

Australian Women's Party

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# Constitution

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# Part 1 - Preliminary

## ***Name of Organisation***

The organisation is known as the Australian Women's Party Dai Le Group which is registered with the NSW Electoral Commission as: Australian Women's Party and the abbreviation of "Dai Le".

## ***1. Definitions***

(1) In this constitution:

***AEC*** means the Australian Electoral Commission.

***Executive committee Members*** means the executive management of the Australian Women's Party Dai Le Group which is registered as the Australian Women's Party and hereinafter in this document known as the Australian Women's Party;

***Office bearers*** means president, secretary and treasurer but can also be the members of the executive committee

***Australian Women's Party*** means also the Party and the resolved abbreviated name Dai Le.

***Candidate Guidelines*** means the rules for selection of candidates for the Australian Women's Party as specified in clause 45 of this constitution.

***Charter*** means the document contemplated in clause 45 of this constitution.

***Documents*** means the documents as defined in clause 45 of this constitution.

***extraordinary general meeting*** means a general meeting of the Australian Women's Party other than an annual general meeting.

***NSWEC*** means the New South Wales Electoral Commission.

***ordinary member*** means a member of the Australian Women's Party and who is not part of the executive committee and who is not an office-bearer of the Australian Women's Party.

***Rules*** means the rules of the Australian Women's Party as specified in clause 45 of this constitution.

***secretary*** means:

- (a) the person holding office under this constitution as secretary of the Australian Women's Party, or
- (b) if no such person holds that office - the public officer of the Australian Women's Party.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

## **Part 2 - Objects**

### ***2. Objects of the Australian Women's Party***

The objective of the Australian Women's Party is, to advocate for inclusive and collaborative ways of governing an increasingly dynamic, digital, interconnected and global society, by ensuring diverse candidates, including women, participate in public life and governance.

Further objectives include:

- (1) Promote the selection of diverse candidates including women, for election across all levels of our democratic political system - Federal, State and Local.
- (2) Promote innovation and social enterprise as a way to tackle social problems, to encourage investment in opportunities for everyone, including women and CALD communities;
- (3) Advance growing trends around purpose, creativity, diversity, and collaboration;
- (4) Provide a strong voice and diverse perspectives on issues that impact families, business and communities
- (5) Drive long term vision and planning for the benefits of families, business and communities, through improving society's financial and economic mindset that promotes entrepreneurship to tackle the shift in the job market as we know it.

### ***3. Application of Objects***

- (1) The assets and income of the Australian Women's Party shall be applied solely to the furtherance of its above mentioned objects and no portion shall be distributed directly or indirectly to the members of the Australian Women's Party except as bona fide compensation for services rendered or expenses incurred on behalf of the Australian Women's Party.
- (2) In the event of the Australian Women's 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 which is not carried on for the profit or gain of its individual members.

## **Part 3 - Membership**

### ***4. Membership generally***

- (1) A person is eligible to be a member of the Australian Women's Party if:
  - (a) the person is a natural person,
  - (b) the person agrees to be bound by the Charter,
  - (c) the person is not a member of another political party, including any parties registered with the AEC or NSWEC,
  - (d) the person has not been convicted of any offence in the 10 years prior to their membership application, and
  - (e) the person has applied and been approved for membership of the Australian Women's Party in accordance with part 3 of this constitution.
- (2) A person is taken to be a member of the Australian Women's Party if the person was one of the individuals on whose behalf an application for registration of the Australian Women's Party is made.

