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FAMILY FIRST PARTY NEW SOUTH
WALES

CONSTITUTION

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Rules of
Family First Party New South Wales

1. DEFINITIONS AND INTERPRETATION

In this Constitution unless the context otherwise requires:

The singular includes the plural and vice versa; A gender includes both genders;

Where a word or phrase is defined, its other grammatical forms have a corresponding meaning;

Headings are for convenience only and do not effect the construction or interpretation of this Constitution.

References to any statutory enactment shall mean and be construed as references to that enactment as amended modified and re-enacted from time to time.

Words importing persons shall include corporations, incorporated associations, or associations.

“Application Form” is the form to be used by any member who wishes to be considered for either Candidate nomination, Area Coordinator, Regional Coordinator or other positions or roles within the party, that become available, as determined by the Executive Committee from time to time.

“Area Coordinator” means a Member appointed to manage the affairs of the Party in that electorate under the authority of the Regional Coordinator and State Director;

“Delegates” means those credentialed persons appointed by the Executive Committee to attend on their behalf and vote at the National Conference;

“Elected Candidates” means endorsed candidates that were elected to parliament and are sitting as members of parliament from time to time;

“Executive Committee” means the committee of management of the Family First Party New South Wales Inc

“Family” Family means mums, dads, children, siblings, grandparents and extended family, singles, single parent families and heterosexual couples, that form a living community of people that interact and care for one another (refer to “Core Values” document for more information)

- “Federal Election”** means any election or by-election held for the election of members of the House of Representatives or the Senate of the Commonwealth of Australia;
- “Federal Executive Committee”** means the Board of directors of the Family First Party Australia Ltd;
- “Local Government”** means any Local Government in the state of New South Wales
- “License Agreement”** means the license agreement between Family First Party Australia Ltd. and Family First Party New South Wales Inc. in respect of the use of the name “Family First Party”;
- “Member”** means a person who has satisfied the membership requirements
- “Membership Fees”** means the prescribed membership fees
- “National Conference”** means the conference convened by the Federal Executive Committee from time to time;
- “National Conference Delegates”** means all delegates and members attending and entitled to vote at general meetings or extraordinary general meetings of the National Conference from time to time;
- “Parliamentary Party”** consists of elected members in the State parliament or Federal parliament;
- “Party”** means the Incorporated Association known as Family First Party New South Wales Inc.;
- “Policy”** means any stated position of the Party on any such issue of importance or concern to the people of Australia;
- “Regional Coordinator”** means a Member appointed to manage the affairs of the Party in a region under the authority of the State Director;
- “Regions”** are areas of aggregated State electorates as determined from time to time by the State Executive.
- “Seal”** means the common seal of the Party and includes any official seal of the Party;
- “Secretary”** means any person appointed to perform the duties of a secretary of the Party;
- “State Association”** also referred to as **“State Party”** means any Association that has been established as a party in an Australian State or Territory and has been authorized by the Federal Executive Committee to bear the name “Family First Party” as part of its name;
- “State Director”** means the Member appointed to lead and manage the day to day affairs of the Family First party under the authority of

the Executive Committee;

“Upper House” means the Senate for Federal elections and Legislative Council for State elections;

"State Election" means any election held for the election of members to the Legislative Assembly and Legislative Council in the State of NSW;

¹**“State Conference”** means the conference convened by the Executive Committee from time to time;

"State Conference Delegates" means all Members and Members of the Executive Committee attending and entitled to vote at a meeting of the State Conference from time to time.

“Sub-Clause” means (where not otherwise defined) a sub-clause within the same clause as the reference occurs.

2. NAME

The name of the Association shall be Family First Party New South Wales. ('the Party'). The Association acknowledges that its right to use the name "Family First Party" as part of its name is pursuant to a License Agreement.

3. OBJECTIVES

The objectives of the Party shall be:-

- 3.1 To be an eligible political party within the meaning of the Electoral Act 2002 or such other law as may be required from time to time for the purposes of nominating or endorsing a candidate for election to the New South Wales State Parliament so as to advance the objectives of the Party.
- 3.2 To propose, promote and support legislation which will result in the holistic health, wellbeing, welfare, safety and unity of families in NSW.
- 3.3 To oppose proposed legislation that will impact negatively upon families and seek to change existing legislation that impacts negatively upon families in New South Wales specifically with relation to our Core Values.
- 3.4 To promote strategies and legislative change, to reduce the social and economic impact as a result of family breakdown in New South Wales.
- 3.5 To promote effective levels of funding and support for individuals, organizations and entities that provide wholesome assistance and benefit that strengthen and educate families in New South Wales.
- 3.6 To promote and encourage widespread community support and strategy to educate and provide assistance to reduce adverse social and economic impact of family breakdown in New South Wales.
- 3.7 To select, nominate and promote candidates for election to Local Government, the New South Wales and Federal Parliament or to

other political or public office such persons who support and promote these objectives.

- 3.8 To select and promote candidates to be nominated by the Family First Party Australia Ltd. for election to the Australian Federal Parliament.
- 3.9 To address any issue that has the potential to have an impact on New South Wales Families; and
- 3.10 To raise funds for the Party through fundraising, trading or any other means
- 3.11 To do all such other things as may be considered desirable for the lawful and proper attainment of these objectives.

