

# **Constitution of Legalise Cannabis Queensland (Party)**

**Version 6.0    Adopted December 2023**

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## 1. NAME OF PARTY

1.1 The name of the Party is Legalise Cannabis Queensland (Party).

1.2. The organisation will be referred to as the Party or LCQ in this document.

## 2. INTERPRETATION AND DEFINITIONS

2.1 Interpretation in this constitution:

a) Electoral Act means Electoral Act 1992 - as at 1 March 2023

b) Electoral Funding Act means the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020

A word or expression that is not defined in this constitution, but is defined in the Act(s) has, if the context permits, the meaning given by the Act.

### 2.2 Definitions

In this constitution unless the contrary intention appears:

**Candidate** means a member who is endorsed by the Party's Nominations Committee as a candidate for election to parliament or a local council.

**Candidate Deed** means a deed or other agreement entered into by the Party and a member who wishes to be endorsed as a candidate, including all amendments and supplementary agreements between the Party and that member.

**Constitution** means this constitution of the Party.

**Financial Year** of the Party is each period of 12 months ending on 30 June.

**General Meeting** includes the Annual General Meeting or any Special General Meeting.

**Management committee** means the Management Committee of the Party.

**Majority** means more than half of the persons voting.

**Member** means a person who is enrolled as a member of the Party.

**Officer** means a member of the Management Committee.

**Ordinary resolution** means a resolution passed by at least 50% of those entitled to vote and voting at a meeting.

**Parliamentary member** means a member of LCQ who is a member of the Parliament of the State of Queensland

**Party** means **Legalise Cannabis Queensland (Party)**.

**Present (at meetings)** means in person or via phone, internet, or other electronic means.

**Secretary** means the person holding office under this constitution as secretary of the Party

**Rules** means rules determined by the Management Committee from time to time in accordance with section 28 of this Constitution.

**Special resolution** means a resolution passed at a general meeting of LCQ membership by the votes of three-quarters of the members who are present and entitled to vote on the resolution.

2.3 In this constitution:

a) words in the singular include the plural and vice versa.

b) reference to a statute or other law includes regulation and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

c) words and phrases which are defined in the Act or the Regulation and which are not specifically defined have the same meanings in this constitution as they do in the Act or the Regulation.

### **3. OBJECTIVES OF THE PARTY**

The objectives of LCQ are to lobby for cannabis law reform and to promote candidates endorsed by the Party for election to the Legislative Assembly of the Parliament of the State of Queensland.

### **4. PARTY STRUCTURE**

LCQ is an unincorporated, not-for-profit, registered political party with its own management committee. Upon joining, members also become members of the federal Legalise Cannabis Australia (Party) unless otherwise directed by the member.

Under Queensland law, LCQ has compliance and reporting obligations to the Electoral Commission of Queensland and as such, has the powers of an entity that may, for example;

- a) enter into contracts; and,
- b) acquire, hold, deal with and dispose of property; and,
- c) make charges for services and facilities it supplies; and,
- d) do other things necessary or convenient to be done in carrying out its affairs.

### **5. MEMBERS**

5.1 The Party must have at least five members.

#### **5.1.1 Categories of members**

The members of the Party consist of:

- a) Parliamentary members;
- b) Voting members (unlimited number);
- c) Supporting members (or 'supporters'). (unlimited number); and
- d) any other classes or categories of membership resolved by the Management Committee.

#### **5.1.2 Admission of members**

A candidate for membership must be a natural person, resident in Australia, and must apply to the Secretary in writing. The application must:

- a) be in a form approved by the Management Committee (including an on-line form);
- b) contain full particulars of the name and contact details of the applicant;
- c) identify the category of membership for which the applicant is applying; and
- d) contain any other information prescribed by the Rules for an application for membership in that category.

5.1.3 Subject to any rule approved by the Management Committee, a person is not eligible to become or remain a member if:

- a) the person is a member of another registered political party;
- b) the person has been convicted of a disqualifying electoral offence within 10 years before the person applies to become a member.