## **5. Application for membership**

- (1) The application of a person for membership of the Australian Women's Party:
  - (a) must be made in writing on the membership form displayed on the Australian Women's Party website, and
  - (b) must be lodged with the secretary or president or authorised employee of the Australian Women's Party
- (2) As soon as practicable after receiving an application for membership, the secretary or president must determine whether to approve or to reject the application.
  - (a) The approval or rejection of an application for membership is at the discretion of the secretary or president.
  - (b) The secretary or president is not required to provide any reasons for rejection of an application for membership.
  - (c) The executive committee shall, without qualification, have the right to reject any person's application for membership.
- (3) As soon as practicable after the secretary or president makes that determination, the secretary or president or a designated employee must:
  - (a) notify the applicant, in writing, that the application was approved or rejected (whichever is applicable), and
  - (b) if the application is approved, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The executive committee member or employee must, on payment by the applicant of the amount(s) referred to in subclause (3) (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Australian Women's Party.

## **6. Cessation of membership**

A person ceases to be a member of the Australian Women's Party if the person:

- (a) dies, or resigns membership, or
- (b) is expelled from the Australian Women's Party, or
- (c) fails to pay any compulsory annual membership fee under clause 9 (2) within 3 months after the fee is due.

## **7. Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the Australian Women's Party:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

## **8. Resignation of membership**

- (1) A member of the Australian Women's Party may resign from membership of the Party by first giving to the secretary or president or authorised employee written notice of at least one day (or such other period as the executive committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

- (2) If a member of the Australian Women's Party ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary or president or authorised employee must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

## **9. Register of members**

- (1) The office bearers of the Australian Women's Party must establish and maintain a register of members of the Party specifying the name and postal or residential address of each person who is a member of the Party together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
  - (a) at the main premises of the Party, or
  - (b) if the Party has no premises, at the Party's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the Party at any reasonable hour.
- (4) A member of the Australian Women's Party may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
  - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Australian Women's Party or other material relating to the Australian Women's Party, or
  - (b) any other purpose necessary to comply with the running and management of the Australian Women's Party.

## **10. Fees and subscriptions**

- (1) A member of the Australian Women's Party on admission to membership, do not pay a joining fee unless resolved by the executive committee.
- (2) In addition to any amount payable by the member under subclause (1), a member of the Australian Women's Party must pay to the Party any compulsory annual membership fee as determined by the executive committee.

## **11. Members' liabilities**

The liability of a member of the Australian Women's Party to contribute towards the payment of the debts and liabilities of the Australian Women's Party or the costs, charges and expenses of the winding up of the Australian Women's Party is limited to the amount, if any, unpaid by the member in respect of membership of the Australian Women's Party as required by clause 10.

## **12. Resolution of disputes**

- (1) In the case of disputes between a member and another member, or a member and the Australian Women's Party, the parties to the dispute must meet and discuss the matter in dispute and, if possible, resolve the dispute within 28 days after the dispute comes to the attention of all the parties. If the parties are

unable to resolve the dispute at the meeting the parties may choose to meet and discuss the dispute before an independent third person agreed to by the parties.

### **13. Disciplining of members**

- (1) A complaint may be made to the executive committee by any person that a member of the Australian Women's Party:
  - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
  - (b) has willfully acted in a manner prejudicial to the objectives, interests or philosophy of the Australian Women's Party.
- (2) The executive committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the executive committee decides to deal with the complaint, the executive committee:
  - (a) must cause notice of the complaint to be served on the member concerned, and
  - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the executive committee in connection with the complaint, and
  - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The executive committee may, by resolution, expel the member from the Australian Women's Party or suspend the member from membership of the Australian Women's Party if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the executive committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the executive committee for having taken that action and of the member's right of appeal under clause 13.
- (6) The expulsion or suspension does not take effect:
  - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
  - (b) if within that period the member exercises the right of appeal, unless and until the Australian Women's Party confirms the resolution under clause 13, whichever is the later.
- (7) No member should stand as an independent candidate or candidate for another political party at any elections unless approval is granted by the Party's executive committee. Any such member who stands without the approval of the Executive Committee, must resign their membership within 7 days of their nomination to stand being lodged with either the AEC or the NSWEC. If the member does not resign they shall be expelled forthwith upon written notice by the president or secretary on behalf of the executive committee.
- (8) A member can only stand as a candidate for local, state or federal or by-election, if approval is granted by a majority of the Party's executive committee.