4. MEMBERSHIP

4.1 An applicant for membership may be accepted as a Member of the Party:-

4.1.1 where the applicant is a natural person, if the person:

- (a) is enrolled to vote in a State Election,
- (b) has agreed to accept the objectives as set out in clause 2,
- (c) has not been convicted of a disqualifying electoral offence in the 10 years prior to the person applying to become a member;
- (d) is not a member of another political party;
- (e) is not a member of an organization or has not been a member of another political party with objectives which are inconsistent with the objectives of the Party unless the Executive Committee otherwise determines;
- (f) has applied either in writing or by electronic means to the Party for membership;
- (g) has paid the prescribed Membership Fee as required by the Party from time to time; and
- (h) has been accepted as a Member by majority vote

- of the Executive Committee or any Sub-Committee formed for that purpose;
- 4.1.2 Any Member of this Party is entitled to be accepted as a Member of the Family First Party Australia Ltd ("the Federal Party") subject to the approval of the Executive Committee of the Federal Party.
- 4.1.3 Any Member of the Federal Party is entitled to be accepted as a Member of this Party, subject to them being a resident of New South Wales and subject to the approval of the Executive Committee.
- 4.2 This Party must enter into the License Agreement within 28 days of incorporation of the Family First Party Australia Limited;
- 4.2.1 Membership shall be for a period of 12 months and may be renewed each year by the Member from the anniversary of the commencement of Membership subject to clauses 4.3 and 4.4
- 4.3 Membership fees shall be:-
- 4.3.1 Such sum as the Executive Committee shall from time to time prescribe; and
- 4.3.2 payable annually, without the need for notice, from the anniversary of commencing membership with the Party or such other time as the Executive Committee shall from time to time determine.
- 4.3.3 There are no entrance fees required to become a member of the Party.
- 4.4 Membership suspension or renewal
- 4.4.1 Notwithstanding payment of Membership Fees, the Executive Committee shall be entitled in its absolute discretion by not less than 75% majority vote of the Executive Committee to suspend for such period as it deems

appropriate any membership;

4.4.2 The Party is not required to accept the renewal of a membership of a suspended member when renewal next falls due.

4.5 Membership shall cease on:-

4.5.1 The Member giving the Secretary not less than one month's notice to that effect and the membership of a Member shall cease on expiry of such notice;

4.5.2 The Executive Committee passing a resolution to expel a Member where that person:

- (a) is acting in a manner inconsistent with the objectives and Core Values of the Party;
- (b) brings the Party into disrepute; or
- (c) makes comments or acts in a manner to otherwise prejudice the interests of the Party.

The Executive Committee is not to be obliged or required to give a detailed reason for a cancellation of membership. Prior to expelling a Member the Executive Committee shall provide the Member with a full and fair opportunity to be heard in respect of the alleged misconduct and shall investigate any such allegations as fully as it considers to be appropriate in all the circumstances. The decision of the Executive Committee shall be final.

4.5.3 Conviction of a disqualifying electoral offence.

4.5.4 The non-renewal and non-payment of Membership Fees for at least 2 months from falling due under sub clause 4.3.2

4.6 A person who ceases to be a Member:

4.6.1 forfeits all and any rights and privileges of Membership at the date of cessation of Membership.

4.6.2 has no further rights against or claims upon the Party or the

property or funds of the Party, except rights or claims as a creditor and any rights or claims arising from actions or omissions during the period of Membership.

4.6.3 continues to be liable for payment of outstanding membership fees and any other monies due to the Party by the member but unpaid as at the date of cessation of Membership.

4.7 The Executive Committee shall keep a register of all members of the Party which includes the full name and latest notified address of the member and the date on which they became a member.

4.8 The register details of a member must be made available for inspection by that Member after an application is made to the Secretary by that Member for inspection.

5. PARTY STRUCTURE

5.1 The Party forms part of the Family First Party which has the following structure:

5.1.1 The Federal Executive Committee which manages the federal body incorporated as the Family First Party Australia Ltd;

5.1.2 Elected candidates in the Federal and State parliaments including the Federal Parliamentary leader, and State Parliamentary leaders which form the parliamentary party (“Parliamentary Party”)

5.1.3 The National Conference which comprises delegates from each State Party and the Federal Party, determines matters relating to the Family First Party's objectives and Core Values and may make recommendations on policy matters to the Parliamentary Party and undertakes certain dispute appeal procedures.

5.1.4 State Associations, including the Party, which are incorporated under the relevant State incorporation legislation and managed by each of the State Executive Committees.

5.1.5 State Director manages the Regional Coordinators and directly oversees the day to day administration of the Party.

5.1.6 Regional and Area Co-Ordinator's who manage the regions and electorates that form part of the State Associations.

5.1.7 Supporter Groups established to promote and conduct activities of the Party in their respective electorates.

6. STATE EXECUTIVE COMMITTEE

6.1 The State Executive Committee (the "Executive Committee") is the governing body of the Party and shall determine the platform of the Party which must be consistent with the Core Values and objectives of the Party.

6.2 The Executive Committee does not have control over the internal affairs of the state Parliamentary Party.

6.3 The first Executive Committee of the Party will be comprised of the persons who hold office immediately prior to incorporation and will hold office until 18 months from the date of the next State Election (November 2006). Thereafter the Executive Committee shall be up for election biannually at Annual General Meetings. Members of the Executive Committee are eligible for re-election.

6.4 The State Director and Party Leader are ex-officio members of the Executive Committee and will hold positions on the Executive Committee for the duration of their terms in each role.

6.5 The Executive Committee shall be comprised of not less than five (5) and no more than ten (10) elected members comprising of Office Bearers and members. The Executive Committee may appoint

additional members to the Executive Committee by a majority vote as they see fit from time to time provided:

6.5.1 Such casually appointed Executive Committee members shall be up for re-election at the same time as the rest of the Executive Committee; and

6.5.2 The total number of Executive Committee members, including those elected members and those appointed members is not to exceed 15.

6.6 Upon ceasing to be an Executive Committee member a person ceases to hold any position as Office Bearer of the Party.

6.7 A member of the Executive Committee may be removed from the Executive Committee if a motion of 'no confidence' in that member is passed, by secret ballot, by a 75% majority of all the remaining Executive Committee members.

