

# The Queensland Greens Inc. Constitution and By-Laws

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## QUEENSLAND GREENS CONSTITUTION

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# QUEENSLAND GREENS CONSTITUTION

## Chapter One: Principles And Objectives

### 1. Name and Constitution

- 1.1. The name of the association is "The Queensland Greens Inc.", hereinafter referred to as 'the party'.
- 1.2. This constitution identifies the principles governing the conduct of the party's affairs and the bodies responsible for implementing them.
- 1.3. The Queensland Greens is a member body of the Australian Greens, the national confederation of state and Territory Green parties.
- 1.4 All other party documents are subordinate to this constitution. This constitution is subordinate to the constitution of the Australian Greens.

### 2. The Charter of The Greens

#### Basis For Action

We live at a crucial time in history. Never before have we had so many answers to the problems that have dogged our developing world.

Solutions now exist that could greatly decrease the poverty, hunger and ill health of our fellow humans and we now have technologies to reduce and repair much of the ecological damage to our planet.

Clean air, clean water and ecological sustainability are possible. Yet this is not being achieved. World-wide, governments lack the political will to make the necessary adjustments that will bring an end to the conflict, pollution, poor health and social inequity that characterise our time.

The Greens have evolved in this climate to show a new way forward. A Green response to the ecological crisis proceeds on the basis of a respect for all life, both human and non-human.

We recognise the mutual interdependence between humanity and the rest of nature and we seek to move toward an ecologically sustainable path.

We seek to eradicate poverty, oppression and discrimination and to build a society underpinned by values of participatory democracy, social justice, and the respect for cultural and ecological diversity.

We aim to transform the political, social and economic structures that disempower and oppress people and to develop a rich, participatory cultural life that enables the flourishing of new democratic movements for progressive change.

We believe that contesting elections is a necessary step toward the building of an ecologically sustainable and socially just society, but that it is by no means the only step.

We seek to encourage and facilitate grassroots movements and community initiatives that are working towards ecological responsibility, social justice, affirmative action and global equity.

We seek to avoid parochialism and to cultivate a global, ecological consciousness and a long-term perspective in order to safeguard the interests of both existing and future generations and nonhuman species.

We believe Australia should play an active role in building a more cooperative world that is capable of addressing the glaring disparities in energy and resource consumption and quality of life between rich and poor.

We aim to extend recognition and assistance to progressive social movements in other countries and to international institutions that are working toward these ends.

Reflecting an awareness of the interrelatedness of all ecological, social and economic processes the general principles of The Greens are:

## 2.1. Ecology

a) To ensure that human activity respects the integrity of ecosystems and does not impair biodiversity and ecological resilience of life-supporting systems.

b) To encourage the development of a consciousness that respects the value of all life.

## 2.2. Democracy

a) To increase opportunities for public participation in political, social and economic decision-making.

b) To break down inequalities of wealth and power which inhibit participatory democracy.

## 2.3. Social justice

a) To eradicate poverty by developing initiatives that address the causes as well as the symptoms of poverty.

b) To provide affirmative action to eliminate discrimination based on gender, age, race, ethnicity, class, religion, disability, sexuality, or membership of a minority group.

c) To introduce measures that redress the imbalance of wealth between rich and poor.

## 2.4. Peace

a) To adopt and promote the non-violent resolution of conflict.

b) To develop an independent, non-aligned foreign policy and a non-nuclear, defensive, self-reliant defence policy.

## 2.5. An ecologically sustainable economy

a) To develop economic policies that will ensure greater resource and energy efficiency and development and use of environmentally sustainable technologies.

b) To reduce dependence on non-renewable resources and ensure sustainable use of renewable resources.

c) To adopt more comprehensive social, environmental and technology assessment practices.

d) To facilitate socially and ecologically responsible investment.

## 2.6. Meaningful Work

a) To encourage, develop and assist work that is safe, fairly paid, socially useful, personally fulfilling and not harmful to the environment.

b) To encourage and facilitate more flexible work arrangements (such as job sharing, part-time work, self-employment), on-going education, training and social welfare (including child-care) so that more people

can engage in meaningful work.

## 2.7. Culture

- a) To respect and protect ethnic, religious, racial diversity.
- b) To recognise the cultural requirements of the original Australians and to assist in ensuring the achievement of Aboriginal land rights and self-determination.

## 2.8. Information

- a) To facilitate a free flow of information between citizens and all tiers of government.
- b) To ensure that Australians have the benefit of a locally responsible, diverse, democratically controlled and independent mass media.

## 2.9. Global responsibility

To promote equity between nations and peoples by:

- a) facilitating fair trading relationships.
- b) providing for increased development assistance and concerted international action to abolish Third World Debt
- c) providing increased green technology transfer and skills to developing countries
- d) opposing human rights abuses and political oppression
- e) ensuring that Australia plays an active role in promoting peace and ecological sustainability.

## 2.10. Long-term future focus

- a) To avoid action which might risk long-term or irreversible damage to the environment.
- b) To safeguard the planet's ecological resources and values on behalf of future generations.

## 3. Means

3.1. To seek the election or appointment to public office of people who are committed to the Greens' principles, policies and objectives.

3.1.1 To promote the election to the Federal Parliament and the Queensland Legislative Assembly candidates endorsed by the party or by a body or organisation of which it forms a part.

3.2. By electoral strategies and direction of voting preferences, to encourage other political parties to adopt our objectives.

3.3. Our view of social change involves more than merely the substitution of one lot of decision makers with another lot who will act more responsibly.

We aim for changes that will empower all people and allow them to act in greater harmony with each other and the rest of nature. Therefore, while contesting elections is an important part of our strategy it is by no means the only one. We will also be involved in grassroots campaigns which are essential, if destructive and undemocratic values in the community are going to be seriously challenged by our movement. These campaigns shall include:

- a) Resistance to oppressive and destructive practices, using non-violent direct means.
- b) Promote research and education of ourselves and the community which allows us and others to analyse more vigorously, act more effectively, and envision the future with more compassion and understanding.
- c) Co-operation with like minded green organisations both in Australia and overseas so that their complementary efforts for human rights and environmental protection are seen part of a multi-faceted and global project.

