

# **QUEENSLAND LABOR**

## **Rules 2023**

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**59<sup>th</sup> State Conference of the Australian Labor Party  
(State of Queensland)**

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# SECTION A: OBJECTIVES AND PRINCIPLES OF THE AUSTRALIAN LABOR PARTY

## A1 ORIGINS

- A1.1 The Australian Labor Party has its origins in:
- the aspirations of the Australian people for a decent secure, dignified and constructive way of life;
  - the recognition by the trade union movement of the necessity for a political voice to take forward the struggle of the working class against the excesses, injustices and inequalities of capitalism; and
  - the commitment by the Australian people to the creation of an independent, free and enlightened Australia.

## A2 OBJECTIVES

- A2.1 The Australian Labor Party is a democratic socialist party and has the objective of the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other antisocial features in these fields. To achieve the political and social values of equality, democracy, liberty and social cooperation inherent in this objective, the Australian Labor Party stands for:
- a. The use of public power at all times with integrity and honesty, and always in the best interests of the community.
  - b. Redistribution of political and economic power so that all members of society have the opportunity to participate in the shaping and control of the institutions and relationship which determine their lives.
  - c. Establishment and development of public enterprises, based upon Federal, State and other forms of social ownership, in appropriate sectors of the economy.
  - d. Democratic control and strategic social ownership of Australian natural resources for the benefit of all Australians.
  - e. Maintenance of and support for a competitive non-monopolistic private sector, including small business and farming, controlled and owned by Australians, operating within clear social guidelines and objectives.
  - f. The right to own private property.

- g. Recognition and encouragement of the right of labour to organise for the protection and advancement of its interests.
- h. The application of democracy in industry to increase the opportunities for people to work in satisfying, healthy and humane conditions, and to participate in and to increase their control over the decision-making processes affecting them.
- i. The promotion of socially appropriate technology and the monitoring of its introduction to ensure that the needs and interests of labour, as well as the requirements of competitive industry and consumer demand, are taken into consideration.
- j. The restoration and maintenance of full employment.
- k. The abolition of poverty, and the achievement of greater equality in the distribution of income, wealth and opportunity.
- l. Social justice and equality for individuals, the family and all social units, and the elimination of exploitation in the home.
- m. Equal access and rights to employment, education, information, technology, housing.
- n. Reform of the Australian Constitution and other political institutions to ensure that they reflect the will of the majority of Australian citizens and the existence of Australia as an independent republic.
- o. Recognition and protection of fundamental political and civil rights, including freedom of expression, the press, assembly, association, conscience and religion; the right to privacy; the protection of the individual from oppression by the State; and democratic reform of the Australian legal system.
- p. The development of a democratic communications system, as an integral part of a free society, to which all citizens have opportunities for free access.
- q. Elimination of discrimination and exploitation on the grounds of class, race, sex, sexuality, religion, political affiliation, national origin, citizenship, age, disability, regional location, or economic or household status.

- r. Recognition of the prior ownership of Australian land by Aborigines and Islanders, recognition of their special and essential relationship with the land as the basis of their culture, and a commitment to the return of established traditional lands to the ownership of Aboriginal and Islander communities.
- s. Recognition and encouragement of diversity of cultural expression and lifestyle within the Australian community.
- t. The proper management of Australian resources and protection of the environment, whether created by people or nature, to safeguard the rights of present and future generations.
- u. Maintenance of world peace; an independent Australian position in world affairs; the recognition of the right of all nations to self-determination and independence; regional and international agreement for arms control and disarmament; the provision of economic and social aid to developing nations; a commitment to resolve international conflicts through the United Nations; and a recognition of the inalienable right of all people to liberty, equality, democracy and social justice.
- v. Commitment to and participation in the international democratic socialist movement as represented by the Socialist International.
- w. Recognition of the right of citizens to work for progressive changes consistent with the broad principles of democratic socialism.

- a. Party members, candidates, elected representatives and party officials to act at all times with integrity and honesty.
- b. Constitutional action through the Australian and State Parliaments, municipal and other statutory authorities;
- c. Union action; and
- d. Ongoing action by organised community groups.

**A4 MEMBERSHIP AND ORGANISATION**

- A4.1 Membership of the Australian Labor Party is open to all residents of Australia who are prepared to accept its objectives and who have associations with no other political party.
- A4.2 Australian Labor Party policy is made by National Conferences comprising the National and State parliamentary leadership of the Party, together with elected delegates from all States, the Australian Capital Territory, the Northern Territory and Australian Young Labor.
- A4.3 Party policy within the States and Territories is framed by conferences of delegates elected by constituent branches and affiliated unions.
- A4.4 Policy within the Australian Labor Party is not made by directives from the leadership, but by resolutions, originating from branches, affiliated unions and individual Party members.