6.8 Executive Committee members, either elected or appointed, may also be referred to as "Board Members" of the Party.

6.9 The Office Bearers of the Party shall be the President (referred to as "Chairman"), Vice President (referred to as "Deputy Chairman" if the position is currently filled), Secretary and Treasurer ("the Office Bearers").

6.10 Elections of the Executive Committee shall be carried out as follows:

6.10.1 All nominations for Executive Committee member positions must be nominated by (2) sitting members of the Executive Committee and received by the Secretary (14) days prior to the meeting.

6.10.2 The Office Bearers of the Party shall consist of members nominated by the sitting members of the Executive Committee. Failing such an election, the Executive Committee shall appoint the Office Bearers from its members at an Executive Committee meeting held within

- one (1) week following the State Annual General Meeting.
- 6.10.3 Office Bearer positions shall be elected first by a secret ballot.
- 6.10.4 The remaining Executive Committee members shall be elected by a secret ballot.
- 6.10.5 The vote shall be determined by a majority vote of 55% or more of all Executive Committee Members.
- 6.10.6 In the event that sufficient nominees do not receive 55% or more of the vote to fill all Office Bearer or Executive Committee members positions, the nominee with the lowest vote shall be removed from the ballot and the ballot drawn again. This process shall be repeated until all Board positions are filled.
- 6.11 The Executive Committee shall meet as often as may be required to conduct the business of the Party and in any event not less than once every quarter.
- 6.12 A quorum at any meeting of the Executive Committee will be four or one-half the number of Executive Committee members (whichever is the greater)
- 6.13 The Chairman of the Party or in their absence, or on their declining to take, or retiring from the chair, or failure of the Chairman of the Party to take the chair, within 30 minutes after the time appointed for the holding of the meeting, the Deputy Chairman shall preside as Chairman of the Executive Committee meeting. Where a meeting is held and —
- 6.13.1 The Chairman is not present within 30 minutes after the time appointed for the holding of the meeting or is unwilling to act.
- 6.13.2 The Deputy Chairman is not present within 30 minutes after the time appointed for the holding of the meeting or is unwilling to act.

the Executive Committee members shall elect one of their number to chair the meeting.

- 6.14 Motions arising at any meeting of the Executive Committee will be decided by a majority of votes of those members present and voting.
- 6.15 An Executive Committee meeting may be called at any time upon request by half of the members of the Executive Committee.
- 6.16 Notices of meetings of the Executive Committee shall be given by the Office Bearers or such other members of the Executive Committee as shall be nominated from time to time for that purpose. Notices of meetings of the Executive Committee shall be given at the previous Executive Committee meeting or by written notice distributed to all Executive Committee members seven (7) days prior to the meeting or in an emergency by such other notice as shall be ratified subsequently by the Executive Committee.
- 6.17 A member of the Executive Committee ceases to hold such office upon: -
- 6.17.1 Resignation in writing either as a member of the Party or as a member of the Executive Committee.
 - 6.17.2 Suspension or cancellation of membership of the Party.
 - 6.17.3 Absence for three (3) successive Executive Committee meetings without explanation acceptable to the Executive Committee.
 - 6.17.4 Bankruptcy.
 - 6.17.5 Becoming permanently incapacitated by ill-health.
- 6.18 Vacancies unfilled or arising in the Office Bearers or other members of the Executive Committee may be filled by the Executive Committee by co-opting Members for the unexpired remainder of the term.
- 6.19 The Executive Committee may function validly notwithstanding any vacancies so long as its number is not reduced below the quorum.

- 6.20 The Executive Committee may empower the Office Bearers to meet and carry out day-to-day business delegated by the Executive Committee and who shall report to the subsequent Executive Committee meeting.
- 6.21 The Executive Committee shall appoint a Public Officer from time to time who shall notify the appropriate regulatory authority of such appointment and who shall file such returns and notices as shall be required by law. The Public Officer shall hold office until another person is appointed to the position by the Executive Committee. The Public Officer shall hold office until another person is appointed to the position by the Executive Committee.
- 6.22 Executive Committee members may express the views and interests of any organization which they may represent but must vote in the interests of the Party and to carry out its objectives and Core Values.
- 6.23 The Executive Committee shall from time to time appoint a Registered Officer, Deputy Registered Officer, Party Agent and/or such other officer as may from time to time be required so as to comply with statutory or regulatory provisions applying to political parties in the State of New South Wales.
- 6.24 For meetings conducted where some or all the members of the Executive Committee are not in person, then:
- 6.24.1 If a quorum of members of the Executive Committee, wherever they may be, are contemporaneously linked together by telephone, internet link technology or other means of instantaneous communication agreed by the members, a meeting of the members shall be deemed to be duly convened.
 - 6.24.2 In such cases, all the provisions of this Constitution in relation to meetings or proceedings of the Executive Committee shall so far as applicable govern such meetings.

- 6.24.3 A member may not leave such a meeting by disconnecting his or her telephone, internet link or other means of instantaneous communication unless with the prior consent of the Chairman.
- 6.24.4 A member is presumed conclusively to have been present and to have formed part of the quorum at all times during the meeting, unless he or she has left the meeting with the consent of the Chairman under the preceding clause.
- 6.24.5 If there is any inadvertent break-down in the telephone, internet link or other means of instantaneous communication, such disconnection shall not be deemed to disrupt the meeting provided that at all times a quorum of Members remain in sufficient communication with one another.
- 6.24.6 A minute of the proceedings of the meeting is sufficient evidence of such proceedings and of the observance of all necessary formalities if certified as a correct record by the Secretary.
- 6.25 A resolution of the Executive Committee is deemed to have been passed at a meeting of the Executive if a majority of the members of the Executive Committee members in attendance and voting have indicated their approval to the resolution by:
- 6.25.1 signing a document that contains the terms of the resolution; or
- 6.25.2 sending an electronic message originating from a member's e-mail address indicating approval to the resolution, provided the terms of the resolution are attached to the electronic message.
- 6.26 A resolution passed under the preceding clause shall be deemed to

have been passed at a meeting held on the day on which the document is last signed or the last e-mail is sent (as the case may be).