## Chapter Two: Membership

### 4. Members

Individuals only (Natural persons) will be welcomed as members provided they:-

- 4.1. Agree to the constitution, aims, objectives, code of ethics and means of the party.
- 4.2. They are not members of a proscribed organisation or the subordinate body of a proscribed organisation and intend to refrain from joining a proscribed organisation whilst remaining a member of the Greens
- 4.3 Have not been proscribed from applying for membership by the Constitution and Arbitration Committee.
- 4.4 Are aged over the minimum age limit for membership as set in the by-laws, or if aged less they have been endorsed by their prospective branch as capable of exercising the rights and responsibilities of membership.
- 4.5. They pay an annual membership fee and complete a membership form, either online or on paper.
- 4.6. They agree to join the Queensland Greens and to be allocated to a branch that they wish to be a member of (By default a new member shall be allocated to a branch according to their residential address). Members who are unable to join a branch may apply directly for membership with a state body.
- 4.7. Their application for membership is accepted provisionally by a duly constituted and quorate general branch meeting or State Council.
- 4.8. Rejection of any applicants for membership is to be communicated to the State Secretary and the Constitution and Arbitration Committee, and reported at the subsequent State Council.
- 4.9. Applicants rejected by one branch can apply to join another branch subject to satisfying the conditions in clauses [4.1-4.7](#).
- 4.10. Applicants rejected by a branch may apply to Management Committee subject to satisfying the conditions in clauses [4.1-4.5](#) for acceptance as a state member to be ratified by State Council.
- 4.11. For purposes of membership, the State Council can rule on whether an organisation is to be considered a proscribed organisation or a subordinate organisation.
- 4.12. The State Council will be charged with, from time to time, publishing a list of proscribed parties and organisations. The State Council is empowered to decide whether an organisation is another proscribed organisation or a subordinate body of another proscribed organisation.
- 4.13. The number of members is unlimited.

## **5. Associates (Supporters)**

- 5.1. Associates (Supporters) are not members and have none of the rights and privileges of members.
- 5.2. Associates (Supporters) of The Queensland Greens are not entitled to:
  - 5.2.1. vote or block consensus;
  - 5.2.2. hold any official position within the Queensland Greens organisation as defined in this constitution or be a delegate;
  - 5.2.3. stand as candidates or hold public office in the name of The Queensland Greens;
  - 5.2.4. attend any meeting of The Queensland Greens without the consent of that meeting or place items on the agenda without the co-sponsorship of a member;
  - 5.2.5. make public statements in the name of The Queensland Greens.
- 5.3. Associates (Supporters) must agree to abide by the Charter and Constitution of The Queensland Greens.
- 5.4. The number of Associates (Supporters) is unlimited.

## **6. Membership Entitlements**

All financial members are entitled to the following benefits:-

- 6.1. To be Office Bearers at state and/or branch levels.
- 6.2. To participate in discussion, debate and decision-making in their branch meeting and at Qld Greens general meetings. To attend as observers at Qld Greens State Council meetings. Participation at other meetings requires the approval of those with voting rights at that meeting.
- 6.3. To receive a copy of the Constitution upon being accepted as a member.
- 6.4. To receive upon request a copy of the audited accounts of the previous year. The request is to be made in writing, shall be subject to a reasonable charge to cover printing and postage, and shall be provided in a reasonable time.
- 6.5. To communicate about pertaining to the Queensland Greens with the entire membership through the Queensland Greens publications within reason constrained by space, cost and time limitations.
- 6.6. To participate in policy formation according to the Constitution.
- 6.7. To seek nomination for Public Office as a candidate for the Queensland Greens.
- 6.8. To receive the recognised Members Bulletin of the Queensland Greens.
- 6.9 A Suspended member shall have none of the rights and privileges of membership.

## **7. Joining Procedure**

7.1. Any natural person may apply for membership by completing the membership form which shall have the following components:-

- a) Name of Applicant.
- b) Residential Address of Applicant.
- c) Postal Address of Applicant.
- d) Preferred Branch.
- e) Applicant must sign a declaration that they agree to be bound by the Queensland Greens constitution and Code of Ethics.
- f) Applicant must sign a declaration that they are not a member of any other proscribed organisation or its subordinate organisation and intend to refrain from joining such proscribed organisations while remaining a member of the Greens.

7.2. The application for membership must be delivered to the QLD Greens head office with the full membership fees. The State Membership Secretary will advise branches of any person applying for membership with their branch within one month of the fees being accepted.

7.3 A person who has been convicted of a disqualifying electoral offence within ten years before the person applies to become a member of the party is prohibited from joining the Queensland Greens.

7.4 A person who has been convicted of a disqualifying electoral offence is prohibited from continuing as a member of the Queensland Greens.

## **8. The Register**

8.1. A Party Register shall be maintained by the State Secretary which shall include:

- a) Members of the Queensland Greens.
- b) Members of the State Council.
- c) Branches and their Membership.
- d) Working Groups and their membership.
- e) A record of persons endorsed and supported for public office.

8.2. Membership details will not be passed on to any outside organisations without the written permission of the member except as required by the law.

## **9. Subscription Fees**

9.1. Each member shall pay membership fees to the QLD Greens head office, which shall pass on an agreed amount per membership to the National body and the branch allocated for that member.

9.2. The rate of the subscription fee for members shall be determined at State Council.

9.3. Members are not financial until the Queensland Greens State Office has received the State and National component of the membership fee. On payment of a membership fee a member is financial for a period of one year. In a case where a member fails to pay the renewal fee they will remain financial for a period of 90 days after which time the member will become unfinancial. Unfinancial members are subject to the constraints of [clauses 5.2 to 5.2.5](#) and shall be transferred from the members register to the friends register twelve months from the due date for renewal. In any cases of late payment, the due date for renewal shall be backdated to carry on from the original due date.

9.3.1. A member who becomes unfinancial while holding an official position in the party will be notified that they are unfinancial and suspended from holding that position. Once the member has become financial, they will be reinstated to any party positions they had held at the time they became unfinancial, where that party position still exists and the individual has not been removed from the role via a provision in the Constitution or By-laws. If the member remains unfinancial for more than 30 days after the suspension of the position, the position will be declared vacant and filled via the casual vacancy provisions applicable to the role.

9.4. There shall be no special joining or other fees.

9.5 Membership fees may be waived by Management Committee or State Council in lieu of work done or on application. Such members will be deemed to be financial.

## 10. Resignation

10.1. A person may resign from the Queensland Greens by notifying the branch in writing which shall in turn inform the State organisation. The notice shall be presented at the next meeting of the State Council.

10.2. Notification of resignations received by the Council shall be advised to the branch to which the member belonged within one month of the resignation.

## Chapter Three: Complaints, Discipline and Disputes

### 11. Complaints, Discipline and Disputes

11.1 Complaints concerning breaches of the Charter, the Constitution, bylaws or the Code of Ethics of the Greens or natural justice are to be directed to the Convenor of the Constitution and Arbitration Committee.

11.2 The Constitution and Arbitration Committee (CAC) will determine the merits of any complaints about a member or members or body of the Queensland Greens, and should a complaint be found to have merit determine and order the disciplinary actions and other measures necessary to address it.