**A5 AUSTRALIA’S FIRST PEOPLES’ ACKNOWLEDGEMENT**

- A5.1 The Australian Labor party acknowledges that Aboriginal and Torres Strait Islander Peoples are the First peoples of Australia, and have sustained spiritual beliefs, cultural and ceremonial practices on traditional estates. In the true spirit of reconciliation, the Australian Labor Party affirms its equal partnership with Aboriginal and Torres Strait Islander Peoples for the ongoing custodianship and maintenance of land and 'sea country' throughout this nation.

**A3 PRINCIPLES OF ACTION**

- A3.1 The Australian Labor Party believes that the task of building democratic socialism is a cooperative process which requires:

**Disclaimer: Section A**

*This section has been taken from the National Constitution and is not for amendment by State Conference. In accordance with Rule B.4.4, this Section will be updated in line with any change to the National Rules.*

## SECTION B: INTRODUCTION - AUSTRALIAN LABOR PARTY (STATE OF QUEENSLAND)

### B1 QUEENSLAND BRANCH

- B1.1 The name of the Queensland Branch of the Australian Labor Party is "Australian Labor Party (State of Queensland)" (The Party).
- B1.2 The Party consists of:
- members accepted into membership in accordance with these Rules
  - such industrial Unions as affiliate in accordance with these Rules.

### B2 THE RULES

- B2.1 These Rules are binding on all Party members.
- B2.2 Except where context otherwise requires, words and phrases used in these Rules have the meanings set out in *Appendix Zero - Glossary*.
- B2.3 State Conference is the supreme rule-making body of the Party and may enact, amend or suspend the operation of these Rules (subject to provisions of the Electoral Act).
- B2.4 The Appendices form part of these Rules.
- B2.5 The Administrative Committee may create and amend Administrative Regulations in accordance with the *Administrative Committee - Administrative Regulations* section of these Rules.
- B2.6 Except where State Conference decides otherwise, all alterations to these Rules will take immediate effect upon their adoption by State Conference.

### B3 ELECTORAL OBJECTIVE

- B3.1 The Party will take united action to secure the election to the Australian and Queensland Parliaments of endorsed candidates who undertake to join the Federal or State Parliamentary Labor Party with its own leader and its own policy consistent with the policy of the Australian Labor Party or of the Australian Labor Party (State of Queensland).
- B3.2 The Party will endeavour to secure the election to local government of endorsed candidates who will form a caucus with its own leader and its own policy consistent with the policy of the Australian Labor Party (State of Queensland).

### B4 NATIONAL CONSTITUTION AND NATIONAL EXECUTIVE

- B4.1 These Rules are subject to the National Constitution (the National Rules) and in the event of any inconsistency, the National Constitution and its interpretation by National Executive will prevail.
- B4.2 In the event of a dispute as to who are entitled to be trustees of any personal property owned or controlled by the Party, the trustees will be the persons recognised by the National Executive as the President and Secretary of the Party.
- B4.3 In the event of a dispute as to the membership of the Party or any Party Unit or as to membership of or as to who is the holder of any office in the Party or any Party Unit then notwithstanding the provisions of the National Constitution, any decision of the National Executive will, subject to any subsequent decision of National Conference to the contrary, be final and binding on all members of the Party.
- B4.4 Section A of the Rules are determined by decisions of National Conference and may be amended from time to time. Section A will take immediate effect upon their adoption by National Conference.

### B5 WELCOME TO COUNTRY AT PARTY EVENTS

- B5.1 Welcome to Country and Acknowledgement of Country are an important part of recognising and paying respect to the Traditional Owners and to their ongoing connection and custodianship. These protocols provide awareness and recognition of Australia's First Nations people and culture, and an acknowledgment of the injustices and wrongs of the past.
- B5.2 Each State Conference and other formal events organised by the Party, including member nights, campaign launches, fundraising events and so on, will include a Welcome to Country to be delivered by traditional owners of the land on which the event is taking place.