6.27 The resolution shall be deemed to constitute a minute of that meeting.

6.28 Contracting with Party

Notwithstanding any rule of law to the contrary or the holding by an Executive Committee member of any office in the Party or in any other company or any other interest, a member of the Executive may hold any office or place of profit in the Party or in any company in which the Party may be a shareholder or otherwise interested, and in any capacity, enter into a contract arrangement or understanding with the Party;

6.28.1 Where a member of the Executive Committee has entered into a contract arrangement or understanding, they may not constitute a part of a quorum at a meeting of the Executive Committee at which such contract arrangement or understanding is discussed and may not vote on a resolution dealing with the matter.

6.28.2 A contract arrangement or understanding shall not be voided or rendered voidable by reason that a member of the Executive Committee is or may be interested in that contract arrangement or understanding within the meaning of the Law or otherwise.

6.28.3 A member of the Executive Committee with an interest in a contract arrangement or understanding entered into or proposed to be entered into by or on behalf of the Party shall disclose that interest whenever it is necessary to do so.

6.29 Committees

6.29.1 The Executive Committee may delegate any of their

powers to a sub- committee or sub-committees consisting of such members including members who are not members of the Executive Committee as they think fit, which could include but not limited to Regional Coordinators or others as appropriate, including but not limited to; a fundraising committee, a policy committee and a candidate selection committee;

- 6.29.2 A sub-committee shall act in accordance with any directions of the Executive Committee and report regularly to the Executive Committee on its activities;
- 6.29.3 Unless the Executive Committee appoints a chairman the members of a sub-committee shall elect one of their number to chair their meetings;
- 6.29.4 Motions arising at a meeting of a sub-committee shall be determined by a majority of votes of the members present and voting, recorded in writing and submitted to the Executive Committee;
- 6.29.5 In the case of an equality of votes, the chairman of the committee shall have a second or casting vote;
- 6.29.6 The Executive Committee shall not be bound by the recommendations of any sub-committee so formed under clause 6.28
- 6.29.7 The Executive Committee may dissolve a sub-committee at any time.

7. STATE DIRECTOR

- 7.1 The State Director reports to the Executive Committee and is responsible for overseeing the day to day administration of the Party

including the management of the regional coordinators, area coordinators and supporter groups, and co-ordinating state and federal election campaigns.

- 7.2 The Executive Committee shall appoint the State Director (who may be a member of the Executive Committee) for such a period and on such terms as it determines.
- 7.3 The State Director shall nominate members to the Executive Committee for appointment as Regional Coordinators. The Executive Committee may at any time and in its absolute discretion terminate the appointment of a Regional Director.
- 7.4 The Executive Committee may request the State Director to make further recommendations with respect to any appointment.
- 7.5 Regional Coordinators hold office until the first meeting of the Executive Committee following each State Conference and are eligible for re-appointment.
- 7.6 Regional Coordinators will oversee the activities of the Party in regions of NSW as determined by the State Executive from time to time
- 7.7 The State Director shall appoint Area Coordinators in consultation with the relevant Regional Coordinator to coordinate activities of the Party in the electorates as defined by the Legislative Assembly electoral boundaries. Area Coordinators will be responsible for forming and leading Supporter Groups.

8. NATIONAL CONFERENCE

- 8.1 The Party acknowledges that the National Conference Delegates are the highest governing authority over all Members of the Party, excluding sub clauses 4.4.1 and 4.5.2. The Party authorizes the National Conference Delegates to hear appeals of disputes involving the Executive Committee and the Federal Executive

Committee as provided for in clause 12.

- 8.2 The Party shall be entitled to send Delegates to the National Conference.
- 8.3 The Executive Committee shall be entitled to attend the National Conference as Delegates. In addition they shall be entitled to nominate additional Delegates such that the total number of representatives, including both Executive Committee members and nominated Delegates, does not exceed 10;
- 8.4 The Executive Committee must lodge with the Secretary of the Federal Executive Committee the names and addresses of its Delegates and any Members attending pursuant to Clause 8.3 as early as practicable, and not less than 7 days before each National Conference.
- 8.5 A Member shall be eligible to be elected by the Executive Committee as a Delegate;
- 8.6 Where a Delegate is sick or otherwise unable to attend, the Executive Committee shall be entitled to nominate an emergency Delegate or Delegates provided advice of such emergency Delegate and evidence of eligibility is provided to the Chairman of the National Conference at the commencement of the meeting.
- 8.7 Executive Committee members who are Delegates shall have full voting rights on all matters at National Conference;
- 8.8 Provided written application is received 14 days prior to a National Conference, each Member shall be entitled to apply to the Executive Committee for consent to attend the National Conference as an observer. The Executive Committee has the right to withhold its consent for whatever reason it deems appropriate without having to disclose any reasons. A Member who attends the National Conference as an observer pursuant to this clause is not entitled to

vote at that National Conference.

- 8.9 In the event that an Extraordinary National Conference is called, the Executive Committee shall be entitled to nominate up to 10 Delegates to participate including members of the Executive Committee.
- 8.10 All decisions made at the National Conference except policy which are subject to Clause 8.11, shall be binding on the Party, the Executive Committee, Regional Co-Ordinator's, Area Co-Ordinator's, Supporters Groups, all Members and Committees. The Executive Committee shall be responsible for ensuring they implement and act in accordance with the resolutions of the National Conference.
- 8.11 Policy decisions of the National Conference shall not be binding upon the state or federal Parliamentary Parties nor binding on the State Executive Committee but shall be dealt with as follows;
- 8.11.1 Policy decisions relating to federal matters shall be forwarded to the federal Parliamentary Party as recommendations of the National Conference.
- 8.11.2 Policy decisions relating to state matters shall be forwarded to the State Executive Committee as a resolution from the National Conference.