5.1.4 Membership begins on the later to occur of:

- a) acceptance by the Management Committee of the application for membership,
- or;
- b) payment of any fees payable by the new member.

5.1.5 The Management Committee may accept or reject an application for membership at its sole and absolute discretion. The officers are not required, nor can they be compelled to provide, any reason for rejecting an application for membership. If the Management Committee rejects an application, it must return any subscription fee paid (if any) and write to the applicant to tell them their application has been rejected.

## 5.2 Voting members

5.2.1 Each Parliamentary member is a voting member.

5.2.2 A natural person may apply to the Management Committee for admission to membership as a voting member after a year as supporting member.

5.2.3 A voting member has the right to receive notice of general meetings, submit items of business for consideration, attend and be heard, and vote at general meetings. A voting member has the right to have access to the minutes of general meetings (but not Management Committee minutes), and to inspect the register of members.

5.2.4 Each voting member is taken, by virtue of that membership, to have agreed:

- a) that they will observe and comply with this constitution and the Rules;
- b) that they will conscientiously attend general meetings;
- c) to pay the subscriptions, fees and levies (if any) set out in the Rules as payable by voting members within the period stated in the Rules.

## 5.3 Supporting members

5.3.1 A natural person may apply to the Management Committee for admission to membership as a supporting member. A supporting member may also be known as a Supporter of the Party.

5.3.2 A supporting member has the right to receive notice of general meetings and to be present but not to vote at general meetings. A supporting member is under no obligation to attend general meetings.

5.3.3 Each supporting member is taken, by virtue of that membership, to have agreed:

- a) that they will observe and comply with this constitution and the Rules; and
- b) to pay the subscriptions, fees and levies (if any) set out in the Rules as payable by supporting members within the period stated in the Rules.

5.3.4 After one year as a supporter member, application can be made to have membership upgraded to voting member upon payment of membership fee.

## 5.4 Obligations of members

5.4.1 Each member must:

- a) treat all other members, officers, staff and representatives of the Party with respect and courtesy at all times;
- b) uphold and enhance the standards and reputation of the Party;

- c) observe the directions, procedures and decisions of the Management Committee and, in the case of a general meeting, the chairperson of that meeting; and
- d) not act in a manner unbecoming of a member or prejudicial to the purposes or the interests or reputation of the Party.

## 5.5 Members liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the Party or the costs, charges and expenses of the winding up of the organisation is limited to the amount (if any) unpaid by the member in relation to membership of the Party.

## 5.6 Register of Members

5.6.1 The Management Committee must keep a register of members of the Party.

The Register must include the following particulars for each member:

- a) the full name of the member;
- b) the postal or residential address of the member;
- c) the date of admission as a member;
- d) the date of death or time of resignation of the member;
- e) details about the termination or reinstatement of membership;
- f) any other particulars the Management Committee or the members at a general meeting decide.

5.6.2 The Register must be open for inspection by members of the Party at all reasonable times. A member must contact the secretary to arrange an inspection of the register.

5.6.3 The Management Committee may, on the application of a member of the Party, withhold information about the member (other than the member's full name) from the register available for inspection if the Management Committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

5.6.4 The Register may contain such other information as the Management Committee considers appropriate. Members must provide the Party with the details required by the Party to keep the Register complete and up to date.

5.6.5 Members may write to the Secretary to ask the Secretary to restrict access to their details on the Members Register if they have special circumstances.

5.6.6 The Register of Members must be kept in Queensland

- a) at the main premises of the Party, or
- b) if the Party has no premises, at the Party's official address.

5.6.7 The Register of Members is kept in electronic form and is convertible into hard copy.

## 5.7 Effect of membership

5.7.1 This constitution constitutes a contract between each of the members and the Party. Each member is bound by this constitution and the Rules.

5.7.2 A right, privilege or obligation that a person has because of being a member of the Party:

- a) cannot be transferred or transmitted to another person; and
- b) terminates on cessation of the person's membership.

## 5.8 Public Statements

Each member acknowledges and agrees that it is in the best interests of the Party that public statements for or on behalf of the Party, or representing purposes or policies of the organisation, be made only by those authorised by the Management Committee, parliamentary members or endorsed candidates for election (subject to their obligations under their candidate deed).

