

CONSTITUTION
NELLA HALL INDEPENDENTS
April 2020



**NELLA HALL
INDEPENDENTS**

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The party will be called “Nella Hall Independents” (“the Party”) and abbreviated as “Nella Hall” registered at 160 Homebush Rd, Strathfield NSW 2135. The party will not be incorporated as a company or an association.

This document is known as the ‘Nella Hall Independents Constitution’.

The **aim** of Nella Hall shall be to provide representation at a local government level to the residents and constituents of the Strathfield Local Government Area, and to operate in accordance with the rules and regulations determined by the NSW Electoral Commission.

Nella Hall Independents will be guided by the following **key objectives**:

1. To provide representation to the wider community by endorsing candidates to stand at Local Government Elections within NSW;
2. To encourage participation by the community in a wide range of activities/ services, which seek to improve the wider community at a local level.
3. To identify and seek to improve the Strathfield Local Government Area in the best interests of residents and the wider community,
4. Endeavour to provide an active voice in addressing various local issues, which may be relevant to the wider community, as well as expressing a view that Nella Hall does not support politics in local government and that Nella Hall shall hold views which are independent of the major political parties.
5. To provide a bi-partisan approach to local issues
6. Making the voices, opinions, and perspectives of the residents of Strathfield LGA present in the public policy making process.
7. Endeavour to work as a cohesive unit with fellow councillors to achieve outcomes in the best interest of the residents of Strathfield LGA.

1. Membership

1.1 A person is considered a member of the party upon:

- a) the signing of the NSW Electoral Commission's Declaration of Membership Form or,
- b) being approved for membership by the Executive Committee after completing the party's personal Membership Form.

1.2 Members are considered party members until they advise in writing that they no longer wish to be a member of the party or are expelled by the Executive Committee.

1.3 A Register of Members is to be maintained by the Registered Officer.

1.4 Notwithstanding 1.1a) and 1.1b) above, the Executive Committee may, in the Party's interest and protection, at its discretion reject any application for membership to the Party.

1.5 Membership is currently free but new membership costs can be charged at the discretion of the party secretary general.

1.6 Anyone who supports the purpose and objectives of the party can apply to be a member. A member must be at least 18 years old.

1.7 Any rights, privileges or obligations which a person has by reason of being a member is not transferrable and terminates on cessation of the person's membership.

1.8 A member may resign by giving to the Secretary, written notice of their intent upon which the Secretary must make an appropriate entry in the Register of Members, and if necessary inform the NSW Electoral Commission by way of the Annual Return.

1.9 Each member is subject to this Constitution.

2. Disputes Between Members

2.1 When a complaint has been made regarding a member who has refused to comply with a provision of this constitution or acted wilfully in a manner prejudicial to the interest of Nella Hall, then the Executive Committee may cause notice of the complaint to be served on the member concerned, and the Member must be given 14 days from the time of the notice is served to respond. Submissions to the Executive Committee made by the Member, in connection with the complaint, must be taken into consideration.

2.2 The Executive Committee may, by resolution, expel or suspend the member from Nella Hall or take other appropriate action, if the complaint has been established that the member has not complied with this Constitution or acted wilfully in a manner prejudicial to the interests of Nella Hall and its objectives. Any such action determined by the Executive Committee will cause written notice to be supplied by the Party's Registered Officer within 7 days after the action is taken.

3. The Party's Structure and Governance

3.1 The Office Bearer positions are defined herein and form part of the Executive Committee. The Executive Committee shall be the ruling authority, which is made up of the following founding members:

- a) The President who also acts as the Registered Officer - Geoffrey Ronald Markwell;
- b) The Deputy President who also acts as the Deputy Registered Officer – Rosemary Megale.;
- c) The Secretary who also acts as the Party Secretary – Nigel Christopher Eaton;
- d) The Treasurer who serves as the Treasurer of Nella Hall – Patricia Giammarco;

3.2 The Executive Committee is responsible for ensuring the party complies with the Electoral Act 2017 and the Electoral Funding Act 2018.

3.3 The Executive Committee may at its complete discretion co-opt elected councillors and any other member to assist with its responsibilities.

3.4 In the event of a casual vacancy in the Executive Committee, the remaining office bearers of the Executive Committee may appoint a member of Nella Hall to fill the vacancy by a unanimous vote.

3.5 An office bearer may be removed from the Executive Committee by a Special Resolution with a majority vote of the remaining office bearers.

3.6 The party will start with one branch, namely Strathfield (NSW), and encompass all of the Strathfield Local Government area. Any extra branches need to be approved in writing by the Executive Committee.