9. STATE CONFERENCE

- 9.1 The State Conference (the "State Conference") shall take place every two years to carry out such business as outlined by clause 9.5. Those entitled to attend the State Conference as voting delegates shall be the members of the Executive Committee, elected members of Parliament residing in New South Wales, endorsed Lead Upper House candidates (if any), Regional Coordinators and Area Coordinators who meet the following conditions three months prior

to the State Conference;

9.1.1 when an Area Coordinator has a minimum number of 20 members in his or her supporter groups and

9.1.2 when there are a minimum number of 50 financial members of the party in an Area Coordinator's electorate

9.2 All State Conference Delegates shall be entitled to attend the State Conference and they shall have full voting rights on all matters

9.3 Each person entitled to attend State Conference as a State Conference Delegate must lodge with the Secretary their names and addresses as early as practicable, and not less than 7 days before each State Conference.

9.4 All issues shall be decided by a majority of not less than 75% of voting State Conference Delegates in attendance.

9.5 The State Conference shall include on its agenda the development and formulation of broad matters of state policy and direction based on the objectives and Core Values of the Party which are then to be forwarded to the Parliamentary Party. Policy decisions of the State Conference shall not be binding upon the state or federal Parliamentary Parties but shall be dealt with as follows;

9.5.1 Policy decisions relating to state matters shall be forwarded to the state Parliamentary Party as recommendations of the State Conference

9.5.2 Policy decisions relating to the federal matters shall be forwarded to the Federal Executive as a resolution from the New South Wales State Conference.

9.6 All decisions, except policy which are subject to Clause 9.5, made at the State Conference shall be binding on the Party, the Executive Committee, Regional Co-Ordinator's, Area Co-Ordinator's, Supporters Groups, and Members. The Executive Committee shall

be responsible for ensuring they implement and act in accordance with the resolutions of the State Conference.

9.7 All Members shall be entitled to apply to the Executive Committee for consent to attend the State Conference. The Members must apply to the Executive Committee at least 14 days prior to the State Conference. The Executive Committee has the right to withhold its consent for whatever reason it deems appropriate without having to disclose reasons. A member who attends the State Conference pursuant to this clause attends as an observer and is not entitled to vote.

9.8 The rules in this Constitution which relate to the conduct of a General Meeting shall apply equally to the conduct of a State Conference;

9.9 Voting at State Conference

9.9.1 For a State Conference, Delegates entitled to vote must be duly registered pursuant to Clause 9.3 prior to the date of the meeting. However, where a State Conference Delegate is sick or otherwise unable to attend, the Executive Committee shall be entitled to nominate an emergency State Conference Delegate or Delegates provided advice of such emergency State Conference Delegate and evidence of eligibility is provided to the Chairman at the commencement of the meeting.

9.9.2 Any resolution to be considered at a State Conference shall be decided on a show of hands, unless before the vote a poll is demanded by a delegate standing and calling that a poll be taken, supported by five (5) other delegates standing to indicate support. Unless a poll is so demanded, a declaration by the chair at the general meeting that a resolution has been carried, carried unanimously, carried by particular majority

or lost on a show of hands and an entry to that effect made in the book containing the minutes of proceedings of the Party, shall be conclusive evidence of the fact the number or proportion of the votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn.

9.9.3 In the case of an equality of votes on a show of hands or on a poll, the chair of the general meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.

9.9.4 In the case of a vote by a show of hands at a State Conference, Executive Committee Members and State Conference Delegates have an equal voting count as any other members present.

10. SUPPORTER GROUPS

10.1 Supporter Groups will be established by Area Coordinators as an appropriate means of promoting and conducting activities of the Party in various parts of New South Wales. Supporter Groups are an organizational element of the Party and are not intended as a means of formal authority in the Party. Supporter Group meetings are an ideal opportunity for Members of the Party to gather for socializing, discussion and planning activities that promote the objectives, Core Values, broad based policies and principles of the Party. Supporter Groups are encouraged to be active in their respective electorates of New South Wales and support their respective candidates, campaign teams, elected members and the Party in general. Supporter Groups are expected to promote membership growth, involvement in community interaction, fundraising and general promotion of Family First Party New South Wales and Family First Party Australia Ltd.

10.2 Area Coordinators will be appointed under clause 7.7 for each legislative assembly electorate and their role is to form and oversee the activities of a supporter group for their electorate.

10.3 Each Supporter Group shall have a minimum of five members or such other number as may be determined by the State Conference from time to time and these names shall be kept updated and forwarded to the Regional Coordinator every quarter.

11. **DISPUTES AND DIFFERENCES**

11.1 In dealing with disputes, Members and the Executive Committee commit to deal graciously with one another, decently, in honesty and humility in the resolution of any conflict.

11.2 Any disputes, excluding those relating to sub clauses 4.4.1 and 4.5.2., between Members, the Executive Committee, Regional Co-Ordinator's, Area Co-Ordinator's and Supporter Groups or any Committees shall be resolved, using the following procedure:

11.2.1 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all parties.