11.2.1 The CAC will deal with complaints as per the bylaws.

11.2.2 The CAC can dismiss a complaint as frivolous or vexatious.

11.3 The Constitution and Arbitration Committee (CAC) will facilitate the mediation and/or arbitration of disputes if so requested by a member or body of the Party.

11.3.1 The CAC can dismiss a request for mediation and/or arbitration as frivolous or vexatious.

11.4 The State Council or the Constitution and Arbitration Committee may expel, suspend or censure any Member if their conduct is considered to be inconsistent either with the Charter, the Constitution, Code of Ethics, or the policy frameworks of the Greens (or it brings The Greens into disrepute or is contrary to the interests of The Greens).

## **12. Termination of membership**

12.1 The Constitution and Arbitration Committee may expel or suspend a person's membership if the person:-

- 12.1.1 is charged with an indictable offence; or
- 12.1.2 does not comply with any of the provisions of these rules; or
- 12.1.3 conducts themselves in a way considered to be injurious or prejudicial to the character or interests of The Greens.

12.2 Before the Constitution and Arbitration Committee terminates a person's membership, the committee must give the person a full and fair opportunity to show why the membership should not be terminated.

12.3 A person whose membership has been terminated, may give the Secretary written notice of the person's intention to appeal against the decision. Such a notice of intention to appeal must be given to the Secretary within one (1) month after the person receives written notice of the decision. If the Secretary receives a notice of intention to appeal, the Secretary must ensure the matter is on the agenda for a State Council to decide the appeal.

12.4 State Council to decide appeal:-

12.4.1 The appeal must be decided at the first state Council meeting after the Secretary receives the notice of intention to appeal (provided the notice is not received within the submission deadline period of that meeting, in which event the appeal must be decided at the following State Council meeting).

12.4.2 At the meeting, the person must be given a full and fair opportunity to show why the membership should not be terminated.

12.4.3 Blocking the reinstatement of the membership of the person making an appeal must be decided by a majority vote of the members present, including proxies, and eligible to vote at the meeting.

12.5 A false declaration as to membership of a proscribed organisation shall be sufficient grounds for expulsion.

## **Chapter Four: Structure**

### **13. Composition Of The Greens**

13.1 The Queensland Greens shall be composed of individual members who form the following bodies:

- 13.1.1 Queensland Greens First Nations Network (Blak Greens);
- 13.1.2 Branches;
- 13.1.2 State Council;

- 13.1.3 Management Committee;
- 13.1.4 Working Groups;
- 13.1.5 Queensland Campaign Committee;
- 13.1.6 Queensland Policy Committee;
- 13.1.7 Constitution and Arbitration Committee;
- 13.1.8 Parliamentary Liaison Committee;
- 13.1.10 Queensland Greens Legislative Assembly Party Room;
- 13.1.11 Queensland Greens caucus of the Australian Greens Federal Party Room.

## **14. Local Autonomy**

- 14.1. The Greens will operate in State, Regional and Branches. Branches may be formed into regional groupings.
- 14.2.1. Branches and Regional Groups will have the autonomy to make decisions relating to their own affairs provided that:-
  - a) These decisions are consistent with the principles, objectives of the Greens.
  - b) They remain within the Greens' policy frameworks.
  - c) That they take into account national and state campaign priorities and election strategies.
- 14.2.2. A duly constituted general meeting of a branch may vote by a 2/3 majority to exclude a member from the branch. Unless disciplinary proceedings are commenced against the member, that member continues to enjoy the full rights of financial membership of the Queensland Greens and may apply to join another branch.

## **15. Branches**

- 15.1. Any ten members may apply in writing to the State Council for accreditation to form a branch which shall be known as The [adopted name] Branch of the Queensland Greens.
- 15.2 Branches have the discretion to create other branch positions beyond the following required branch Office Bearers:-
  - 15.2.1 Convenor;
  - 15.2.2 Secretary;
  - 15.2.3 Treasurer.
- 15.3 The Office Bearers for branches shall be individuals who are members of the branch, and are members of the Queensland Greens. These Office Bearers shall be elected by secret ballot or by a method otherwise determined by the branch at the Annual General Meeting of the branch.

- 15.3.1 In the event of a casual vacancy for any branch office-bearer position, an ordinary branch meeting can make an interim appointment until the next general meeting.

15.4 Except as otherwise provided, meetings of branches shall be regulated in accordance with sections [22](#), [24](#) and the by-laws.

15.5 Following accreditation, either the State Council or the new branch shall notify members in that area of the formation of the branch and invite them to join. The formation of branches shall be reported in the State Newsletter.

15.6 Branches shall conduct meetings as follows: -

15.6.1 Meet at least once every four months.

15.6.2 Agree to the procedure and order of business to be followed.

15.6.3 Ensure that minutes of the meetings are kept which shall include a record of attendance and decisions reached.

15.6.4 Ensure that a copy of the minutes of the meeting shall be sent to the State Secretary within 60 days of the meeting.

15.6.5 Send to the State Secretary copies of any newsletters, publications, and media statements emanating from a branch.

15.6.6 Ensure that any incoming or outgoing correspondence is tabled.

15.6.7 Ensure that a Member having a direct or indirect pecuniary interest in any matter shall declare such interest and shall not block consensus on that matter; if the matter is voted on, the Member may not vote.

15.6.8 Discuss agenda items on notice from subsidiary groups or individual Members ahead of other business unless the meeting determines otherwise.

15.6.9 Branches shall usually meet within the local area of the branch

15.6.10 Proxies cannot be used to establish a quorum;

15.6.11 Proxies may only be used in votes on motions or ballots of which at least 7 days notice has been given;

15.6.12 Proxies cannot be used in the procedural motion to vote;

15.7 Branches shall be entitled to raise and expend funds, but not incur debts in the name of the Queensland Greens, for the purpose of attaining the objectives and implementing the policies of the Queensland Greens, provided that the branch shall forward the financial statements for the year to the State Council at least twenty-eight days before the State Council subsequent to the Annual General Meeting.

15.8 Branches shall not borrow funds from lending institutions.

15.9 Branches shall require a quorum of 10 per cent of their membership, except:

15.9.1 If a branch is smaller than 50 members the quorum is 5 members;

15.9.2 If a branch is larger than 150 members, and only has a single state electorate: the quorum is 7.5 per cent or 15 members, whichever is higher.

15.10 A branch, with the approval of the State Council, may amalgamate with another branch.

15.11 A branch may be dissolved by unanimous decision of the branch or by State Council if its membership falls below the required minimum membership of ten for more than 4 consecutive months.

15.12 If a branch is unable to meet the requirements of section 15 for a period longer than 4 months, the State

Secretary must notify the State Council of this situation.