## 6. FEES, SUBSCRIPTIONS AND LEVIES

6.1 The Management Committee may, by the Rules:

- a) fix annual membership subscriptions;
- b) fix such other fees or levies as the Management Committee considers prudent for the effective and sustainable management of the affairs of the Party; and,
- c) determine the time and manner of payment of the subscriptions, fees and levies by members to the Party.

6.2 The Management Committee may fix subscriptions, fees or levies at different rates for different categories of membership and may determine that no subscriptions are payable by one or more of the categories for any year.

6.3 Upon acceptance of application to upgrade to a voting membership a member must pay the current full year's subscription.

6.4 The Management Committee may waive all or part of a member's subscriptions, fees or levies, and may agree terms of payment for a member different from those applicable to other members of the same category, if the Management Committee is satisfied that there are special reasons to do so.

6.5 The voting and other rights of voting members who have not paid their subscription, fee or levy by the due date are suspended until the subscription, fee or levy is paid.

6.6 The amount and terms of payment of any subscriptions, fees or levies may be any amount determined by resolution of the Management Committee from time to time and that amount may be zero.

## 7. CESSATION OF MEMBERSHIP

7.1 A member ceases to be a member of the Party if:

- a) the member dies;
- b) the member ceases to be eligible to remain a member;
- c) the member resigns from membership;
- d) the member is expelled from the Party by the Management Committee;
- e) the member is convicted of a disqualifying electoral offence.

7.2 A member may resign from membership of the Party with not more than one month's notice in writing to the Secretary.

7.3 A member who ceases to be a member must not thereafter use any property of LCQ (including, without limitation, its copyright, trademarks and other intellectual property) and must immediately return to the Party Management Committee all of the Party's documents, records or other property in the possession, custody or control of the former member.

7.4 Nothing in this clause prevents a former member from applying for readmission to membership. In considering an application for readmission, the Management Committee is entitled to take into account the facts and circumstances in which the prior membership (or memberships) ceased. Membership which has ceased under this clause may be reinstated at the discretion of the Management Committee without an application having been made with such conditions as it deems appropriate.

7.5 Membership subscriptions, fees or levies paid by the former member may, at the Management Committee's discretion, be refunded on a pro-rata basis to the member on cessation of the membership.

## **8. DISCIPLINARY ACTION**

8.1 The Management Committee may, by resolution, reprimand, suspend or expel a member from membership of the Party if, in the opinion of the Management Committee, the member has materially breached any of its obligations under this constitution or the Rules.

8.2 The Management Committee must inform the member concerned of the grounds for the proposed disciplinary action and give the member reasonable opportunity to be heard.

8.3 If any Management Committee member is biased against or in favour of the member concerned, the Management Committee must convene a disciplinary subcommittee to hear and determine any allegation that a member has materially breached one or more of its obligations under this constitution or the Rules and to make recommendations to the Management Committee about the appropriate consequences of its findings. Any Management Committee member who may be biased must not be a member of the Disciplinary Subcommittee.

8.4 The Management Committee may rely on the findings and recommendations of the Disciplinary Subcommittee, but is not required to do so.

8.5 There is no right of appeal against the decision of the Management Committee.

## **9. GRIEVANCE PROCEDURE – DISPUTE RESOLUTION**

9.1 This grievance procedure applies to disputes between a member and another member; a member and the Committee; or a member and the Party. A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.



9.2 The parties must first attempt to resolve the dispute themselves. If the parties are unable to resolve the dispute, the Management Committee must appoint a conciliator/arbitrator. The conciliator/arbitrator must not have a personal interest in the dispute, and must not be biased in favour or against any party.

9.3 The Management Committee may, but is not obliged to, refer the dispute to a community justice centre for mediation under the Dispute Resolution Centres Act 1990.

9.4 The parties must in good faith attempt to resolve the dispute by conciliation. A party may appoint another person to act on their behalf in the grievance procedure.