11.2.2 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

11.3 The mediator must be a person chosen by agreement between the parties; or in the absence of agreement-

11.3.3 in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or

11.3.4 in the case of a dispute between a member and the

Association, a person who is appointed or employed by the
Dispute Settlement Centre of New South Wales
(Department of Justice)

- 11.4 A member of the Party can be a mediator.
- 11.5 The mediator cannot be a member who is a party to the dispute.
- 11.6 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 11.7 The mediator, in conducting the mediation, must-
 - 11.7.1 give the parties to the mediation process every opportunity to be heard; and
 - 11.7.2 allow due consideration by all parties of any written statement submitted by any party; and
 - 11.7.3 ensure that natural justice is accorded to the parties throughout the mediation process.
- 11.8 The mediator must not determine the dispute.
- 11.9 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accord with the Act otherwise by law.
- 11.10 Any conflicts over fundamental issues of objectives and Core Values as contemplated by section 3 that cannot be resolved will be referred to the Federal Executive Committee of the Family First Party Australia Ltd. for resolution. The Federal Executive Committee has power to resolve the conflict. If the decision of the Federal Executive Committee is not adhered to, the Federal Executive Committee has the right to withdraw the use of the Family First Party name, as provided for by the licensing agreement and the Party must apply for a change of name in accordance with the Law within 7 days. In any instance where such conflicts involve State Associations of the Party, the input of Members on any such issue must be taken into significant consideration.

11.11 In the case of the Executive Committee and any Member acting or having acted in a manner deemed by the Federal Executive Committee to be contrary to this Constitution and the objectives and Core Values of the Family First Party Australia Ltd as interpreted by the Federal Executive Committee, the Federal Executive Committee may overrule the Executive Committee and any Member.

12. GENERAL MEETINGS

12.1 Annual general meetings of the Party shall be held once every twelve months. The first Annual General Meeting shall be held within eighteen (18) months after the incorporation of the Party, and thereafter within four (4) months of the end of the financial year.

12.2 All business that is transacted at General Meetings other than the Annual General Meeting (with the exception of the consideration of accounts, financial statements and reports of the Executive Committee) shall be special business;

12.3 Business of the Annual General Meeting shall include but not be limited to reports from the Chairman, Treasurer and Auditor, appointment of an Auditor, and declarations from the Executive Committee and, subject to the approval of the Executive Committee, such other business as may have been placed on the agenda by the notice in writing 21 days before the commencement of the Annual General Meeting.

12.4 Changes to the constitution shall occur as part of a General Meeting and are subject to ratification by Federal Executive

12.5 An extraordinary General Meeting shall be called by the Executive Committee or its nominee within twenty-eight (28) days of receipt of a directive of a 75% majority of the Executive Committee specifying the business to be conducted at the meeting.

- 12.6 Written notice of not more than twenty-eight (28) days and not less than twenty one (21) days of all General Meetings specifying the business to be conducted shall be given by the Party to all Executive Committee Members and Regional Coordinators, Elected Members of Parliament and endorsed lead Upper House candidates (if any), by serving the Executive Committee Members and Regional Coordinators, Elected Members of Parliament and endorsed lead Upper House candidates (if any), with the notice personally, or by sending it by post or otherwise to the address or in accordance with any specific direction as regards service of notices appearing in the register of Members. In any event, service shall be deemed to have been effected at the time when the notice would have been received in the ordinary course having regard to the method of service employed.
- 12.7 At a General Meeting, Executive Committee Members, Regional Coordinators, elected members of Parliament and endorsed lead Upper House candidates (if any), shall each be entitled to one (1) vote at any General Meeting at which they are present personally.
- 12.8 Each member entitled to vote is entitled to appoint another member from amongst those listed in clause 12.7, as a proxy, by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 12.9 A quorum of 75% of the Executive Committee Members and Regional Coordinators shall be required to transact all business on the agenda at the respective General Meeting.
- 12.10 The Chairman of the Party or in their absence, or on their declining to take, or retiring from the chair, or failure of the Chairman of the Party to take the chair within 30 minutes after the time appointed for the holding of the meeting, the Deputy Chairman shall preside as Chairman at any General Meeting of the Party. Where a meeting

is held and

12.10.1 The Chairman is not present within 30 minutes after the time appointed for the holding of the meeting or is unwilling to act.

12.10.2 The Deputy Chairman is not present within 30 minutes after the time appointed for the holding of the meeting or is unwilling to act.

Then the Executive Committee members present shall elect one of their number to be chair of the meeting.

12.11 The Chairman may if so directed by the General meeting, adjourn the General Meeting from time to time and from place to place, but no business shall be transacted at any adjourned General Meeting other than the business left unfinished at the General Meeting during which the adjournment took place without proper notice thereof being given.

12.12 When a General Meeting is adjourned for thirty (30) days or more, notice of the adjourned General Meeting shall be given as if that General Meeting were an original General Meeting of members.

12.13 Each member entitled to vote is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.

13. **POWERS**

13.1 The Party shall have, and may, under the management, control and direction of the Executive Committee, exercise all of the powers set out in the Law or any other Act of Parliament as being invested in or exercisable by an association.

13.2 The Executive Committee is responsible for the care, control, custody, superintendence, management and administration in all

respects of the affairs, business, funds and property of the Party and without limiting the generality of the foregoing to:

- 13.2.1 engage and dismiss all paid servants other than the Auditor and to pay such salaries and allowances as it deems proper.
- 13.2.2 admit or reject applications for membership.
- 13.2.3 terminate the membership of members;
- 13.2.4 convene meetings of members;
- 13.2.5 enter into arrangements with other organizations with comparable objects to the Party;
- 13.2.6 in its absolute discretion to select members who have been members of the Party for at least 12 months, unless the Executive Committee in the particular circumstances decides otherwise, to represent the Party in federal or state elections,
- 13.2.7 purchase, lease or otherwise acquire any property, rights or privileges at such price and such terms as it considers fit,
- 13.2.8 invest and deal with money of the Party not immediately required in such manner as it determines,
- 13.2.9 borrow, raise or secure the payment of money in such manner as it thinks fit and charge it upon all or any of the Party's property both present and future,
- 13.2.10 sell, let or hire, let on lease, mortgage or otherwise dispose of any real or personal property, rights and privileges of the Party,
- 13.2.11 institute, conduct, defend, compound or abandon any legal proceedings by or against the Party or the members of the Management Committee or the Trustees or otherwise concerning the affairs of the Party,
- 13.2.12 compound and allow time for payment in satisfaction of any debts, claims or demands by or against the Party,

13.2.13 sign on behalf of the Party bills, notes, receipts, acceptance, endorsements, cheques, releases, acts and documents, and

13.2.14 make and give receipts, releases, and other discharges for money payable to the Party and for claims and demands of the Party.