#### ***14. Right of appeal of disciplined member***

- (1) A member may appeal to the Australian Women's Party in general meeting against a resolution of the executive committee under clause 12, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the executive committee which is to convene a general meeting of the Australian Women's Party to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the Australian Women's Party convened under subclause (3):
  - (a) no business other than the question of the appeal is to be transacted, and
  - (b) the executive committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
  - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by the executive committee members of the Australian Women's Party.

### **Part 4 - The Executive committee**

#### ***15. Powers of the executive committee***

The executive committee of the Australian Women's Party in a general meeting:

- (a) is to control and manage the affairs of the Australian Women's Party, and
- (b) may exercise all such functions as may be exercised by the Australian Women's Party, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Australian Women's Party, and
- (c) has power to perform all such acts and do all such things as appear to the executive committee to be necessary or desirable for the proper management of the affairs of the Australian Women's Party, and
- (d) shall adhere to the Candidate Guidelines when endorsing candidates for federal, state and local elections.
- (e) shall determine the allocation of the Australian Women's Party's preferences, if required, in relation to any federal, state or local election.

#### ***16. Composition and membership of executive committee***

- (1) The executive committee of the Australian Women's Party will be the Australian Women's Party office-bearers, including president, secretary and treasurer.
- (2) The total number of executive committee members is to be between 3 and 10, as determined at the annual general meeting.
- (3) The executive committee is to consist of:
  - (a) the office-bearers of the Australian Women's Party, and

- (b) the names of members of the executive committee present at an executive committee meeting or a general meeting, and
  - (c) all proceedings at executive committee meetings and general meetings.
- (3) The secretary is responsible for carrying out the administration and the conduct of the correspondence of the Australian Women's Party.
- (4) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### **19. Treasurer**

It is the duty of the treasurer of the Australian Women's Party to ensure:

- (a) that all money due to the Australian Women's Party is collected and received and that all payments authorised by the Australian Women's Party are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the Australian Women's Party, including full details of all receipts and expenditure connected with the activities of the Australian Women's Party.

### **20. Casual vacancies**

- (1) In the event of a casual vacancy occurring in the membership of the executive committee, the executive committee may appoint a member of the Australian Women's Party to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the executive committee occurs if the member:
- (a) dies, or
  - (b) ceases to be a member of the Australian Women's Party, or
  - (c) resigns office by notice in writing given to the secretary, or
  - (d) is removed from office under clause 20, or
  - (e) becomes a mentally incapacitated person, or
  - (f) is absent without the consent of the executive committee from 3 consecutive meetings of the executive committee, or
  - (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months,

### **21. Removal of executive committee members**

- (1) The Australian Women's Party in general meeting may by special resolution remove any member of the executive committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the executive committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Australian Women's Party, the secretary or the president may send a copy of the representations to each

- (b) the names of members of the executive committee present at an executive committee meeting or a general meeting, and
  - (c) all proceedings at executive committee meetings and general meetings.
- (3) The secretary is responsible for carrying out the administration and the conduct of the correspondence of the Australian Women's Party.
- (4) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

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- (b) that correct books and accounts are kept showing the financial affairs of the Australian Women's Party, including full details of all receipts and expenditure connected with the activities of the Australian Women's Party.

### **20. Casual vacancies**

- (1) In the event of a casual vacancy occurring in the membership of the executive committee, the executive committee may appoint a member of the Australian Women's Party to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the executive committee occurs if the member:
- (a) dies, or
  - (b) ceases to be a member of the Australian Women's Party, or
  - (c) resigns office by notice in writing given to the secretary, or
  - (d) is removed from office under clause 20, or
  - (e) becomes a mentally incapacitated person, or
  - (f) is absent without the consent of the executive committee from 3 consecutive meetings of the executive committee, or
  - (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