## B6 PROMOTING DIVERSITY

- B6.1 All Party members will endorse the objectives of the Party and the following objectives in support of diversity:
- a. The Party believes in equity and equality for all Australians
  - b. The Party believes that our membership base, candidates and members of parliament should reflect the broad cross section of our society, including, but not limited to, equity groups such as women, Aboriginal and Torres Strait Islander people, Lesbian, Gay, Bisexual Transgender, Intersex and Queer/Questioning people, people with disability and/or mental illness and their carers, people from culturally and linguistically diverse backgrounds and age cohorts
  - c. The Party is committed to taking appropriate action to encourage all Queenslanders to become members of the Party. We are committed to taking proactive measures to remove barriers to participation and to becoming an ever more inclusive and diverse political party.
- B6.2 All candidates and members of Australian parliaments and local government bodies will actively support these principles and consider the impact of policy decisions they make on all Queenslanders, consult widely with equity groups and consider the difficulties that equity groups may have in participating in such consultations.
- B6.3 The State Secretary will report annually to the Administrative Committee and State Conference on progress towards achieving and maintaining diversity, including levels of representation in Party membership, and in party and public office positions, barriers to participation, targets and level of adherence to those targets and other matters determined by the Administrative Committee from time to time.
- B6.4 The Administrative Committee may set targets for any equity group in order to encourage higher levels of participation and representation.

## SECTION C: MEMBERSHIP

### C1 CATEGORIES OF MEMBERSHIP

Party members are considered to have different membership status according to their financial and branch registration status as described below.

#### C1.1 UNREGISTERED MEMBERS

- C1.1.1 A financial member of the Party, from the date of that Administrative Committee meeting at which their application for membership is approved, who is not registered with a Branch.
- C1.1.2 Unregistered Members may:
- a. attend Party Events and Forums
  - b. join and participate in meetings of Equity Groups and Associations
  - c. attend State Conference as an observer
  - d. attend Branch Meetings in order to register, and participate fully in the meeting where their registration has been approved by the Branch, prior to their registration being approved by the Administrative Committee.

#### C1.2 REGISTERED MEMBERS

- C1.2.1 Financial member of the Party who has been a member of a Branch for less than six months from the date of that Administrative Committee meeting at which their Branch registration is approved.
- C1.2.2 Registered Members have all rights of a Unregistered Member, in addition to the ability to attend and participate in Branch meetings and events.

#### C1.3 FULL MEMBERS

- C1.3.1 Full membership rights are enacted six months following the date of that Administrative Committee meeting at which their Branch registration is approved, and are ongoing providing financial continuity is maintained.
- C1.3.2 Full members have all rights of Registered Members, in addition to the ability to:
- a. stand and vote in plebiscites and preselections provided they meet other eligibility requirements
  - b. stand as an endorsed candidate for public office provided they meet other eligibility requirements.

#### C1.4 UNFINANCIAL MEMBERS

- C1.4.1 Members who have failed to renew within three months of their renewal date become unfinancial members.

- C1.4.2 Unfinancial members have no rights of membership, other than the right to renew their membership within 12 months without the need to apply as a new member.

### C2 MEMBERSHIP RESPONSIBILITIES

- C2.1 Every Party member has a responsibility to:
- a. uphold the Party's values and principles
  - b. comply with the rules of the Party and codes of conduct
  - c. work towards the election of Labor Governments - including not standing against or campaigning against endorsed Labor candidates
  - d. treat other Party members with dignity and respect.
- C2.2 In all forums of the Party, the rights of all Party members will be respected, and their involvement and participation will be encouraged.
- C2.3 All Party members are be obliged to obtain and maintain a unique email and advise Party Office of that email, for the purpose of receiving communications connected with any electronic ballot in which they may be eligible to participate.

### C3 JOINING

- C3.1 Any person who is a resident of Queensland aged 14 years or older may personally apply to join the Party in the approved form by submitting their Membership Application to the Party Office and pay the correct Membership Fee by one of the following methods:
- a. online
  - b. in person at Party Office
  - c. by post to Party Office.
- C3.2 No person may make an application on behalf of another person.
- C3.3 Membership Fee payments must be made by one of the following methods:
- a. in person at Party Office
  - b. from the applicant's or an applicant's close family member's personal account or personal credit card.