14. CANDIDATE SELECTION

14.1 Any current financial Member of the Party shall be eligible to be considered as a candidate by filling out an Application Form and forwarding same to the State Director for consideration.

14.2 The Executive Committee or if it has established a Candidate Selection Committee as provided by clause 6.28, the Candidate Selection Committee shall review all nominations and will endorse candidates for all federal Lower House seats and all state Legislative Assembly seats.

14.3 The Candidate Selection Committee shall review and provide recommendations to the Executive Committee for all nominations for Senate and state Legislative Council nominations.

14.4 The Executive Committee shall then determine each Senate and state Legislative Council nomination including their ballot position or refer the nomination back to the Candidate Selection Committee for further information or an alternate nomination, or determine those matters on its own motion.

14.5 Endorsement of the candidates shall be established by a 75% majority vote of the Executive Committee. If there is more than one candidate and 75% majority is not achieved, then the one with the least amount of votes is excluded.

14.6 The Candidate Selection Committee shall review any further nominations or information provided pursuant to Clause 14.4 and

provide supplementary recommendations to the Executive Committee for ratification.

14.7 The Executive Committee shall disendorse such candidates if they are found to have conducted themselves in a manner that is inconsistent with the objectives, and Core Values of the Family First Party to the extent that prospects of the electoral advancement of the Party are significantly compromised.

14.8 The Federal Party can only intervene in Party decisions in exceptional circumstances and then only with respect to Federal matters.

15. PARLIAMENTARY MEMBERS

15.1 An elected member of Parliament is bound to adhere to all objectives and Core Values of the Party, as outlined in section 3, and formulated by the Party;

15.2 Where in the view of the Executive Committee an elected member of Parliament fails to act in a manner consistent with the Party's established objectives and Core Values they shall be subject to such disciplinary action as determined by the Executive Committee, which may include disendorsement as a parliamentary member of the Party;

15.3 In the instance where a casual vacancy arises in the New South Wales Federal Senate Parliamentary team, the Executive Committee, in consultation with the Federal Executive Committee, shall decide on the replacement from among the Members.

15.4 The New South Wales Parliamentary Leader shall be determined from among the elected members of Parliament by a simple majority vote among those elected members immediately after an election and will become a member of the Executive Committee.

16. POLICY FORMULATION

- 16.1 The Parliamentary Party is responsible for policy adoption.
- 16.2 Prior to the election of the first Parliamentary members, policy can be adopted by the Executive Committee subject to Clause 16.3
- 16.3 The Executive Committee may appoint a committee or committees for the purposes of policy development, as provided for by clause 6.28, which are then forwarded to the Parliamentary Party or the State or Federal Conferences for their consideration.
- 16.4 The Parliamentary Party shall consider policy recommendations of the State Conference and Executive Committee forwarded to it and shall communicate its decisions and reasons to the Executive committee within a reasonable time.
- 16.5 Any committees formed for the purpose of policy development shall, where practicable, liaise with the relevant committees formed for policy development for the Family First Party Australia Ltd.
- 16.6 No policy of the Party shall contradict, contravene, invalidate or otherwise be in discord with the objectives and Core Values of the Family First Party Australia Ltd.
- 16.7 Any policy of the Party that contradicts, contravenes, invalidates or otherwise is in discord with the objectives and Core Values of the Family First Party Australia Ltd shall not be accepted as a valid policy of the Party, and shall either be deleted as a policy of the Party, or altered in such a way as to bring the policy into agreement with the objectives and Core Values of the Family First Party Australia Ltd.
- 16.8 Any policy of the Party that might have a direct effect on National policy formulation shall be subject to review by the Federal Parliamentary Party using whatsoever procedures they have established for federal policy review.

16.9 Any policy of the Party that might have a direct effect on State policy formulation shall be subject to review by the State Parliamentary Party using whatsoever procedures they have established for state policy review.

17. SPOKESPERSON

17.1 The Parliamentary members under the direction of the Parliamentary Leader are responsible for speaking on policy and dealing directly with other parliamentarians and other organizations on all policy related matters.

17.2 The Chairman of the Executive Committee or his or her nominee shall be responsible for speaking on organizational related matters.

17.3 When there are no elected Parliamentary members of the party, the Chairman of the Executive Committee or his or her nominee shall be responsible for speaking on policy and dealing directly with other parliamentarians and other organizations on all policy issues.

18. TREASURER

18.1 The Treasurer shall ensure that all monies received are paid into an account authorized by the Executive Committee in the name of the Party. Payments shall be as petty cash, by cheque signed by two (2) of the appointed signatories whom shall be appointed by the Executive Committee, or by other such methods pre- approved by the Executive Committee from time to time. Major or unusual expenditures (above the limit set by the Executive Committee from time to time) shall be authorized in advance by the Executive Committee.

18.2 The Treasurer shall ensure that records are kept of all receipts and payments and other financial transactions.

18.3 The Treasurer shall ensure that financial budgets and statements are

prepared and shall submit a report on the finances to the Executive Committee.