9.5 If the conciliator/arbitrator is unable to resolve the dispute by agreement between the parties, the conciliator/arbitrator must determine the respective rights and obligations under this constitution of the parties and any other members. The conciliator/arbitrator's determination is binding on the parties and all members.

9.6 The State, Territory and Commonwealth Acts applying to commercial arbitration do not apply to the grievance procedure in this clause.

## **10. GENERAL MEETINGS**

10.1 An Annual General Meeting (AGM) of the Party must be held within six months of the end of the Party's financial year (June 30th), in accordance with the Act and this constitution, and at a time, on a date and at a place determined by the Management Committee.

10.2 The ordinary business to be transacted at the annual general meeting includes:

- a) confirmation of the minutes of the previous annual general meeting;
- b) receipt of reports and financial statements and verification statement on the previous financial year to the meeting for adoption;
- c) election of voting members to the Management Committee; and,
- d) the appointment of the auditor (if necessary).

10.3 All other business is special business. No business other than that stated on the notice for a general meeting may be transacted at that meeting.

10.4 Unless this constitution expressly provides otherwise, members, the auditor (if appointed) and the officers are entitled to attend general meetings, but only voting members are entitled to vote.

10.5 A voting member may appoint another voting member to act as their proxy at a general meeting in accordance with sections 10.10 and 10.11. The member may give specific directions as to how their proxy should vote on their behalf.

10.6 No person other than the Chairperson, may hold more than 20% of voting members' proxies. For all the purposes of this constitution, a voting member represented at a general meeting by a proxy is to be taken to be present at the meeting.

10.7 All general meetings other than the Annual General Meeting are special general meetings.



10.8 A notice of a general meeting must specify the hour, day and place of the meeting and state the nature and order of the business to be transacted at the meeting.

10.9 Subject to clause 13, at least 14 days notice of a general meeting must be given to those members entitled to receive notice, together with the agenda for the meeting, and any notice of motion received from voting members entitled to vote.

10.10 A voting member may appoint as a proxy for a general meeting either:

- a) the chair of the meeting; or
- b) another named voting member of the Party.

10.11 The proxy appointment must be in writing substantially in the form approved by the Management Committee from time to time and must be delivered to the Secretary no later than 24 hours before the time of the meeting for which the proxy is appointed.

## **11. SPECIAL GENERAL MEETINGS**

The Management Committee may, whenever it thinks fit, convene a special general meeting of the Party.

### **11.1 Requisition by voting members**

11.1.1 On the requisition in writing of not less than 25% of voting members, the Management Committee must, within one month after the receipt of the requisition, convene a special general meeting for the purpose specified in the requisition.

11.1.2 Every requisition for a special general meeting must be signed by requisitioning members, state the purpose of the meeting and be sent to the Secretary of the Party. The requisition may consist of several documents in a like form, each signed by one or more of the members making the requisition.

11.1.3 If the Management Committee does not cause a special general meeting to be held within one month after the receipt of the requisition, the voting members making the requisition may convene a special general meeting to be held not later than three months after the receipt of the requisition.

11.1.4 A special general meeting convened by voting members under this constitution must be convened in the same manner, or as nearly as practical to the same manner, as a meeting convened by the Management Committee.

11.1.5 The Management Committee must ensure that the members making the requisition are supplied free of charge with particulars of the voting members entitled to receive a notice of meeting. The reasonable expenses of convening and conducting such a meeting must be borne by the Party.

## **12. PROCEEDINGS AT GENERAL MEETINGS**

12.1 No business may be transacted at any general meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum for general meetings is at least five voting members present in person at the meeting.

12.2 Subject to this constitution, the President will chair every general meeting except where the President has a conflict of interest. If the President is not present or is unwilling or unable to preside, the Vice President will chair, or if the Vice President is not available, the voting members present must appoint another officer to act as chair for that meeting only.

12.3 If a quorum is not present within half an hour of the appointed time for the general meeting, the meeting must be adjourned to the same hour, day and place in the next week, or to such other time, day and place as the chairperson determines.

