 18.1.1. Perform the duties of the President during his/her absence or at his/her request.
  - 18.1.2. Be a member “ex officio” of all committees.
- 18.2. Before or during any absence of the Vice President, the State Executive may choose an Executive Member to perform his/her duties in his/her absence.

## **19. The Secretary**

- 19.1. The Secretary shall—
  - 19.1.1. Have overall responsibility for correspondence in connection with the Party.
  - 19.1.2. Ensure the maintenance of a register of Members as directed by the State Executive.

- 19.1.3. Record all appointments of Executive Members and office-bearers.
- 19.1.4. Ensure that minutes are taken of all proceedings at State Executive meetings and general meetings of the Party including the Annual General Meeting.
- 19.1.5. Present such minutes to the subsequent corresponding meeting for approval as a true and accurate record and retained as its principal record.
- 19.1.6. Ensure that all minutes are made available to Financial and Associate Members of the Party.
- 19.1.7. Regularly provide copies of ratified meeting minutes to the Federal Division of the Party, through the Federal Secretary.
- 19.1.8. Be responsible for ensuring transparency with the membership of all State Executive decisions and processes.

## **20. The Treasurer**

20.1. The Treasurer shall—

- 20.1.1. Have overall responsibility for the care of the Party's finances.
- 20.1.2. Ensure that all membership fees, donations and other monies collected are promptly paid into a bank account approved by the State Executive.
- 20.1.3. Ensure that all payments authorised by the State Executive are made.
- 20.1.4. Ensure that correct accounts are kept showing the financial affairs of the Party, including full details of receipts and expenditure.
- 20.1.5. Ensure the maintenance of an accurate and current register of Party assets.
- 20.1.6. Present to each meeting of the State Executive a statement of income and expenditure for the period since the prior meeting.
- 20.1.7. Present each year to the approved auditor the Party's accounts for auditing.
- 20.1.8. Present at the Annual General Meeting a duly audited balance sheet and a profit and loss account covering the financial year ending in the calendar year preceding the Annual General Meeting.
- 20.1.9. Ensure the Party complies with such financial reporting obligations as are required by law or otherwise supervises the Party Agent when the law so mandates that the Party Agent is so responsible for electoral financial matters.

## **21. The Registered Officer**

21.1. The Registered Officer shall—

- 21.1.1. Undertake such functions as are required by legislation.
- 21.1.2. Undertake such functions as are conferred by the State Executive to ensure the administration of the Party in accordance with the NSW Electoral Commission.

- 21.2. The State Executive may direct the Registered Officer as to the nomination of candidates for elected office and the Registered Officer shall comply with such direction.

## **22. State Executive Meetings**

- 22.1. Meetings of the State Executive shall be held at such times and places as the State Executive shall determine—
- 22.1.1. Not less than once every twenty-eight (28) days.
  - 22.1.2. Within fourteen (14) days of the receipt by the State Secretary of a requisition by a simple majority of Executive Members.
- 22.2. Four (4) Executive Members, one (1) of whom must be the President or Vice President, shall form a quorum.
- 22.3. Not less than two (2) days notice shall be given for a meeting of the State Executive.
- 22.4. If either the President or Vice President is unable or unwilling to act as Chairman, the State Executive may appoint its own.
- 22.5. All matters before the State Executive shall be decided by a simple majority of those present except where this Constitution provides otherwise. Where a vote is tied the Chairman shall have a casting vote.
- 22.6. The State Executive by simple majority, may invite Financial and Associate Members to its meetings as non-voting spectators or guest speakers.
- 22.7. In addition to the above, a meeting shall also be deemed unconstitutional where—
- 22.7.1. Proper notice was not given under Article 22.3.
  - 22.7.2. The meeting is not called open, and closed, by the Chairman.
  - 22.7.3. Proper minutes are not taken by the Secretary or their delegate.
- 22.8. All normal Party procedural and operational matters may be considered and approved via simple majority circular resolution.

## **23. Conflicts of Interest**

- 23.1. An Executive Member must avoid conflicts of interest in their capacity as an office-bearer.
- 23.2. A conflict of interest is defined as—
- 23.2.1. A situation in which the Executive Member is in a position to derive undisclosed personal benefit from actions or decisions made in their official capacity.
  - 23.2.2. A situation in which the Executive Member's immediate family member (mother, father, sibling, grandparent or child) or spouse would derive undisclosed personal benefit from actions or decisions made in their official capacity.
  - 23.2.3. A situation in which the Executive Member's lover, partner or a person whom they are in a close personal relationship, would derive undisclosed personal benefit from actions or decisions made in their official capacity.