### **21. Removal of executive committee members**

- (1) The Australian Women's Party in general meeting may by special resolution remove any member of the executive committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the executive committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Australian Women's Party, the secretary or the president may send a copy of the representations to each

member of the Australian Women's Party or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

## **22. Executive committee meetings and quorum**

- (1) The executive committee must meet at least 2 times in each period of 12 months at such place and time as the executive committee may determine.
- (2) Additional meetings of the executive committee may be convened by the president.
- (3) Oral or written notice of a meeting of the executive committee must be given by the secretary to each member of the executive committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the executive committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the executive committee members present at the meeting unanimously agree to treat as urgent business.
- (5) One half or more of the members of the executive committee shall constitute a quorum for the transaction of the business of a meeting of the executive committee.
- (6) No business is to be transacted by the executive committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) if a meeting of the executive committee:
  - (a) the president or, in the president's absence, the vice-president is to preside, or
  - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the executive committee as may be chosen by the members present at the meeting is to preside.

## **23. Delegation by executive committee to sub-executive committee**

- (1) The executive committee may, by instrument in writing, delegate to one or more sub- executive committees (consisting of such member or members of the Australian Women's Party as the executive committee thinks fit) the exercise of such of the functions of the executive committee as are specified in the instrument, other than:
  - (a) this power of delegation, and
  - (b) a function which is a duty imposed on the executive committee by any other law.
- (2) A function the exercise of which has been delegated to a sub-executive committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-executive committee in accordance with

the terms of the delegation.

- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the executive committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-executive committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the executive committee.
- (6) The executive committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-executive committee may meet and adjourn as it thinks proper and may co-opt members or other persons as it sees fit to form part of the sub- executive committee.

## **24. Voting and decisions**

- (1) Questions arising at a meeting of the executive committee or of any sub-executive committee appointed by the executive committee are to be determined by a majority of the votes of members of the executive committee or sub-executive committee present at the meeting.
- (2) Each member present at a meeting of the executive committee or of any sub-executive committee appointed by the executive committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 21 (5), the executive committee may act despite any vacancy on the executive committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the executive committee or by a sub-executive committee appointed by the executive committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the executive committee or sub-executive committee.

## **Part 5 - General Meetings**

### **25. Annual general meetings – holding of**

- (1) The Australian Women's Party must hold its first annual general meeting within 18 months after its registration.
- (2) The Australian Women's Party must hold its annual general meetings:
  - (a) within 6 months after the close of the Australian Women's Party's financial year. or
  - (b) within such later time as may be allowed by the executive committee

## **26. Annual general meetings – calling of and business at**

- (1) The annual general meeting of the Australian Women's Party is to be convened on such date and at such place and time as the executive committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
  - (a) to confirm the minutes of the last preceding annual general meeting and of any extraordinary general meeting held since that meeting,
  - (b) to receive from the executive committee reports on the activities of the Australian Women's Party during the last preceding financial year,
  - (c) to elect office-bearers of the Australian Women's Party and executive committee members
  - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

## **27. Extraordinary general meetings – calling of**

- (1) The executive committee may, whenever it thinks fit, convene an extraordinary general meeting of the Australian Women's Party.
- (2) The executive committee must, on the requisition in writing of at least 5 per cent of the total number of members, convene an extraordinary general meeting of the Australian Women's Party.
- (3) A requisition of members for an extraordinary general meeting:
  - (a) must state the purpose or purposes of the meeting, and
  - (b) must be signed by the members making the requisition, and
  - (c) must be lodged with the secretary, and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the executive committee fails to convene an extraordinary general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene an extraordinary general meeting to be held not later than 3 months after that date.
- (5) An extraordinary general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the executive committee.