12.4 If a quorum is not present within half an hour of the appointed time for the adjourned meeting:

- a) where the meeting was convened on the requisition of voting members, the meeting lapses; and
- b) in any other case, those voting members present constitute a quorum.

12.5 With the consent of any meeting at which a quorum is present, the chairperson may, and must if directed by the meeting, adjourn the meeting from time to time and from place to place. No business may be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

12.6 When a meeting is adjourned for 30 days or more, notice of the adjourned meeting must be given as in the case of an original meeting. If the meeting is adjourned for less than 30 days, no additional notice is necessary.

12.7 Each voting member is entitled to one vote at general meetings. A motion put to the vote will be decided on a show of hands unless a poll is demanded by the chairperson, or by a simple majority of voting members present at the meeting. A poll may be demanded before or on the declaration of the result of the show of hands. The chairperson of a general meeting does not have a casting vote.

12.8 A declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or by a particular majority or lost, and an entry to that effect in the minutes of the proceedings of the Party, is conclusive evidence of the fact without proof of the number of the votes recorded in favour of or against the resolution.

12.9 The Secretary must ensure minutes are kept, recording the names of those attending, the business considered, all resolutions adopted. These Minutes are to be signed by the President and the Secretary. Minutes shall be made available for inspection to voting members upon request in writing as a time suitable to all parties.

### **13. NOTICE**

13.1 Subject to section 13.2, notice of general meetings must be provided to members at least 14 days before the meeting to each member's postal or email address listed on the members register, or by publication on the Party's website. Failure to receive a notice by any member does not cause a meeting that is the subject of the notice to be invalidated.

13.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Party, the notice period required for that meeting is at least 21

days and the notice of meeting must specify the intention to propose the resolution as a special resolution to be passed in accordance with Division 3 part 3 of the Act

13.3 Any notice to be given to the Party may be delivered personally to the Secretary, or sent by post addressed to the Secretary at the Party's registered address.

13.4 A notice served by post will be taken to have been received by the recipient on the third business day after it was posted. A notice served by email or other electronic means will be taken to have been received two hours after it was successfully transmitted. A notice given by publication on the Party's website is taken to have been served when it is first inserted and able to be viewed publicly.

13.5 Notice of the following meetings must be given in writing:

13.5.1 When a meeting called to hear and decide the appeal of a person against the Management Committee's decision to;

- a) reject the person's application for membership of the Party; or
- b) terminate the person's membership of the Party.

13.5.2 A meeting called to hear and decide a proposed special resolution of the Party.

## **14. MANAGEMENT COMMITTEE**

14.1 Subject to this constitution, the business and affairs of the Party must be managed by the Management Committee which may exercise the powers of the Party in the pursuit of the purposes and in the best interests of the Party as a whole.

14.2 The Management Committee must comprise at least five elected persons (each of whom must be a voting member). The Management Committee comprises the following offices:

- a) Chair President;
- b) Vice President;
- c) Secretary;
- d) Treasurer;
- e) Registered Officer
- f) Any additional positions the Management Committee creates for the purpose of administering and managing the purposes and activities of the Party.

14.3 At the first meeting of the Management Committee after each Annual General Meeting, the Committee must elect members to each of the offices specified in clauses 14.2 a) - e). One officer of the Management Committee may hold two positions.

14.4 The Management Committee may allocate portfolios and tasks to officers.

14.5 A member of the Management Committee may resign from the Committee by giving written notice of resignation to the Secretary. The resignation takes effect at the time the notice is received by the Secretary; or if a later time is stated in the notice—the later time.

14.6 While the Party remains registered as a political party, the Management Committee must ensure that it has appointed officers of the Committee to hold the positions required

under the Electoral Act (including registered officer, deputy registered officer, secretary and party agent).

## **15. ELECTION OF THE MANAGEMENT COMMITTEE**

15.1 All positions on the Management Committee are vacated at the Party's Annual General Meeting. The Management Committee must call for nominations for elected positions on the Management Committee at the time that notice is given of the Annual General Meeting.

The Management Committee will, when it calls for nominations, list the positions and give a brief job description for those positions specifying any qualifications or experience it considers desirable for those positions.