- 18.4 The Treasurer shall ensure that annual Financial Statements comprising an account of income and expenditure and a balance sheet shall be prepared following the end of the Party's financial year.
- 18.5 The Treasurer shall ensure that the annual Financial Statements are audited before presentation to the Annual General Meeting by an independent auditor who shall be appointed by the Executive Committee; provided that where the auditor is changed the Treasurer shall so inform the Annual General Meeting in their report.
- 18.6 The Treasurer shall ensure that the annual Financial Statements are forwarded to the Federal Executive Committee of the Family First Party Australia Ltd.
- 18.7 The funds of the Party shall be derived from Annual Membership fees, donations, State and Federal Electoral Commissions and such other sources as the Executive Committee determines.

19. SECRETARY / COMMON SEAL / RECORDS

- 19.1 The Secretary shall ensure the safekeeping of the Common Seal which shall be affixed only by resolution of the Executive Committee or of a General Meeting and in the presence of two (2) Executive Committee members including at least one (1) Office Bearer.
- 19.2 The Secretary shall ensure that notice of meetings is given in accordance with the provisions of this constitution.
- 19.3 The Secretary shall ensure that records of the Party are kept including the constitution and policies, records of members, a register of minutes of meetings and of notices, a file of

correspondence, and records of submissions or reports made by or on behalf of the Party.

19.4 In the absence of the Secretary or at the request of the Secretary or of a majority of a meeting another member shall be elected as Minutes Secretary.

19.5 Upon the request of a Member, the Party shall make available this constitution for the inspection of the Member and the Member may make a copy of or take an extract from the Constitution.

19.6 The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of all Executive Committee meetings, General Meetings and Conferences. The Secretary must ensure the minutes of each general meeting are available for inspection at all reasonable times by any Member who previously applies to the secretary for the inspection

19.7 To ensure the accuracy of the minutes recorded under clause 19.6:

19.7.1 The minutes of each Executive Committee meeting must be signed by the Chairman of the meeting, or the Chairman of the next Executive Committee meeting, verifying their accuracy; and

19.7.2 The minutes of each general meeting and State Conference must be signed by the Chairman of the meeting, or the Chairman of the next general meeting, verifying their accuracy; and

19.7.3 The minutes of each annual general meeting must be signed by the Chairman of the meeting, or the Chairman of the next meeting of the party that is a general meeting or annual general meeting, verifying their accuracy.

20. INSPECTION OF RECORDS

Subject to the Law the Executive Committee shall determine whether

and to what extent, and at what time and places and under what conditions, the accounting records and other documents of the Party or any of them will be open to the inspection of members other than Executive Committee Members, and a member other than an Executive Committee Member does not have the right to inspect any document of the Party except as provided by the Law or authorized by the Executive Committee Members or by the Party in general meeting.

21. **INDEMNITY OF OFFICERS, AUDITORS OR AGENTS**

Every officer, auditor or agent of the Party shall be indemnified out of the property of the Party against any liability incurred by him in his capacity as officer, auditor or agent in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted or in connection with any application in relation to any such proceedings in which relief is under the Law granted to him by the Court.

22. **EMPLOYEES**

22.1 An employee of the Party may be a Member of the Party or any sub-committee.

22.2 A person who is a member performing paid work for the Party on a regular substantial basis shall not take part in decisions in relation to paid work and shall remain absent from deliberations relating to any worker if so requested by a majority of the Executive Committee.

23. **FINANCIAL YEAR**

The first financial year of the Party shall be the period ending 30 June 2006 and thereafter a period of twelve (12) months ending on 30 June in each year.

24. LICENCE ACKNOWLEDGMENT

24.1 The Party acknowledges and agrees that the right to use the Family First name is subject to the continued compliance by the Party with the License Agreement.

24.2 The Party acknowledges that failure to comply with the License Agreement may result in the Federal Executive Committee exercising its rights pursuant to the License Agreement in its absolute discretion, including revoking the right to use the name Family First Party.

25. AMENDMENT OF RULES

25.1 These rules may be amended by resolution of 75% of Delegates present or by proxy and voting at a General Meeting, of which not more than twenty-eight (28) days and not less than twenty one (21) days' written notice including notice of the proposed amendment has been distributed to all Delegates.

25.2 Rules for the proper administration of meetings or business may be made or amended by a General Meeting or by the Executive Committee subject to subsequent disallowance at a General Meeting, provided that not more than twenty-eight (28) days and not less than twenty one (21) days' written notice including notice of the proposed new rule or amendment has been distributed to all Members.

26. LIABILITY, PROPERTY AND DISSOLUTION

26.1 Persons who with the authority of the Executive Committee incur any debt or other liability on behalf of the Party, shall have such liability met by the Party so that they incur no personal loss.

26.2 The income, property and funds of the Party shall be used solely towards the administration and promotion of the objectives

and shall not be paid or transferred to any members or relatives of members provided that nothing herein shall prevent any payment in good faith to any person in return for services actually rendered or to any person in furtherance of the objectives of the Party and without undue preference.

26.3 The Party shall not be dissolved except by approval of not less than 75% of the members present and voting at a meeting called for that purpose of which not less than (1) calendar month's written notice including notice of the proposed dissolution has been distributed to all members.

26.4 If upon the winding up or dissolution of the Party there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property must be given or transferred to the Family First Party Australia Ltd or another association incorporated under the Act which has similar objectives and which is not carried out for the purposes of profit or gain to its individual members, and which association shall be determined by resolution of the members, provided that: -

26.4.1 Such other body shall also prohibit the distribution of income and property to the members to the extent stated herein; and

26.4.2 If the Party shall have been approved pursuant to Section 78 of the Income Tax Assessment Act then such other body shall also be so approved.

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:

(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*:

Registered Officer - ROSEANNE MASTERS
DEPUTY OFFICER - LYLE SHELTON
PARTY SECRETARY - MICHAEL CHAPLIN
PARTY AGENT - BARBARA HELVADJIAN

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