## **28. Notice**

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Australian Women's Party, the secretary must, at least 7 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Australian Women's Party, the secretary

must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 25 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

## ***29. Quorum for general meetings***

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Three members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, is to be dissolved, and
  - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

## ***30. Presiding member***

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Australian Women's Party.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

## ***31. Adjournment***

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place. 1
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Australian Women's Party stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

### ***32. Making of decisions***

- (1) A question arising at a general meeting of the Australian Women's Party is to be determined by either:
  - (a) a show of hands, or
  - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot-a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Australian Women's Party, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

### ***33. Special resolutions***

A special resolution may only be passed by the Australian Women's Party's executive committee.

### ***34. Voting***

- (1) On any question arising at a general meeting of the Australian Women's Party a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the Australian Women's Party unless all money due and payable by the member to the Australian Women's Party has been paid.
- (4) A member is not entitled to vote at any general meeting of the Australian Women's Party if the member is under 18 years of age.

### ***35. Proxy votes not permitted***

Proxy voting must not be undertaken at or in respect of a general meeting.

### ***36. Postal ballots***

- (1) The Australian Women's Party may hold a postal ballot to determine any issue or proposal (other than an appeal under clause 13).
- (2) A postal ballot is to be conducted in accordance with Schedule 3 to the Regulation.

## **Part 6 - Miscellaneous**

### ***37. Insurance***

The Australian Women's Party may effect and maintain insurance.

### **38. Funds - source**

- (1) The funds of the Australian Women's Party are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the Australian Women's Party in general meeting, such other sources as the executive committee determines.
- (2) All money received by the Australian Women's Party must be deposited as soon as practicable and without deduction to the credit of the Australian Women's Party's bank or other authorised deposit-taking institution account.
- (3) The Australian Women's Party must, as soon as practicable after receiving any money, issue an appropriate receipt.

### **39. Funds - management**

- (1) Subject to any resolution passed by the Australian Women's Party in general meeting, the funds of the Australian Women's Party are to be used in pursuance of the objects of the Australian Women's Party in such manner as the executive committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the executive committee or, the president authorised in writing to do so or two employees of the Australian Women's Party whilst authorised in writing by the executive committee to do so.

### **40. Change of name, objects and constitution**

An application of a change in the Australian Women's Party's name, objects or constitution is to be made by the public officer or an executive committee member.

### **41. Custody of books etc**

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Australian Women's Party.

### **42. Inspection of books etc**

- (1) The following documents must be open to inspection, free of charge, by a member of the Australian Women's Party at any reasonable hour with 7 days' notice:
  - (a) records, books and other financial documents of the Australian Women's Party,
  - (b) this constitution,
  - (c) minutes of all executive committee meetings and general meetings of the Australian Women's Party.

### **43. Service of notices**

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
  - (a) by delivering it to the person personally, or
  - (b) by sending it by pre-paid post to the address of the person, or
  - (c) by sending it by facsimile transmission or phone or some other form of electronic transmission to an address specified by the person for giving or serving the notice.

- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
- (a) in the case of a notice given or served personally, on the date on which it is served by the addressee, and
  - (b) in the case of a notice sent, on the date when it was sent, and
  - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

#### ***44. Financial year***

The financial year of the Australian Women's Party is:

- (a) the period of time commencing on the date of incorporation of the Australian Women's Party and ending on the following 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the Australian Women's Party, commencing on 1 July and ending on the following 30 June.

#### ***45. Charter, Rules and Candidate Guidelines***

- (1) The executive committee may from time to time in its sole discretion amend, adopt or replace the following not inconsistent with this constitution:
- (a) a Charter, setting out the principles and values of the Australian Women's Party,
  - (b) Rules that are not inconsistent with this constitution,
  - (c) Candidate Guidelines, setting out the procedures for which the Australian Women's Party will endorse candidates for federal, state and local elections.

#### ***46. Constitution***

This constitution can be altered (including an alteration to the Australian Women's Party's name and the abbreviated name) by resolution of the executive committee members of the Australian Women's Party.

#### ***47. Matters not dealt with within the constitution***

When considering any matter or situation not specifically addressed in this constitution, the Executive committee shall deal with the matter in a manner consistent with the spirit of this constitution and the objectives of the Australian Women's Party.