- 23.3. An Executive Member must declare in writing any conflicts of interest to the President and Secretary before the meeting or along with any circular resolution, and then the conflict matter should be minuted and or recorded in the conflict register, if such is maintained.
- 23.4. An Executive Member must abstain from voting, and recuse themselves from debate, on a matter that comes before the State Executive where they have a conflict of interest.
- 23.5. In cases where a conflict of interest becomes known to the State Executive, and the Executive Member in question refuses to comply with Article 23.4 voluntarily, the State Executive may, by simple majority, refuse to count the conflicted Executive Member's assent to the matters.
- 23.6. The conflicted Executive Member may at the request of the Chairman, or the acting Chairman, be asked to vacate the meeting until the conflict matter has been voted upon.
- 23.7. A conflict of interest will likely exist if an Individual Member of the Party holds a position within the State Executive and also—
  - 23.7.1. Is an elected member of a federal or state parliament.
  - 23.7.2. Is a paid staffer working for an elected member of a federal or state parliament.
  - 23.7.3. Receives a financial remuneration from the Party, an Affiliated Member, or an associated entity of the Party.
  - 23.7.4. Holds a position within the Federal Executive concurrently.
- 23.8. Consistent with this Constitution, the State Executive shall create, maintain, and update (from time to time) By-Laws for the management of matters relating to the prevention, mitigation, and remediation of conflicts of interest and perceived conflicts of interest. This may include the use of or reference to an acceptable Australian industry standard for managing conflicts of interest.

## **24. No Confidence**

- 24.1. The State Executive must resolve to hold a Special General Meeting at such time as the Secretary receives a petition of 'no confidence' in the State Executive—
  - 24.1.1. Signed by twenty-five (25) percent of Financial Members, and
  - 24.1.2. Stipulating a motion of no confidence, and/or invoking Article 24 of this Constitution.
- 24.2. The rules governing the procedures of such a meeting contemplated by Article 24.1 shall be consistent with the procedure prescribed in this Constitution.
- 24.3. An Executive Member may also be removed by a unanimous vote of all other Executive Members of the State Executive on two (2) occasions, not less than one (1) month, nor more than three (3) months apart.

## **25. Annual General Meetings**

- 25.1. There shall be one (1) Annual General Meeting (AGM) each year, to be held at a time and place determined by the State Executive.

- 25.2. All Members shall be entitled to attend an AGM in-person.
- 25.3. Only Voting Members who attend the AGM in-person or remotely shall be entitled to vote at an AGM.
- 25.4. Only Voting Members shall be entitled to attend an AGM remotely. The State Executive must make every reasonable effort to ensure that a form of technology is in use at each AGM which gives Voting Members the ability to observe, speak and vote remotely. A Voting Member is entitled to vote through only one (1) of the permitted methods at a time.
- 25.5. No Member may vote more than once.
- 25.6. All resolutions before an AGM shall be decided by a simple majority of votes cast except where this Constitution provides otherwise. Where a vote is tied the Chairman shall have a casting vote.
- 25.7. The State Secretary shall ensure that all Members are notified of each AGM not less than four (4) weeks prior to its occurrence. The notice of the AGM must advise Members how they may exercise their right to attend and vote remotely.
- 25.8. All matters for decision at an AGM shall be submitted to the State Secretary not less than two (2) weeks prior to the AGM.
  - 25.8.1. Members are entitled to submit motions and agenda items for consideration at the AGM in accordance with this Article.
- 25.9. An AGM shall be open to observers unless closed (entirely or for certain sessions) by decision of the State Executive or resolution of the Voting Members at the AGM.
- 25.10. The agenda for the AGM shall be as determined by the State Executive but shall include the following—
  - 25.10.1. A report by the State President.
  - 25.10.2. A report by the State Secretary.
  - 25.10.3. Receipt and consideration of the minutes of the prior AGM.
  - 25.10.4. Receipt and consideration of the State Treasurer's report including financial accounts.
  - 25.10.5. Elections to fill such vacancies on the State Executive as fall due.
  - 25.10.6. The appointment of an independent and qualified auditor, or if the Party is below the legal financial thresholds, an ASIC approved equivalent.
  - 25.10.7. Consideration of policies adopted by the State Executive and their approval or rejection, with or without, amendment.
  - 25.10.8. General business with notice, or at the discretion of the President for those matters raised without the normal notice under Article 25.8 prior to the AGM.
- 25.11. There shall be no quorum for an AGM.

- 25.12. Unless proper notice has not been given or the holding of an AGM is seriously hampered by events beyond the control of the State Secretary or State Executive, an AGM shall not be adjourned.
- 25.13. Except in cases of constitutional amendments under Article 29, no motion presented at an AGM may require more than a simple majority of Financial Members to be passed. Any By-Law which prescribes a manner and form requirement inconsistent with this Article, is to the extent of the inconsistency, invalid.