15.13 On dissolution of a branch, any surplus funds or property shall be transferred to the Council.

## 16. The Management Committee

16.1 The Management Committee shall consist of a:-

- 16.1.1 State Convenor
- 16.1.2 State Secretary
- 16.1.3 State Treasurer
- 16.1.4 Campaign Convenor
- 16.1.5 Membership Convenor
- 16.1.6 Policy Convenor
- 16.1.7 Lead National Delegate
- 16.1.8 Rural and Regional Convenor
- 16.1.9 First Nations Liaison

16.2 The Management Committee is the Management Committee as per the Incorporated Associations Act and is responsible for the business and operations of the incorporated association. Subject to these rules or a resolution of the members of the association carried at a general meeting, the Management Committee has the general control and management of the administration of the affairs, property and funds of the association.

16.2.1 Management Committee will authorise particular members to sign cheques and authorise or make payments, on behalf of the Queensland Greens.

16.3 Members of the Management Committee shall be individuals who are resident in the state, and are financial members of the Queensland Greens.

16.4 An individual may only nominate to be a member of, or be appointed to a casual vacancy on, the Management Committee if they have been a ratified financial member of the Queensland Greens for at least 12 months prior to election to the position.

16.4.1 A previous period of membership of the Queensland Greens will be considered to count towards the required 12 months if;

- the individual was a ratified and financial member of the Queensland Greens, and
- the individual's previous membership period lapsed within the last 2 years at the time of the current election, and
- The individual's previous membership period did not lapse while suspended, or end due to resignation or expulsion from the Queensland Greens.

16.5 An individual may only hold one position on Management Committee, but may nominate for more than one position.

16.6 Members of the Management Committee shall be elected by secret postal or online ballot to be declared

and ratified at the Annual General Meeting.

16.7 Candidates for Management Committee shall have consented to stand in writing.

16.8 The elections for Management Committee, and other positions to be elected as per this constitution, are subject to relevant by-laws.

16.9 The Management Committee shall convene at least once every two months either by electronic bulletin board or by teleconference or in person. An electronic bulletin board conference may be of an ongoing nature.

16.10 All ratified minutes of the Management Committee must be presented to the next state Council meeting. State Council may by simple majority determine to as far as practicable reverse decisions of Management Committee.

16.11 A quorum for a Management Committee meeting shall consist of a simple majority of the members of the Management Committee.

16.12 If a voting member of the Management Committee is unable or refuses to act to fulfil their designated responsibilities, or without apology or leave fails to attend three meetings, or ceases to be a member of the party, the committee may declare the position vacant and make an interim appointment for the period until the next State Council.

16.13 At each meeting a facilitator shall be appointed by nomination and acceptance. Decisions shall be made by consensus or at least a two/thirds majority vote, unless otherwise specified.

16.14 Any member of the Management Committee may resign from membership of the Management Committee at any time by giving notice in writing to the Secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a State Council where that member shall be given the opportunity to fully present their case. The question of removal shall be determined by the vote of the members present at such a State Council.

16.15 If within half an hour from the time appointed for the commencement of a Management Committee meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall lapse.

16.16 Management Committee may make interim appointments to fill casual vacancies on Management Committee, except for the position of First Nations Liaison, until the next State Council meeting.

16.16.1 Management Committee will make an interim appointment to fill a casual vacancy for the position of Secretary until the next State Council meeting.

16.16.2 If and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum of the Management Committee, the continuing member or members may act for the purpose of increasing the number of members of the Management Committee to that number or of summoning a general meeting of the Association, but for no other purpose.

16.16.3 Queensland Greens First Nations Network may make an interim appointment to fill a casual vacancy for the position of First Nations Liaison until the next State Council meeting.

16.17 a) Management Committee may process membership applications received directly at the office, when it is clear that there is no branch covering a region or where the application has already been rejected by a branch, or the applicant does not want to be a member of a branch. A list of names of any rejected applicants must be tabled at the next State Council meeting.

16.17 b) Management Committee may reject membership applicants who are:

- not real natural persons, or
- demonstrably dishonest in their application.

These decisions must be reported to the next State Council for confirmation.

16.18 The State Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee, State Council and general meeting are recorded.

16.19 To ensure the accuracy of the minutes, the minutes of each Management Committee, State Council and general meeting must be signed by the Convenor of the meeting, or the Convenor of the next Management Committee, State Council or general meeting, verifying their accuracy.

16.20 If asked by a member the State Secretary must, within 28 days after the request is made give the member a copy of the ratified minutes of a Management Committee, State Council or general meeting.

16.21 The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

16.22 The State Secretary must make available a copy of the ratified minutes of a Management Committee meeting to State Council delegates within 7 days of the minutes being ratified.

## **17. State Council**

17.1 State Council shall comprise:-

17.1.1 Members of Management Committee

17.1.2 Delegates as per the State Council Delegates bylaw;

17.1.3 Members of the Queensland Greens federal parliamentary caucus;

17.1.4 Members of the Queensland Greens Legislative Assembly Party Room;

17.1.5 Two delegates from each Queensland Greens body or working group representing oppressed people, as specified in the by-laws;

17.2 The State Council shall convene at least three times per year, with a maximum period between meetings of six months, either in person or by means of telecommunications technology. State Council will determine the meeting schedule of State Council.

17.2.1 Management Committee may schedule a State Council meeting if State Council neglects to schedule a meeting.

17.2.2 Management Committee may reschedule a State Council meeting if there is a conflict with a state or federal election, or with a significant campaigning opportunity.

17.2.3 State Council may convene online in an ongoing nature.

17.3 State Council members shall have at least seven days notice of any face to face or teleconference meetings.

17.4 The powers of a State Council include the following, unless otherwise specified:

17.4.1 To adopt policy on behalf of the Queensland Greens, subject to constitutional provisions.

- 17.4.2 To appoint spokespersons who shall publicly articulate policy.
- 17.4.3 To endorse persons for public office to stand in seats where no branch exists.
- 17.4.4 To ratify the preselection of a nominee for the Australian Senate or Legislative Council.
- 17.4.5 To accredit or disaccredit branches.
- 17.4.6 To establish Working Groups.
- 17.4.7 To remove members of Management Committee.
- 17.4.8 To fill vacancies on Management Committee until the Annual General Meeting.
- 17.4.9 To authorise the Queensland Greens budget.
- 17.4.10 To authorise Management Committee to incur debts in the name of the Queensland Greens to a specified limit.
- 17.4.11 To elect delegates to the National Delegates Committee
- 17.4.12 Appoint a Returning Officer in due time for the Annual General Meeting.

17.5 A special State Council can be called for in any of the following ways:

- 17.5.1 A resolution passed by State Council;
- 17.5.2 A petition signed by 4% of the membership;
- 17.5.3 A petition supported by three branches;
- 17.5.4 A resolution passed by Management Committee.

17.6 In the event of a Special State Council being called as per [section 17.5](#), the Management Committee shall give notice of a State Council as soon as practicable.