## 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.

### The Party's Objectives:

The objectives of the Australian Women's Party is to advocate for inclusive and collaborative ways of governing an increasingly dynamic, digital, interconnected and global society, by ensuring diverse candidates, including women, participate in public life and governance.

### Further objectives include:

- (1) Promote the selection of diverse candidates including women, for election across all levels of our democratic political system - Federal, State and Local.
- (2) Promote innovation and social enterprise as a way to tackle social problems, to encourage investment in opportunities for everyone, including women and CALD communities;
- (3) Advance growing trends around purpose, creativity, diversity, and collaboration;
- (4) Provide a strong voice and diverse perspectives on issues that impact families, business and communities
- (5) Drive long term vision and planning for the benefits of families, business and communities, through improving society's financial and economic mindset that promotes entrepreneurship to tackle the shift in the job market as we know it.

### i) The procedures for amending the Party's constitution:

40. An application of a change in the Australian Women's Party's name, objects or constitution is to be made by the public officer or an executive committee member.

#### ***Constitution***

46. This constitution can be altered (including an alteration to the Australian Women's Party's name and the abbreviated name) by resolution of the executive committee members of the Australian Women's Party.

#### ***Matters not dealt with within the constitution***

47. When considering any matter or situation not specifically addressed in this constitution, the Executive committee shall deal with the matter in a manner consistent with the spirit of this constitution and the objectives of the Australian Women's Party.

### i) The rules for accepting membership of the Party, including the procedure for accepting the member as a person, and ending the membership:

### Membership generally

- (1) A person is eligible to be a member of the Australian Women's Party if:
  - (a) the person is a natural person,
  - (b) the person agrees to be bound by the Charter,
  - (c) the person is not a member of another political party, including any parties registered with the AEC or NSWEC,
  - (d) the person has not been convicted of any offence in the 10 years prior to their membership application, and
  - (e) the person has applied and been approved for membership of the Australian Women's Party in accordance with part 3 of this constitution.
- (2) A person is taken to be a member of the Australian Women's Party if the person was one of the individuals on whose behalf an application for registration of the Australian Women's Party is made.

### Application for membership

- (1) The application of a person for membership of the Australian Women's Party:
  - (a) must be made in writing on the membership form displayed on the Australian Women's Party website, and
  - (b) must be lodged with the secretary or president or authorised employee of the Australian Women's Party
- (2) As soon as practicable after receiving an application for membership, the secretary or president must determine whether to approve or to reject the application.
  - (a) The approval or rejection of an application for membership is at the discretion of the secretary or president.
  - (b) The secretary or president is not required to provide any reasons for rejection of an application for membership.
  - (c) The executive committee shall, without qualification, have the right to reject any person's application for membership.
- (3) As soon as practicable after the secretary or president makes that determination, the secretary or president or a designated employee must:
  - (a) notify the applicant, in writing, that the application was approved or rejected (whichever is applicable), and
  - (b) if the application is approved, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The executive committee member or employee must, on payment by the applicant of the amount(s) referred to in subclause (3) (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Australian Women's Party.

### Cessation of membership

A person ceases to be a member of the Australian Women's Party if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the Australian Women's Party, or
- (d) fails to pay any compulsory annual membership fee under clause 9 (2) within 3 months after the fee is due.

### **Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the Australian Women's Party:

- (e) is not capable of being transferred or transmitted to another person, and
- (f) terminates on cessation of the person's membership.

### **Resignation of membership**

- (1) A member of the Australian Women's Party may resign from membership of the Party by first giving to the secretary or president or authorised employee written notice of at least one day (or such other period as the executive committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the Australian Women's Party ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary or president or authorised employee must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

### **Register of members**

- (1) The office bearers of the Australian Women's Party must establish and maintain a register of members of the Party specifying the name and postal or residential address of each person who is a member of the Party together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
  - (a) at the main premises of the Party, or
  - (b) if the Party has no premises, at the Party's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the Party at any reasonable hour.
- (4) A member of the Australian Women's Party may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
  - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the Australian Women's Party or other material relating to the Australian Women's Party, or
  - (b) any other purpose necessary to comply with the running and management of the Australian Women's Party.