## **26. Special General Meetings**

- 26.1. A Special General Meeting (SGM) may be called—
- 26.1.1. By motion passed by a seventy-five (75) percent supermajority of the State Executive, once.
  - 26.1.2. By motion passed by a simple majority of the State Executive, three (3) times within a ninety (90) day period.
  - 26.1.3. By a petition bearing the signatures of ten (10) percent of all Financial Members, presented to the Secretary.
  - 26.1.4. In accordance with Article 24.1 of this Constitution for a petition of no-confidence to dissolve the State Executive.
- 26.2. An SGM may be held via remote attendance only.
- 26.3. When an SGM is called by a petition of the membership, the State Executive must pass a motion by simple majority to call the SGM.
- 26.4. The same procedures which govern the calling and holding of an Annual General Meeting, between Articles 25.3 to 25.9 (inclusive), as well as 25.11 to 25.13 (inclusive), shall apply likewise to an SGM.
- 26.5. There shall be no quorum for an SGM.
- 26.6. The agenda for an SGM shall be limited to those motions submitted to the State Secretary not less than two (2) weeks before the SGM, and such other agenda items as the State Executive thinks necessary and proper.

## **27. Dissolution**

- 27.1. If a motion for the dissolution of the Party is passed at an Annual General Meeting by a simple majority of the Financial Members, then a Special General Meeting shall be called not less than four (4) weeks or more than six (6) weeks later to reconsider the dissolution.
- 27.2. A dissolution motion being reconsidered at a Special General Meeting under Article 27.1 shall require a seventy-five (75) percent supermajority of Financial Members eligible to vote to be passed.

## **28. Indemnity**

- 28.1. Every State Executive or appointed Senior Official of the Party shall be indemnified out of the property of the Party against any liability incurred by him/her—
- 28.1.1. In defending any Party related proceedings, whether civil or criminal, in which judgement is given in his/her favour or in which he/she is acquitted; or
- 28.1.2. In connection with any application in relation to any such proceedings in which relief is granted under the Law to him/her by the Court.
- 28.2. If the State Executive or any Executive Member, or any other Senior Official, becomes or is about to become personally liable for the payment of any sum, primarily a valid liability of the Party, the State Executive may execute or cause to be executed any mortgage, charge or security over or affecting the whole or any part of the assets of the Party by way of indemnity to secure the Executive Member or Senior Official so becoming liable from any loss in respect of such liability.

## **29. Amendments to this Constitution**

- 29.1. Except as provided in Article 4 relating to the Party Name, this Constitution may otherwise only be amended in accordance with Article 29.
- 29.2. An amendment to this Constitution may be proposed—
- 29.2.1. By motion passed by a simple majority of the State Executive.
- 29.2.2. By a motion on notice presented and supported by at least ten (10) Financial Members.
- 29.3. A proposed amendment to this Constitution must be presented to the Members at either an Annual General Meeting or Special General Meeting.
- 29.4. An amendment may only be passed and ratified into this Constitution by a vote of Financial Members eligible to vote, carrying a ninety (90) percent supermajority in the case of a change to the Principles (Article 7), or a seventy-five (75) percent supermajority in any other case.

## **End of Constitution**

## 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:

See constitution.

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

See 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:

See constitution.

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

The NSW state division operates on delegated authority from the party Federal Executive. The Federal Executive and the NSW State Executives are elected at general meetings.

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

Office holders are elected at general meetings. See 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*:

### Office Bearers, Members of the NSW Executive

President, Fundraising Director

Ross Cameron

[presidentnsw@ldp.org.au](mailto:presidentnsw@ldp.org.au)

Responsibilities: President of NSW branch; lead fundraising efforts

Vice President, Policy Director

Mark Hornshaw

[mark.hornshaw@ldp.org.au](mailto:mark.hornshaw@ldp.org.au) [policynsw@ldp.org.au](mailto:policynsw@ldp.org.au)



Responsibilities: Vice President of NSW branch; directs policy development

Treasurer, Party Agent

Mark Guest

[treasurersw@ldp.org.au](mailto:treasurersw@ldp.org.au) [agent@libertynsw.org](mailto:agent@libertynsw.org)

Responsibilities: administer the party's accounts, donation and expenditure disclosure

Secretary

Gemma Noiosi

[secretarynsw@ldp.org.au](mailto:secretarynsw@ldp.org.au)

[noiosigemma@gmail.com](mailto:noiosigemma@gmail.com)

Responsibilities: ensure meetings are effectively organised and minuted, maintain party records

Ashton Solomon

[ashton.solomon@ldp.org.au](mailto:ashton.solomon@ldp.org.au)

Responsibilities: NSW branch executive member

Angela Poole

[Angela.Poole@ldp.org.au](mailto:Angela.Poole@ldp.org.au)

Responsibilities: NSW branch executive member

Victor Tey

Deputy Registered Officer

[victor.tey@ldp.org.au](mailto:victor.tey@ldp.org.au)

Responsibilities: NSW branch executive member; perform duties as RO when required

#### **Other Office-Bearers**

Anthony Rebase

Registered Officer

[anthony.rebase@ldp.org.au](mailto:anthony.rebase@ldp.org.au)

Responsibilities: party registration