- 17.6.1 At least 7 days notice of a Special State Council is required.

17.7 Members of Management Committee shall be ex-officio non-voting members of State Council. They shall have speaking rights and the ability to block consensus. These members may otherwise hold votes.

17.8 Members of parliamentary caucuses shall be non-voting members of State Council. They shall have speaking rights and the ability to block consensus. These members may otherwise hold votes.

17.9 Delegates from Queensland Greens bodies or working groups representing oppressed people, as specified in the by-laws, shall be non-voting members of State Council. They shall have speaking rights and the ability to block consensus. These members may otherwise hold votes.

17.10 The State Council shall be open to all members of the Greens. It will be a decision of the delegates to the State Council whether non-delegated members may be permitted to speak.

17.11 With the approval of the State Council or Management Committee, people who are not members of the Greens may be invited to address the Council.

## 18. Working Groups

18.1 The Council may establish Working Groups and in so doing shall determine their membership, terms of

reference and duration.

18.2.a) A Working Group shall be established and maintained to produce and circulate a Newsletter to be published not less than four times a year at regular intervals. The Newsletter shall be an organ for communication amongst members for the purposes of information and notification of meetings

18.2.b) The members website shall be maintained to encourage plural and open debate among members in confidence and consistent with the Code of Ethics.

## **19. Queensland Campaign Committee (QCC)**

19.1 The Queensland Campaign Committee (QCC) is responsible for:-

19.1.1 Development and implementation of campaign strategies;

19.1.2 Developing and managing campaign budgets within the framework of the Queensland Greens budget;

19.1.3 Appointing campaign co-ordinators;

19.1.4 Facilitating preselection of candidates;

19.1.5 Review of nominations for House of Representatives and Legislative Assembly preselections,

19.1.6 Ratification and endorsement of the preselections for the House of Representatives and Legislative Assembly;

19.1.6.1 If QCC determines to not endorse a preselected candidate, QCC will notify the candidate and local campaign committee or branch of this decision and provide an opportunity for feedback.

19.1.7 Review of nominations for Senate preselections for eligibility;

19.1.8 Ratification and endorsement of the preselections for the Senate if the writs have been issued for a Senate election or if so delegated by State Council;

19.1.9 Suspension, or if the election has been called disendorsement, of candidates (excluding Senate candidates) until the next State Council;

19.1.10 Act as a candidate selection committee if there is insufficient time for the usual preselection processes to be completed before the official close of nominations for an election;

19.1.11 Appointment, oversight and direction of any preference negotiators;

19.1.12 Appointment, oversight and direction of any representation to Australian Greens campaigning bodies;

19.1.13 Regulation of Spokespersons;

19.1.14 Regulation of the Queensland Greens' public website.

19.2 The members of the Queensland Campaign Committee (QCC) will be:-

19.2.1 the Campaign Convenor;

19.2.2 Campaign Secretary;

19.2.3 Campaign Treasurer;

19.2.4 At least three other members as per the bylaws.

19.3 The convenor of the Queensland Campaign Committee (QCC) will be the Campaign Convenor.

19.4 The Queensland Campaign Committee (QCC) will have a subcommittee comprising the Campaign Convenor, Campaign Secretary and Campaign Treasurer known as the Queensland Campaign Executive (QCE).

19.4.1 The QCE is empowered to make decisions on behalf of QCC in situations when the full committee cannot reasonably be expected to make a decision in the time allowed by circumstances.

19.4.2 Decisions of the QCE must be by consensus and must be reviewed by the full committee at their next meeting.

## **20. Constitution and Arbitration Committee (CAC)**

20.1 The powers and responsibilities of the Constitution and Arbitration Committee (CAC) are:

20.1.1 To determine the merits of any complaints, and should a complaint be found to have merit determine and order the disciplinary actions and other measures necessary to address it.

20.1.2 To facilitate the arbitration of disputes.

20.1.3 To interpret the meaning of the constitution and bylaws.

20.1.4 To evaluate constitutional or by-law proposals to general meetings or State Council and make recommendations.

20.1.5 To evaluate constitutional or by-law proposals to National Council or National Conference and make recommendations to State Council and the National Delegates.

20.1.6 To prepare proposals for general meetings to improve the constitution.

20.1.7 To prepare proposals to improve the by-laws.

20.1.8 To provide up-to-date copies of the Queensland Greens Constitution and By-laws.

20.1.9 To provide a report on the constitutionality of any matter referred by State Council, a general meeting, Management Committee, the Queensland Campaign Committee, or the CAC.

20.2 The Annual General Meeting will elect a CAC Convenor, a CAC Secretary and three CAC general members as voting members of the Constitution and Arbitration Committee (CAC).

20.2.1 To nominate for CAC a member must not have had an adverse finding against them in a complaint in the previous three (3) years.

20.3 Queensland Greens delegates to Australian Greens constitutional bodies will be consulted by CAC on matters falling under section 20.1.5 of the Constitution.

20.4 The Queensland Greens Secretary is an ex officio non-voting member.

20.5 The CAC may co-opt other members as non-voting members.

20.6 A voting member of either the Management Committee or the Queensland Campaign Committee cannot simultaneously be a voting member of the Constitution and Arbitration Committee (CAC).

20.7 Remaining members of the CAC can appoint a member who meets the criteria in [20.2](#) to fill any casual vacancy on CAC on an interim basis until the vacancy is filled by State Council.

20.8 State Council will appoint a member who meets the criteria in [20.2](#) to fill any casual vacancy on the Constitution and Arbitration Committee (CAC).

20.9 The Constitution and Arbitration Committee (CAC) will operate via the standard decision-making procedures set out in the Constitution and By-laws, with the exception that a motion to go to a vote must have at least three members in support or two-thirds of members in support, whichever is the greater, in order to pass.

20.10 The Constitution and Arbitration Committee will present an annual de-identified summary report to the AGM, detailing the number of complaints in each category arbitrated over the preceding year, the aggravating or mitigating factors in each case, and the disciplinary actions imposed.

## **21. Queensland Policy Committee (QPC)**

21.1 Responsibilities of the Queensland Policy Committee (QPC):-

- 21.1.1 Reviewing of Queensland Greens policy and developing policy proposals and amendments;
- 21.1.2 Liaising with, and providing representation to Australian Greens policy bodies and officeholders;
- 21.1.3 Facilitation of the involvement of members and supporters in policy development.
- 21.1.4 Making interim decisions relating to policy as per Chapter 7.

21.2 The members of the Queensland Policy Committee (QPC) will be:-

- 21.2.1 the Policy Convenor;
- 21.2.2 at least four (4) members appointed as per the bylaws.