- iii) A description of the Party structure and how it manages its internal affairs

***Powers of the executive committee***

The executive committee of the Australian Women's Party in a general meeting:

- (g) is to control and manage the affairs of the Australian Women's Party, and
  - (h) may exercise all such functions as may be exercised by the Australian Women's Party, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Australian Women's Party, and
  - (i) has power to perform all such acts and do all such things as appear to the executive committee to be necessary or desirable for the proper management of the affairs of the Australian Women's Party, and
  - U) shall adhere to the Candidate Guidelines when endorsing candidates for federal, state and local elections.
  - (k) shall determine the allocation of the Australian Women's Party's preferences, if required, in relation to any federal, state or local election.
- v) The procedure for selecting a person to hold an office in the Party and for removing the person from office

***Composition and membership of executive committee***

- (1) The executive committee of the Australian Women's Party will be the Australian Women's Party office-bearers, including president, secretary and treasurer.
- (2) The total number of executive committee members is to be between 3 and 10, as determined at the annual general meeting.
- (3) The executive committee is to consist of:
  - (a) the office-bearers of the Australian Women's Party, and
  - (b) at least 1 ordinary executive committee member, each of whom is to be elected at the annual general meeting of the Australian Women's Party under clause 16.
- (4) The office-bearers of the Australian Women's Party are as follows:
  - (a) the president,
  - (b) the vice-president,
  - (c) the treasurer,
  - (d) the secretary.
- (5) An executive committee member may hold up to 2 offices (other than both the president and vice-president offices).

Each member of the executive committee is subject to this constitution and their agreement, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

### ***Election of executive committee members***

- (1) Nominations of candidates for election as office-bearers of the Australian Women's Party or as executive committee members:
  - (a) must be made in writing, signed by 2 members of the Australian Women's Party and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
  - (b) must be delivered to the secretary of the Australian Women's Party at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the executive committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the executive committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and executive committee members is to be conducted at the annual general meeting in such usual and proper manner as the executive committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary executive committee member of the Australian Women's Party must be a member of the Australian Women's Party.

### ***Casual vacancies***

- (1) In the event of a casual vacancy occurring in the membership of the executive committee, the executive committee may appoint a member of the Australian Women's Party to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the executive committee occurs if the member:
  - (a) dies, or
  - (b) ceases to be a member of the Australian Women's Party, or
  - (c) resigns office by notice in writing given to the secretary, or
  - (d) is removed from office under clause 20, or
  - (e) becomes a mentally incapacitated person, or
  - (f) is absent without the consent of the executive committee from 3 consecutive meetings of the executive committee, or
  - (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or

### ***Removal of executive committee members***

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

vi) The names of the officers or members of the Party responsible for ensuring the Party complies with the *Electoral Funding Act 2018* and the *Electoral Act 2017*.

### ***Secretary- Sue Lee Lim***

- (1) The secretary of the Australian Women's Party must, as soon as practicable after being appointed as secretary, lodge notice with the Australian Women's Party of his or her address.
- (2) It is the duty of the secretary to keep minutes of:
  - (a) all appointments of office-bearers and members of the executive committee, and
  - (b) the names of members of the executive committee present at an executive committee meeting or a general meeting, and
  - (c) all proceedings at executive committee meetings and general meetings.
- (3) The secretary is responsible for carrying out the administration and the conduct of the correspondence of the Australian Women's Party.
- (4) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### ***Treasurer – Kevin Lam***

It is the duty of the treasurer of the Australian Women's Party to ensure:

- (l) that all money due to the Australian Women's Party is collected and received and that all payments authorised by the Australian Women's Party are made, and
- (m) that correct books and accounts are kept showing the financial affairs of the Australian Women's Party, including full details of all receipts and expenditure connected with the activities of the Australian Women's Party.