- C3.4 The membership application must include:
- a. the applicant's residential address
  - b. the applicant's enrolled address, provided the member is eligible to be enrolled in Queensland
  - c. a declaration of the applicant's gross annual income level; and
  - d. the following pledge:  
 "If admitted to the Australian Labor Party, I hereby pledge myself to the principles of the Australian Labor Party's state, national and local government platforms and to any alteration thereto made by a national or state conference. I also pledge to do everything in my power to further the objectives of the Party as set forth in its constitution and general rules. I hereby declare that I am not a member of a communist or fascist organisation or party or any political party or organised society or groups having objects, methods, policies or aims opposed to the objectives, policy and platform of the Australian Labor Party."
- C3.5 A new Member's Party membership commences on the day on which their application is approved by the Administrative Committee.
- C3.6 The State Secretary will ensure that all new membership applications are checked against the Electoral Roll to confirm that the applicant is appropriately enrolled at their current residential address. Where a discrepancy exists, the State Secretary will immediately correspond with the applicant requesting them to correct their enrolment status in accordance with the Commonwealth and State Electoral Acts.
- C3.7 The State Secretary will report to each regular meeting of the Administrative Committee any irregularities or other concerns relating these new applications.
- C3.8 A membership application may be refused by the Administrative Committee on any of the following grounds:
- a. that a refusal of membership is in the best interests of the Party
  - b. that the applicant is, or has recently been, a member of another political party; a communist or fascist organisation; or of an organised society or group having objects, methods, policies or aims which in the opinion of State Conference conflict with the objectives, policy or platform of the Australian Labor Party
  - c. that the applicant is an employer and has actively discouraged their employees from union membership
  - d. that the applicant works in an industry covered by a union and is not a member of a relevant trade union
  - e. that the applicant has not provided correct electoral enrolment details or the enrolled address does not match the applicant's current residential address
  - f. for any other reason placed before, and regarded as sufficient by the Administrative Committee.
- C3.9 A membership application must be refused by the Administrative Committee where that person has been convicted of a disqualifying electoral offence as defined pursuant to the Electoral Act 1992, within a period of 10 years prior to such application for membership being made.
- C3.10 Where a membership applicant has previously nominated for public office against an endorsed Australian Labor Party candidate, that applicant's membership must be explicitly approved by the Administrative Committee, and the membership must be endorsed by State Conference.
- C3.11 Any applicant refused membership of the Party may resubmit the matter on notice to a later meeting of the Administrative Committee for further consideration.
- C3.12 The Administrative Committee may, within two months of either its admission of an applicant to membership or registration of a member with a Branch, (whichever is the later) review its decision to grant membership.
- C3.13 No person serving a current sentence or convicted of treason, sedition or sabotage will be admitted to membership of the Party.
- #### C4 INTERSTATE TRANSFERS
- C4.1 A member of a branch of the Australian Labor Party outside Queensland will, on taking up residence in Queensland and before the expiry of their existing membership, be allowed the benefits of Full Membership of the Party (current to 31 December of the year in question) provided the member:
- a. applies to join the Queensland Branch; and
  - b. receives the approval of the Administrative Committee.
- C4.2 If the member does not register with a Branch in Queensland within six months from their admission to the Queensland Branch of the Party, the member will lose their continuity and become a Unregistered Member.