15.2 Nominations must:

- a) be in the prescribed form (if any) provided for that purpose;
- b) be signed by the nominee, and supported by a seconder, both of whom must be voting members;
- c) disclose any position the nominee has held in any political party during the preceding five years; and
- d) be delivered to the Secretary not less than five days before the date fixed for the Annual General Meeting.

15.3 If the number of nominations received does not exceed the number of vacancies to be filled, then, subject to a confirmatory vote, those nominated will be declared elected at the Annual General Meeting.

15.4 If at any stage the number of nominations for the Management Committee exceeds the number of vacancies then to be filled, an election must be conducted at the Annual General Meeting.

15.5 Elections must be conducted by secret ballot of voting members, or in such manner and by such method as may be determined by the Management Committee from time to time. If the Management Committee has not made a determination, then the election must be conducted by the method determined by the Chairperson of the Annual General Meeting.

15.6 Prior to the declaration of persons elected to the Management Committee, any voting member may demand a confirmatory vote in which case each voting member appointed or elected under the preceding clauses at that meeting must have his or her appointment or election approved by ordinary resolution of the meeting. If the appointment or election of that person is not approved by the meeting, he or she is not entitled to take office.

15.7 If, at the close of the Annual General Meeting, vacancies on the Management Committee remain unfilled, the vacant positions become casual vacancies. The Management Committee may at any time co-opt a voting member to fill a casual vacancy on the Management Committee.

15.8 The term of office of each officer begins at the conclusion of the Annual General Meeting at which their election occurs, and ends at the conclusion of the next annual general meeting following their election. An officer is eligible for re-election.

15.9 There is no maximum number of consecutive terms for which a committee member may hold office.

15.10 A member may be removed from office before the end of the member's term of office at a general meeting of the Party if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

a) before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

b) a member has no right of appeal against the member's removal from office under this rule.

15.11 The office of a member of the Management Committee shall be vacated immediately in such circumstances (if any) as the member:

a) dies; or,

b) becomes bankrupt; or

c) is

(i) convicted of a disqualifying electoral offence, or

(ii) convicted of an indictable offence or an offence punishable on summary conviction for which the person is sentenced to imprisonment, other than in default of payment of a fine; or

d) has been convicted of an offence on indictment or summarily and sentenced to imprisonment, other than in default of payment of a fine, and the rehabilitation period in relation to the conviction has not expired.

15.12 In addition, a person ceases to be an elected officer on the Management Committee, and the position of that officer becomes vacant, if the officer:

a) ceases to be a voting member; or

b) is absent without the consent of the Management Committee for three successive meetings of the Management Committee.

## **16. MEETINGS OF THE MANAGEMENT COMMITTEE**

16.1 The Management Committee has the general control and management of the administration of the affairs, property and funds of the Party and must meet as often as it considers necessary for the dispatch of business, but at least once a quarter.

16.2 Either the President or the Secretary may at any time convene a meeting of the management committee on not less than seven days' notice to the other officers (or any shorter period that may be unanimously agreed on by the officers of the committee).

16.3 Subject to this constitution, the management committee may adjourn and otherwise regulate its meetings as it thinks fit.

16.4 At meetings of the Management Committee, a quorum is the greater of three officers or a majority of the officers at the time.

16.5 The President will act as chair of any Management Committee meeting or General Meeting at which they are present. If the President is not present, or is unwilling or unable to chair the meeting, the Vice President will act as chair. If the Vice President is not present, the remaining officers must appoint another officer to chair that meeting only.

16.6 An officer may attend a meeting of the Management Committee by telephone or other electronic means by which they can hear and be heard.

16.7 Subject to this constitution, questions arising at any meeting of the Management Committee are decided by ordinary resolution. Each committee member (including the chairperson) has one vote on any question. The Chairperson has a casting vote in decisions of the Management Committee.

16.8 The officers may pass a resolution without a meeting of the Management Committee being held if all the officers entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document. Separate copies of the document may be used if the wording of the resolution and statement is identical in each copy. The document may be transmitted by email. The resolution is passed when the last officer signs. A resolution passed under this clause must be recorded in the minutes of the next meeting.