21.3 The convenor of the Queensland Policy Committee (QPC) will be the Policy Convenor.

## **Chapter Five: Procedures: Meetings And Decision-Making**

### **22. Annual General or General Meetings**

22.1 The first general meeting shall be held at such time, not being less than one month nor more than three months after the incorporation of the Association, and at such place as the Management Committee may determine.

22.2 The annual general meeting shall be held within six months of the close of the financial year.

22.3 The business to be transacted at every annual general meeting shall be -

- 22.3.1 the receiving of the Management Committee's report and the statement of income and expenditure, assets and liabilities and mortgages, charges and securities affecting the property of the association for the preceding financial year;

22.3.2 the receiving of the auditor's report upon the books and accounts for the preceding financial year;

22.3.3 declaration and ratification of the ballot to elect the Management Committee; and

22.3.4 the appointment of an auditor.

22.3.5 declaration and ratification of the ballot to elect the Campaign Secretary;

22.3.6 declaration and ratification of the ballot to elect the Campaign Treasurer.

22.3.7 the election of the voting members of the Constitution and Arbitration Committee.

22.4 The election of office bearers may be conducted via postal or online ballot. The close of all ballots must occur simultaneously and may occur prior to the opening of the meeting.

22.5 The secretary shall convene a special general meeting -

22.5.1 when directed to do so by the Management Committee; or

22.5.2 on the requisition in writing signed by not less than one-third of the voting members at the previous State Council meeting

22.5.3 on the requisition in writing signed by not less than the number of ordinary members of the party which equals double the number of voting members at the previous State Council meeting plus one

22.5.4 Use of any of the mechanisms in [22.5.1-22.5.3](#) shall require clearly stating the reasons in writing why such special general meeting is being requisitioned and the nature of the business to be transacted thereat.

22.6 At any general meeting the number of members required to constitute a quorum shall be equal to double the number of members presently on the Management Committee plus one.

22.7 No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business. For the purposes of this rule "member" includes a person attending as a proxy.

22.8 If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the Management Committee or the Association, shall lapse. In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the Management Committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

22.9 The Chair may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

22.10 The secretary shall convene all general meetings of the Association by giving not less than 14 days notice of any such meeting to the members of the Association.

22.11 Notice of all general meetings shall be given in writing to all members. The notice of AGM shall be included in a newsletter to all members. Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

22.12 Unless otherwise provided by these Rules, at every general meeting:

22.12.1 the Convenor shall ensure appointment of a facilitator by the meeting, or if they are not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act, then the members present shall appoint a facilitator of the meeting;

22.12.2 the facilitator shall maintain order and conduct the meeting in a proper and orderly manner;

22.12.3 every matter or resolution, substantial or procedural, shall be decided by the methods outlined in [section 24](#) and the bylaws;

22.12.4 every financial member shall be entitled to vote at any general meeting unless suspended;

22.12.5 A procedural motion to hold a secret ballot on a matter requires either consensus or support of 20 percent of votes cast to be carried. The facilitator shall appoint two members to conduct the secret ballot and the result of the ballot as declared by the facilitator shall be deemed to be the resolution of the meeting of which the ballot was demanded;

22.12.6 A financial member may vote in person or by proxy. The instrument appointing a proxy shall be in writing, in the common or usual form, under the hand of the appointor or of their attorney duly authorised in writing. A proxy must be a member of the Party. The instrument appointing a proxy shall be deemed to confer authority to participate in all procedural or substantive votes unless otherwise specified in this constitution;

22.12.7 In the instrument appointing the proxy the appointor may instruct the proxy in how to vote in the event of a vote. If the appointor does not instruct the proxy in this way the proxy may vote according to their own judgement. If a proxy fails to adhere to the instructions of the appointor this will not invalidate the outcome of any resolutions.

22.12.8 The instrument appointing a proxy shall be deposited with the secretary two days prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote.

## **23. Cost Sharing of State Organisation**

23.1 The costs of sending the specified number of allowed delegates to annual conferences shall be shared across the organisation.

23.2 The costs of teleconferences shall also be shared.

23.3 The expenses of working groups and the expenses of State Office Bearers shall be a shared State expense.

## **24. Decision-Making**

24.1 Decisions at meetings shall be made by co-operative decision-making processes, which include the options of consensus and various forms of voting. A serious attempt at all times will be made towards achieving consensus. Sufficient time will be allowed for discussion of different views.

24.1.1 A procedural motion requiring a mover and a seconder can refer a motion or amendment to a group to seek development of a consensus proposal to be brought back to the meeting or subsequent meeting.

24.2 Where, after a reasonable period of time, disagreement persists, a motion or amendment may be resolved by vote. A procedural motion to this effect shall be deemed to have been carried if it is supported by consensus or support of a two thirds majority of those eligible votes cast in the affirmative.

24.3 For a motion or amendment to be adopted requires either consensus or support of a two thirds majority of those eligible votes cast in the affirmative unless otherwise provided for in the constitution.

24.3.1 Abstentions shall not be counted in the calculation of the result.

24.4 Voting shall be conducted by open ballot except in the case of elections which shall be determined by secret ballot.

24.4.1 The facilitator or the Returning Officer shall include votes by proxy.

24.4.2 An online ballot can be construed as an open ballot if the votes are recorded.

24.5 Provision shall be made for important or contentious issues at the state level to be resolved by all members. A plebiscite may be convened if initiated by 10% of the individual membership, or 30% of properly constituted branches. The text of the question put to the plebiscite must have the endorsement of all those calling the plebiscite. For the results of the plebiscite to be valid, a minimum of one tenth of the membership must have participated in the plebiscite. For a motion to succeed it needs to be approved by a two thirds majority of those voting to change the status quo.

24.6 Under special circumstances, the State Council of branches may designate persons to make certain kinds of decisions within prescribed parameters. These parameters include the aims, objectives, means and policies of the Queensland Greens. To ensure that this option is not exercised lightly, the decision and the process through which it was mandated shall be brought to the attention of the membership at the next general meeting.

## **Chapter Six: Candidates And Representatives**

### **25. Endorsement And Preferences**

25.1 The executive of all branches included in an electorate area will work cooperatively with each other to invite at least all members in the electorate to join a Local Campaign Committee (LCC). In the absence of branch cooperation, Queensland Campaign Committee (QCC) can invite all members of an electorate to form an LCC.

25.1.1 Where there is only one branch in an electorate, the branch will perform the functions of the LCC.

25.2 Preselection of candidates will be run by a Returning Officer appointed by the LCC or the Queensland Campaign Committee (QCC) who will follow the By-laws governing preselection of candidates for public office.

25.3 For selection purposes, branches or the Queensland Campaign Committee (QCC) may appoint a selection panel comprised of no fewer than five members.