## C5 BRANCH REGISTRATION

- C5.1 Members may be registered with a branch at:
- a. a Branch meeting, where the member will become a member of that Branch
  - b. an Authorised Meeting of an Equity Group or any Party forum authorised to register members by the Administrative Committee.
- C5.2 A membership applicant who has not yet been admitted to membership by the Administrative Committee may apply for Branch Registration, and their Branch Registration may be dealt with along with their application for membership at the next Administrative Committee.
- C5.3 A Branch or Authorised Meeting may not admit more than 10 previously unregistered members to the Branch unless the Administrative Committee has provided prior approval, which is limited to a maximum of 30, previously unregistered members being registered at an individual meeting.
- C5.4 An Authorised Meeting:
- a. must obtain approval of the Administrative Committee at least two weeks prior to the meeting
  - b. must be advertised in a notice to Party members at least two weeks prior to the meeting; and
  - c. will seek to assign the member to a branch of their choice, otherwise the Administrative Committee will assign an appropriate branch
- C5.5 If a Branch or Authorised Meeting attempts to admit more than the allowable number of unregistered members, the Administrative Committee will determine which members are to be registered and the remaining members will be required to re-attend a Branch or Authorised Meeting in the future to be registered.
- C5.6 Applying to join a branch in person involves:
- a. attending a meeting in person
  - b. signing the attendance book
  - c. signing the approved form for branch registration; and
  - d. the meeting passing a resolution, recorded in its minutes, accepting the branch registration of the member.
- C5.7 Applying to join a branch by video-link involves:
- a. attending a meeting via video-link, where the member is seen and heard by the meeting
  - b. the meeting passes a resolution, recorded in its minutes, accepting the branch registration of the member; and
- c. at least two non-Executive members of the Party Unit, or in the case of a Party forum two members who are not Party Officials, must sign the absentee Branch registration form.
- C5.8 It is the responsibility of the Secretary or President/Convenor of the Party Unit to ensure that a copy of the completed branch registration form(s), and on request a copy of the meeting minutes, is promptly provided to Party Office in the approved manner. Deliberate failure to forward registration documents or deliberate falsification of records relating to membership will result in automatic expulsion if found guilty by Disputes Tribunal.
- C5.9 When a member is registered via an Authorised Meeting:
- a. Party Office will provide the relevant Branch with written confirmation of the registration following acceptance by the Administrative Committee
  - b. If a Branch has objections to the member being registered with the Branch, the Branch must resolve, at its next meeting, to advise the Administrative Committee stating reasons for its objection. The Administrative Committee will either confirm the registration, or reject the registration and allocate the member to another Branch of the member's choice or to another nearby Branch, if no alternative Branch is chosen.
- C5.10 Where a member is unable to attend a Branch or Authorised Meeting, the Administrative Committee may register the member with a Branch.
- C5.11 The Administrative Committee does not have the power (even in cases where the failure to receive notice of registration is not the fault of the applicant) to backdate Branch registration.
- C5.12 Where a Branch or Authorised meeting does not accept the registration of a member, the Secretary or President/Convenor of the Party Unit must notify the Administrative Committee and provide a reason that the registration was not accepted within fourteen days of the meeting.
- C5.13 Branch registrations do not take effect until approved by the Administrative Committee.

## C6 TRANSFERRING BRANCHES

- C6.1 A member may transfer their registration to another Branch by registering with a new Branch.
- C6.2 A Branch will not unreasonably withhold acceptance of a transfer or delay the forwarding of branch registration forms to Party Office.

## C7 RENEWAL

- C7.1 Membership renewals fall due on 1 January each year, or in the case of members paying by monthly direct debit, on the first day of each month.
- C7.2 Failure to pay within three months of the renewal date will cause the member to be unfinancial, and lose the rights of membership.
- C7.3 Former members who have ceased to be a member can not renew, but may join the party as a new member.
- C7.4 Renewal payments must be made by one of the following methods:
- in person at Party Office
  - from the member's or a member's close family member's personal account or personal credit card.

## C8 MEMBERSHIP FEES

- C8.1 The Administrative Committee will set the membership fees payable by members, subject to any overriding decision of State Conference, provided that:
- members of Affiliated Unions are entitled to a discounted fee
  - Life Members are not required to pay the membership fee.
- C8.2 The Administrative Committee will have the power to permit membership fees to be paid by instalments or in advance.

## C9 CONTINUITY

- C9.1 Party members need to have financial membership, and be branch registered for 6 months in order to be considered to have continuity of membership.
- C9.2 Where a member becomes unfinancial but subsequently pays their renewal within 12 months of becoming unfinancial, their party membership and branch registration will be restored, however their continuity and voting rights will become active 6 months following the date of their renewal payment.
- C9.3 The Administrative Committee has the discretionary power to restore continuity to members where they reasonably believe it has been broken unintentionally, provided the request is within twelve months from the break in continuity.
- C9.4 Members who join the Party by Interstate Transfer will have continuity from their date of transfer into the Queensland Branch, however must register with a Queensland branch within 6 months in order to maintain continuity and voting rights.

## C10 CESSATION OF MEMBERSHIP

- C10.1 Any member who is unfinancial for twelve months automatically ceases to be a member.
- C10.2 Any member who dies automatically ceases to be a member.
- C10.3 Any member who wishes to resign must first notify the State Secretary in writing. The State Secretary must include the resignation in a report to the Administrative Committee. The resignation is effective on the latter of:
- the day on which the notice is received by Party Office
  - the day specified in the notice.