16.9 Officers must disclose any material personal interests and abstain from voting on related issues.

16.10 The Secretary must ensure minutes are kept, recording the names of those attending, the business considered, all resolutions adopted, and any material personal interest declared. To ensure the accuracy of the minutes, the minutes of each management committee meeting will be sent to committee members and verified as a true and correct record at the following meeting and signed by the Chairman of the next management committee meeting, verifying their accuracy.

## **17. SELECTION OF CANDIDATES**

17.1 The Management Committee may establish a nominations sub-committee and appoint its members. The Management Committee may define the role, responsibilities, authorities and accountabilities of the Nominations Subcommittee.

### **17.2 Endorsement of Election Candidates**

17.2.1 Candidates for election to the Queensland Parliament shall be endorsed or dis-endorsed by a majority vote of the Nominations Committee or the Management Committee (if there is no nominations committee) at the conclusion of the candidate's application process.

17.2.2 The Management Committee may choose to hold a pre-selection ballot to select a candidate for an electorate if it believes it is in the best interests of the Party so to do. The general principles of free and democratic elections will be applied to any pre-selection ballot.

17.2.3 The call for nominations of candidates will be in writing by publication in the Party newsletter, on the website and social media and / or by direct written notice to members.

17.2.4 All interested candidates wishing to nominate for Queensland state elections must be Voting Members of the Party and enrolled to vote. They should contact the Secretary for a nomination form. Applicants will need to supply the following:

- a) a completed, signed and dated application form;
- b) a current police/criminal record check;
- c) name and contact details for two referees and,
- d) a short written biography and a clear un-cropped photo (head-shot).

17.2.5 The candidate nomination form shall be made available to any Voting Member via mail or email within two business days, on request.

17.2.6 Successful applicants will be notified via email and/or phone and will be sent a Candidate's Agreement to be signed and returned before the endorsement is announced publicly.

17.3 The allocation of preferences, to other parties and/or candidates in elections shall be determined by the candidate/s in consultation with the Management Committee. The Management Committee will make the final decision.

## **18. POLICY SUB-COMMITTEE**

The Management Committee may establish a policy subcommittee and appoint its members. By the Rules, the Management Committee may define the role, responsibilities, authorities and accountabilities of the Policy Subcommittee.

## **19. EXECUTIVE AND STAFF**

The Management Committee may, from time to time, employ a general manager and other staff it considers necessary or appropriate, in each case for such period and on such conditions as the Management Committee determines. A member of the Management Committee may perform paid functions for the Party.

## **20. DELEGATED AUTHORITY**

The Management Committee may, by resolution, delegate the exercise of any of its powers and functions to a committee member, a subcommittee it establishes, a voting member, or a staff member, other than:

- a) this power of delegation; and
- b) a function that is a function imposed on the Management Committee by the Electoral Act or by any other law, or by resolution of the Party in general meeting.

## **21. RECORDS AND ACCOUNTS**

21.1 The Party must comply with its obligations under the Act and Regulations in respect of accounts, records and minutes.



21.2 The Treasurer must keep in their custody, or under their control, the financial records for the current financial year, and any other financial records as authorised by the Management Committee, for at least seven years.

21.3 Members may, on request, inspect free of charge and at a reasonable time:

- a) the register of members
- b) the minutes of general meetings, but not the minutes of Management Committee meetings
- c) the financial records, books, securities and any other relevant document of the Party.

21.4 A member may write to the Secretary asking for copies of these documents (with the exception of the members register). The Secretary may charge a reasonable fee for providing copies.

21.5 Despite clauses 21.3 and 21.4, the Management Committee may refuse to permit a member of the Party to inspect or obtain a copy of records of the Party that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Party.

## **22. FUNDS and RECORDS**

22.1 The income and property of the Party must be used solely in promoting the organisation's objectives and exercising its powers. The treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

22.2 Donations and other funds received by the Party must be reported by the Treasurer, if required by any relevant law, including the Electoral or the Electoral Funding Acts.