25.4 The process for selecting Candidates for the Federal Senate shall be according to the bylaws.

25.5 State Council may not exercise a veto against the decision of a Senate ballot unless there is a determination that the conduct of the preselection was so flawed as to have to have been likely to have altered the outcome.

25.6 If there is only one Candidate for an election to Public office, endorsement shall nevertheless be required

from the branch or State Council or their delegated authority.

25.7 Any Candidate selection panel shall be established under bylaws that set out the criteria under which Potential Candidates are to be evaluated.

25.8 Where a selection panel is empowered to decide selection, rather than make recommendations on selection to its relevant branch or the State Council, a potential Candidate not selected or not satisfied with the running order may appeal to that relevant body for a review of the decision.

25.9 All preselected candidates must be reviewed and ratified by the Queensland Campaign Committee to be considered endorsed candidates.

25.10 All proposed Candidates must be Members of the Greens.

25.11 Candidates for public office who are members of the Greens whose application has been appropriately approved shall be recognised as endorsed candidates of the Greens.

25.11.1 Candidates who face election will be deemed to be an endorsed candidate until four weeks after the return of the writs for that election.

25.12 Sitting Parliamentary Members (and Local Government Members if applicable) shall also go through the Candidate selection process before each relevant election.

25.13 The LCC for each electorate will elect a preference committee who will provide local guidance to the Queensland Campaign Committee for the determination of preferences within the parameters of guidelines formulated by State Council.

25.14 Pre-selection ballots must satisfy the general principles of free and democratic elections, specifically:

25.14.1 only members of the party who are electors may vote

25.14.2 only members of the party who are eligible to vote in the ballot under the party's constitution may vote

25.14.3 each member has only one vote

25.14.4 voting must be done by secret ballot

25.14.5 a member must not be improperly influenced in voting

25.14.6 a member's ballot paper must be counted if the member's intention is clear

25.14.7 members' votes must be accurately counted; and

25.14.8 each person who is seeking selection may be present personally, or may be represented by another person, at the ballot and for scrutiny, and counting of votes.

## 26. Greens in Public Office

26.1 The actions and activities of all members of the Queensland Greens in public office will be consistent with the Charter, principles, code of ethics and policy platform of The Greens.

26.1.1 If, in the opinion of an elected MP or councillor, a party room decision is in conflict with the Charter, principles, code of ethics or policy platform of The Greens, the MP or councillor will not be bound by that party room decision.

26.2 Members of the Queensland Greens elected to the Australian or Queensland Parliaments will be

accountable to State Council. They will provide a written report detailing their major activities, including their voting record on substantive issues, to each State Council meeting.

26.3 Members of the Queensland Greens elected as councillors will be accountable to the branch or regional grouping of branches responsible for the relevant ward, division or local government area for which they have been elected. They will provide a report detailing their major activities, including their voting record on substantive issues, to meetings of the relevant body at least quarterly.

## Chapter Seven: Policy

### 27. Formulation And Adoption Of Policy

27.1. Policies for local government elections may be formulated by the relevant local campaign committee.

27.1.1 Branch policies must be consistent with Queensland Greens' and Australian Greens' policies.

27.1.2 Copies of all proposed draft policies and policies adopted by branches shall be forwarded immediately to the Policy Convenor.

27.1.3 Local government policies adopted by a local campaign committee only become official policy upon ratification by the Queensland Policy Committee or State Council.

27.2 State Council shall deal with proposed policy as per usual for a proposal under the standing orders with the additional option of submitting the proposal, or part thereof, to a binding ballot of the party membership. A proposal submitted for ballot:-

27.2.1 May be amended from the original proposal submitted to State Council;

27.2.2 May include options;

27.2.3 May be conducted electronically;.

27.2.4 Must have at least 5% of the financial membership participate in the ballot for it to be valid;

27.2.4.1 In the event that this threshold is not reached then State Council has the option to adopt the policy.

27.2.5 Must have the proposed policy made available on the members' only section of the Party's website for at least four weeks before balloting;.

27.2.5.1 State Council or the Queensland Policy Committee will be able to indicate support and/or opposition to proposed policies or amendments to policy.

27.2.5.2 Proposed amendments to proposed policies will be made on the members' only section of the Party's website for at least one week before the ballot.

27.3 The Queensland Policy Committee may make interim amendments to Queensland Greens' policy. Any such amendment will require endorsement by the subsequent State Council or will lapse. Any such amendment must be:-

27.3.1 Urgent, meaning if the amendment waits until the next State Council the party will be disadvantaged;

27.3.2 Agreed by consensus of the QPC;

27.3.3 Subject to appeal to the Constitution and Arbitration Committee.

27.4 Should the Queensland Policy Committee use the power under [27.3](#) to adopt new policy the new policy must:

27.4.1 Be consistent with the Greens' Charter;

27.4.2 Be consistent with Australian Greens' policy;

27.4.3 Be consistent with Queensland Greens' policy;

27.4.4 Not countermand a decision of State Council made since the last state election.

27.5 Should the Queensland Policy Committee use the power under [27.3](#) to delete existing policy the deletion must be:

27.5.1 To the minimum degree to address the issue;

27.5.2 Because the policy is factually incorrect or in conflict with the Greens' Charter or Australian Greens' policy or other Queensland Greens' policy.

27.6 The Queensland Policy Committee is empowered to fix formatting, grammar, spelling or numbering issues in policy provided that there is in no way an effect on the substance of the policy, and report any such amendments to the next State Council.

## **Chapter Eight: Formal Matters**

### **28. Funding**

28.1 Substantial funding of the party and parliamentary candidates shall be open to public inspection. Substantial funding shall be money, goods, or services (other than voluntary labour) to the value of \$1000 or above in any one year, or the lowest threshold under Queensland or Australian legislation, whichever is the lower. State Council or Management Committee can determine to disclose any funding below the threshold above.

28.2 Decisions about the distribution of public election funding are the responsibility of State Council.

### **29. Spokespersons**

29.1 The only persons with authority to make public statements on behalf of the Queensland Greens are:

29.1.1 Spokespeople appointed by the State Council;

29.1.2 Members of the Greens in Public Office;

29.1.3 Endorsed Candidates for Public Office;

29.1.4 State Convenor;

29.1.5 Spokespeople appointed by Management Committee who are authorised to speak on internal party matters. Such appointments will at maximum be until the conclusion of the next State Council;

29.1.6 Spokespeople appointed by the Queensland Campaign Committee who are authorised to speak

on matters outlined by the QCC. Such appointments will at maximum be until the conclusion of the next State Council.