### ***Registered Officer & President - Dai Trang Le***

The registered officer of the party is the person whose name is included in the Register of parties and/or the Local government register of political parties.

The registered officer is responsible for:

- making applications on behalf of the Australian Women's Party to amend the registered details of the party

- submitting an annual return between 1 June and 30 June each year to confirm the party's continued eligibility to be registered
- requesting the NSW Electoral Commissioner provide the party with a list of enrolled electors (registered parties for State elections only)
- requesting the NSW Electoral Commissioner cancel the registration of the party
- providing to the NSW Electoral Commissioner, on request at any time, a statement setting out the party's objectives, the party's procedures for amending its constitution, the rules of membership, a description of the party's structure, the procedure to select an office bearer and the names of the officers or members responsible for ensuring the party complies with electoral laws
- nominating the party's endorsed candidates for election
- requesting the party's registered name or abbreviated name be printed on the ballot paper for an election and
- acting as party agent of the party when the party does not have an appointed party agent (in this case the registered officer will bear the legal responsibility of the party agent).

#### **Deputy registered officer- Susan Tailo**

The registered officer's responsibilities may be delegated to the deputy registered officer. The deputy registered officer is responsible for:

- making applications on behalf of the Australia Women's Party to amend the registered details of the party (if the registered officer has died or is unavailable)
- nominating the party's endorsed candidates for election and
- requesting the party's registered name or abbreviated name be printed on the ballot paper for an election.

#### **Party Agent- Kevin Lam**

A party agent is the person who is legally responsible for the making disclosures for a political party. A person can be an agent for more than one political party, and for other electoral participants.

Party agents of registered parties are also responsible for disclosures for the State elected members, groups and candidates that are members of the party, and for managing their campaign finances.

A party agent of a registered party can also take responsibility for disclosures for local government elected members, groups and candidates that are members of the party, where there is mutual consent between the elected member, candidate or group and where the NSW Electoral Commission has been advised.

If at any time a party does not have an appointed party agent, the party's registered officer is the party agent and legal responsibility will rest with the party's registered officer.

#### **Responsibilities of a party agent**

A party agent's legal obligations include:

- lodge with the NSW Electoral Commission all required disclosures of political donations made and received and expenditure incurred by the party and its members for whom they are responsible
- provide a copy of all receipts issued to those people who made a reportable political donation to the party (with a disclosure of political donations)
- provide a copy of all invoices or receipts and a copy of the advertising or printed material for all electoral expenditure with an annual disclosure of expenditure
- provide a copy of the party's audited annual financial statements and other accounting and bank records

of the party

- make public funding claims for the party
- as a senior office holder, report alleged contraventions of electoral funding laws to the NSW Electoral Commission. A party agent who fails to report this conduct is guilty of an offence.

The objective of the women's party is to advocate for inclusive and collaborative ways of governing an increasingly dynamic, digital, interconnected and global society, by ensuring diverse candidates, including women, participate in public life and governance.

Further objectives include:

- 2) Promoting innovation and social enterprise as a way to tackle social problems (perhaps even as an adjunct to objective 5) the women's party wants to advance growing trends around purpose, creativity, diversity, collaboration, open government/open banking/open policy/open data
- 3) tackling mega trends like climate change, changing paradigm around international trade, relationships with external governments, technological unemployment (eg impacts of 4th industrial revolution), ownership of data, medical scientific advancements, ageing population, ideological division like religious division, inequality of wealth, ability and gender, etc?
- 4) the women's party wants to advance growing trends around purpose, creativity, diversity, collaboration, open government/open banking/open policy/open data
- 5) the Australian Women's Party would improve society's financial and economic mindset by promoting financial literacy in schools and drive an education revolution that promotes entrepreneurship and qualities of industriousness to tackle the impacts of shrinking job market as we know it