22.3 The funds of the Party may be derived from fees and subscriptions, levies, donations, sale of merchandise, fund-raising activities, grants, interest and any other sources approved by the Management Committee.

22.3.1 The funds of the Party must be kept in an account in the name of the Party in a financial institution decided by the Management Committee.

22.3.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Party.

22.3.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.

22.3.4 A payment by the Party must be made by electronic funds transfer. Members or committee members shall be reimbursed electronically for their expenditure relating to the Party, upon the production of receipts and or invoices.

22.3.5 A payment must be authorised online by any two of the following:

- a) the President;
- b) the Secretary;

c) the Treasurer.

22.3.6 All expenditure over \$500 should be approved or ratified at a Management Committee meeting or by circular motion.

## **23. APPLICATION OF INCOME**

23.1 The income and property of the Party must be applied solely towards the promotion of the purposes.

23.2 Except as prescribed in this constitution or the Act, no portion of the income or property of the Party may be paid or transferred, directly or indirectly, to any member or any associate of a member.

23.3 Nothing in this constitution prevents a payment in good faith for:

- a) any services actually rendered to the Party whether as an employee, officer or otherwise;
- b) goods supplied to the Party in the ordinary and usual course of operation;
- c) interest on money borrowed from any member;
- d) rent for premises let by any member to the Party; and
- e) any reasonable out-of-pocket expenses incurred by a member on behalf of the Party.

23.4 No payment made by the Party may exceed the amount ordinarily payable between ordinary commercial parties dealing at arm's length in a similar transaction.

23.5 The Management Committee may approve expenditure on behalf of the Party. All cheques and electronic payments must be authorised by two of the Management Committee members.

## **24. AUDITOR**

24.1 The Party is not required to appoint an auditor except if required by the Act or the Electoral Act. The auditor has power at any time to call for the production of all books, accounts and other documents relating to the affairs of the Party.

24.2 An auditor may be appointed at each annual general meeting as the Party's auditor for the following financial year. If the annual general meeting appoints an auditor, any vacancy occurring during the year in the office of auditor must be filled by the Management Committee.

## **25. INDEMNITY**

25.1 LCQ indemnifies management committee members against any liability incurred in good faith by them in the course of performing their duties.

## **26. ALTERATION OF THE CONSTITUTION**

26.1 This constitution may be repealed or altered or a new provision added by special resolution passed at the Annual General Meeting or a duly convened general meeting, provided that the special resolution is passed in accordance with the Party Rules

## **27. RULES**

27.1 The Management Committee may make and amend rules for the proper advancement, management and administration of the Party and the advancement of the purposes of the Party as it thinks necessary or desirable.

27.2 The Rules must be consistent with the constitution. All rules are binding on the Party and all members.

27.3 This constitution, the Rules and any changes to or interpretations of the constitution or rules, will be validated and communicated to members by a notice on the Party's website and reported to the Electoral Commission of Queensland in its Quarterly Return by the Party's Registered Officer.

## **28. WINDING UP**

28.1 Subject to this constitution, the Party may be wound up or deregistered in accordance with the Act.

28.2 If, on winding up, dissolution or deregistration of the Party and after satisfaction of all the Party's debts and liabilities, there remain surplus assets those surplus assets must not be paid to or distributed amongst the members but must be distributed to another organisation which has purposes similar to the purposes of the Party and a constitution which prohibits the distribution of income and property to members.

## **29. USE OF TECHNOLOGY AT MEETINGS**

29.1 Any meeting may be held at 2 or more venues using any technology that gives each of the attendees a reasonable opportunity to participate. An attendee who participates in a meeting using that technology is taken to be present at the meeting and, if the attendee votes at the meeting, is taken to have voted in person.

## **30. INSURANCE**

30.1 The Party may effect and maintain insurance.

## **31. CUSTODY OF BOOKS**

31.1 Except as otherwise provided by this constitution, all records, books and other documents relating to LCQ must be kept in Queensland:

- a) at the main premises of the Party, in the custody of the Secretary (or as the Management Committee otherwise determines); or
- b) if the Party has no premises, at the Party's official address.