29.2 Management Committee and the Queensland Campaign Committee may:-

29.2.1 Suspend a spokesperson appointed by State Council until the conclusion of the next State Council;

29.2.2 Revoke Spokesperson authorisation conferred under [29.1.5](#) or [29.1.6](#).

29.2.3 Direct a spokesperson to refrain from commenting on a certain issues until the conclusion of the subsequent State Council;

29.2.4 Direct a spokesperson to make a statement or media release and require any such statement or release to be approved by Management Committee and/or the Queensland Campaign Committee or a delegate or delegates thereof;

29.2.5 Direct a spokesperson to take any reasonable steps to address an arising issue;

29.2.6 Arrange the issuing of a comment or media statement by another authorised spokesperson of the Party to address an issue arising regarding a spokesperson

29.3 Spokespersons will be further regulated according to the bylaws.

## **30. Affirmative Action**

30.1 The Greens are committed to the principle of women and men having equal status within society and will practice gender equity and equal opportunity principles.

30.2 The Greens will instigate affirmative action for women to encourage them into non-traditional positions.

30.3 At no time will any member be discriminated against due to gender, age, race, ethnicity, class, religion, disability, sexuality or marital status.

## **31. Property**

31.1 The property and income of the Queensland Greens shall be applied solely towards promoting the principles and achieving the objectives of the Queensland Greens and no part of that property or income may be applied or otherwise distributed, directly or indirectly, except in good faith for that purpose.

31.2 In the event that the Queensland Greens dissolve the property of the party, then it shall be disposed of by the Council to firstly discharge any debts or liabilities and secondly to distribute any surplus to non profit organisations which share the principle or objectives of the Queensland Greens.

## **32. Auditor**

32.1 The Annual General Meeting shall appoint an Auditor. The position of Auditor may be honorary or the meeting may determine the sum of an honorarium. The Auditor shall submit a written report to the Council for presentation at the Annual General Meeting. The Auditor shall not be a member of the Queensland Greens and shall be a qualified accountant.

## **33. Indemnity**

33.1 Members of the Queensland Greens who act on behalf of the Queensland Greens with any written authority of the Council in accepting or incurring any personal pecuniary liability shall be held indemnified against that personal liability in respect of such action.

## **34. Liability**

34.1 The Member Bodies of The Greens are not partners and none of them will be liable in any way for the acts or defaults of any of the other Member Bodies.

34.2 The Queensland Greens may incur debts but will remain responsible for these debts.

34.3 Branches shall not borrow funds from lending institutions. Branches shall be responsible for their own debts.

## **35. Constitutional Interpretation**

35.1 The On request of another body of the Queensland Greens or State Council the Constitution and Arbitration Committee will interpret the meaning of the constitution and bylaws, and any matter relating to the Queensland Greens on which the constitution and bylaws are silent.

35.1.1 Any interpretation of the constitution or bylaws by the CAC will take immediate effect and if so directed by the CAC insofar as is possible and reasonable reverse any decisions contrary to the interpretation.

35.1.2 Any interpretation of the constitution or bylaws by the CAC will subsequently require review by State Council. Should State Council not agree with the CAC interpretation then the decision will be reversed as far as is possible and reasonable.

35.2 The Management Committee may make or amend by-laws, not inconsistent with these rules, for the internal management of the Queensland Greens.

35.2.1 Management Committee cannot make or amend by-laws relating to, or contrary to decisions of the Constitution and Arbitration Committee.

35.2.2 Management Committee cannot make or amend by-laws relating to the election of Management Committee.

35.2.2 Any by-law made or amended by the Management Committee has to be ratified by the Constitution and Arbitration Committee and published in the newsletter before taking effect.

35.2.3 Any by-law made or amended by the Management Committee will lapse if not reviewed and endorsed by State Council at the next State Council meeting (provided the change was not made within the submission deadline period of that meeting, in which case the change must be reviewed by the following State Council meeting).

35.3 The provision at section 47(1) of the Associations Incorporation Act 1981, that outlines that the model rules would apply when this constitution is silent, does not apply.

35.4 A by-law or part thereof may be set aside by State Council, or a vote of members at a general meeting.

35.5 A by-law or part thereof may be set aside by the Constitution and Arbitration Committee if it deems that there is a conflict with the constitution, the law, or natural justice.

35.6 The Management Committee may formulate a manual of procedures covering:-

35.6.1 Membership application processes;

35.6.2 Ensuring compliance with statutory reporting requirements;

35.6.3 Compliance with laws;

35.6.4 Banking;

35.6.5 Management and supervision of staff;

35.6.6 Other matters determined by State Council.

## **36. Constitutional Amendment**

36.1

a) Subject to the provisions of the Associations Incorporation Act 1981, these Rules may be amended, rescinded or added to from time to time by a special resolution carried at any general meeting: Provided that no such amendment, rescission or addition shall be valid until it has been submitted to and approved by the Director-General, Office of Fair Trading or its successor, Brisbane.

b) Members shall be given four weeks written notice of proposals to amend the constitution.

36.2 The Council shall keep a register of bylaws.

36.3 The bylaws shall be effective on publication in the Newsletter.

36.4. The State Council or a general meeting may introduce, alter or revoke bylaws.

## **37. Dissolution**

37.1 The Queensland Greens may be wound-up by a special resolution of the members passed at a general meeting called for that purpose. Not less than six weeks notice shall be given of this meeting. A special resolution must be passed by 75% of the members present in person and eligible to vote and no proxy or postal votes are allowed. The dissolution of the Queensland Greens shall be effective within 30 days after the result of the vote, or on whichever day is stipulated by the motion.

## **38. Party Agent**

38.1 The State Treasurer will have the right of first refusal to be the Party Agent. Should the State Treasurer decline to be the Party Agent then the Management Committee will appoint a Party Agent. The Agent will perform the duty of Agent under the Commonwealth Electoral Act and equivalent duties under state and local government Electoral Acts.

## **39. Registered Officer**

39.1 The Campaign Convenor will have the right of first refusal to be the Deputy Registered Officer with the Australian Electoral Commission for the Australian Greens. Should the Campaign Convenor decline the position, then the Management Committee will appoint a member to the position.

39.2 The Campaign Secretary will have the right of first refusal to be the Registered Officer with the Australian Electoral Commission for the Queensland Greens and Deputy Registered Officer with the Electoral Commission Queensland. Should the Campaign Secretary decline the position then the Management Committee will appoint a member to any vacant position.

39.3 The State Secretary will have the right of first refusal to be the Deputy Registered Officer with the Australian Electoral Commission for the Queensland Greens and Registered Officer with the Electoral Commission Queensland. Should the State Secretary decline a position then the Management Committee will appoint a member to any vacant position.

39.4 The Registered Officers and Deputy Registered Officers will perform the duties of Registered Officer and Deputy Registered Officer under the relevant Commonwealth electoral act or equivalent duties under state and local government electoral acts.

## **40. Financial Year**

40.1 The financial year of the Association shall close on June 30th in each year.