3.5 The Role and Duties of the President

The President is to have a clear vision of the aims, objectives and directions of the Party and is to regularly assess the overall effectiveness of Nella Hall in fulfilling its aims and objectives. The President is a member of the Executive Committee and will preside at the Executive Committee and Annual General Meetings. The President is also responsible for ensuring the party complies with the Electoral Act 2017 and the Electoral Funding Act 2018.

3.6 The Role and Duties of the Deputy President

The Deputy President is to assist the President and regularly assess the overall effectiveness of the Party in fulfilling its aims and objectives and ensure the implementation of the Aims and objectives of Nella Hall. The Deputy President a member of the Executive Committee. The Deputy President is also responsible for ensuring the party complies with the Electoral Act 2017 and the Electoral Funding Act 2018.

3.7 The Role and Duties of the Secretary

It is the duty of the Secretary to keep minutes of:

- a. all appointments of office-bearers and members of the committee,
- b. the names of members of the committee present at a committee meeting or a general meeting, and
- c. all proceedings at committee meetings and general meetings.

Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

The Secretary is responsible for custody of the books and records of the party and is also responsible for ensuring the party complies with the Electoral Act 2017 and the Electoral Funding Act 2018.

3.8 The Role and Duties of the Treasurer

The Treasurer will work closely with the Committee and ensure:

- a. that all money due to Nella Hall is collected and received and that all payments authorised by the committee are made, and
- b. that correct books and accounts are kept showing the financial affairs of Nella Hall, including full details of all receipts and expenditure connected with the activities of Nella Hall.

The Treasurer is also responsible for ensuring the party complies with the Electoral Act 2017 and the Electoral Funding Act 2018.

4. Meetings and Quorum

4.1 The Executive Committee shall meet at least six times each year at such times and place as the Executive Committee may determine by giving notice either orally or in writing.

4.2 A quorum is represented by having two members of the Executive Committee present.

4.3 The Executive Committee may at its complete discretion call a meeting of the members by written notice (which may be by email) at a time and place as the Executive Committee may determine by giving at least seven days notice.

4.4 Notwithstanding 4.3 above, the Executive Committee will hold an Annual General Meeting of its members at a time and place as determined by the Executive Committee by giving at least 14 days notice.

5. The Constitution

5.1 Each member of the Executive Committee is subject to this Constitution.

5.2 Amendments to the constitution must be agreed on and signed off by at least three appointed office bearers of the Executive Committee.

6. Endorsement of Candidates

6.1 The party will endorse candidates to contest the elections of councillors (and mayor if available) for Strathfield Municipal Council. An endorsed candidate must be a current member of the party.

6.2 A member who is seeking nomination as a candidate must be eligible under law to nominate as a candidate for Strathfield Local Government elections and must sign a Candidate Agreement and must not have been indicted with a criminal offence

6.3 Nominations for endorsement as a candidate of the party to contest elections for Strathfield Council:

- a. must be made in writing, signed by the nominee and at least one member of the party, and
- b. must be delivered to the Secretary of the party before the Close of Nomination of Candidates date set by electoral authority.

6.4 As soon as practicable after receiving the nominations before the Close of Nomination of Candidates date set by electoral authority:

- a. the Secretary must refer the nominations to the committee, which is to determine whether to endorse or reject the nomination,

- b. if a member of the committee is a nominee then that member will not be present when the committee endorses or rejects their nomination,
- c. the committee can deem it necessary to interview nominees to assist it in its deliberations, and
- d. the committee will agree on the order of the endorsed candidates on the ballot paper.

6.5 As soon as practicable after the committee makes the determination of candidates, the secretary must:

- a. notify the nominees that the committee endorsed or rejected the nomination, and
- b. if the nominee was endorsed, what position they will appear on the ballot paper,

6.6 In the event of the Committee becoming aware of matters of substance relating to an endorsed candidate which it believes were not known to the Committee and which may well have led to a different decision on endorsement, the Committee may reconsider whether to endorse the member as a candidate.

7. Winding Up

7.1 In the event of 'Nella Hall' winding up, such action may only be done after notice has been given (14 day) to all members, and that a Special General Meeting be held to discuss only the issue associated with winding up procedures of Nella Hall.

7.2 When a secretary general and treasurer cannot be found within the parties ranks the party will be wound up. When the party secretary general and treasurer agree in writing that the party should no longer run then the party will be wound up. Any surplus assets will be distributed to the original donors or to a local charity.