## C11 EXPULSION & SUSPENSION

- C11.1 Any member who stands for election to public office against an endorsed candidate will automatically cease to be a member of the Party, and will not be readmitted to membership without the approval of State Conference.
- C11.2 The Administrative Committee may immediately suspend the membership of a member who has been charged with a serious criminal offence pending the hearing of the charge.
- C11.3 Any member convicted of a disqualifying electoral offence, as defined pursuant to the Electoral Act 1992, will automatically cease to be a member of the Party upon such conviction being recorded.
- C11.4 Any member who is serving a sentence of more than one year's imprisonment for an offence against the law of Queensland, another State or the Commonwealth, or is convicted of treason, sedition or sabotage under the law of Queensland, another State or the Commonwealth, will automatically cease to be a member of the Party.
- C11.5 The Administrative Committee may revoke the membership of a member found guilty of a serious criminal offence (punishable by imprisonment for 5 years or more) and not sentenced to imprisonment for one year or more. Before the Administrative Committee revokes the membership of a member:
- the State Secretary must notify the member in writing of the proposed revocation
  - the member must be given an opportunity to make a written submission to the Administrative Committee as to why their membership should not be revoked.

C11.6 Any member who accepts an imperial title will automatically cease to be a member of the Party. No person possessing an imperial title will be admitted to membership of the Party, unless otherwise determined by the Administrative Committee.

## C12 MERITORIOUS SERVICE & LIFE MEMBERSHIP

C12.1 Meritorious Service awards are for long-serving members of the party and are awarded by State Conference, or by the Administrative Committee in exceptional circumstances upon the recommendation of the Awards Committee. The classes of Meritorious Service awards are:

- a. a Certificate of Merit to a member with 10 years meritorious service
- b. a Long Service Certificate to a member with 20 years meritorious service
- c. a Dedicated Service Award & Badge to a member of a Branch who has given 30 years dedicated service to the Party or where, in its opinion, extra-ordinary circumstances prevail which warrant the granting of the award
- d. a Posthumous Meritorious Service Award.

C12.2 Life Membership Awards are for longstanding members of the Party who have provided distinguished service to the party and are awarded by State Conference, or by the Administrative Committee in exceptional circumstances. Life Membership nominations must:

- a. be approved by both the Awards Committee and the Administrative Committee
- b. describe the background and history of service of the nominee; and
- c. be accompanied by recommendations from at least two other members who are:
  - i. a life member who resides in the same federal electorate as the nominee
  - ii. are an elected representative
  - iii. a Party Unit Executive
  - iv. an Affiliated Union.

C12.3 Serving elected representatives are not eligible to be awarded with Meritorious Service or Life Membership.

C12.4 Meritorious Service and Life Membership awards will be numbered consecutively, and recorded in a registry at Party Office.

C12.5 State Conference may award to members falling outside the eligibility requirements if, in its opinion, extraordinary circumstances prevail which warrant the granting of such award.

C12.6 Life Members will be presented with a life member badge and a life membership certificate at an appropriate ceremony approved by the State Secretary in consultation with the member's Branch.

C12.7 A life member of another State or Territory Branch who moves to Queensland and transfers to the Queensland Branch of the Party will be recognised as a Life Member of the Queensland Branch.

C12.8 State Conference may revoke the Life Membership granted to any person who in its opinion has acted against the interests of the Party. In all such cases, the reasons will be recorded in the register.

C12.9 Any person whose Life Membership is terminated or who wishes to terminate their Life Membership will return their life member badge and life membership certificate to Party Office and their name will be deleted from the register and other records accordingly.

## SECTION D: UNIONS

### D1 AFFILIATION

- D1.1 A Union seeking to affiliate with the Party can be admitted by application to the Administrative Committee including the following:
- a. signed correspondence from the union's President and Secretary containing the following pledge:
 

"We hereby pledge the union to the principles of the Australian Labor Party's National, State and Local Government Platforms, and to any alteration thereto made by a National or State Conference. We also pledge the union to further the objects of the Party as set forth in its constitution and general rules. We hereby declare that the union is not affiliated with any communist or fascist organisation or Party, or with any political party or organisation, society or group having objects, methods, policies or aims in any way opposed to the objectives, policy or platform of the Australian Labor Party."
  - b. and an independent audit report detailing the membership of the Union in Queensland as at 30 June of the previous year.
- D1.2 The Administrative Committee may admit a Union by resolution.
- D1.3 If a Union affiliates after the last Friday in February but before the State Conference for the same year, the General Returning Officer will recalculate the union delegations for that State Conference and advise the Administrative Committee.

### D2 AUDIT / CREDENTIALS

- D2.1 Each affiliated Unions' affiliation will be determined each year by an audit of the Union's membership as at 30 June of the preceding year. This audit will determine the Union's maximum affiliation as:
- a. the number of members eligible to vote in a ballot for an office in that Union at 30 June as conducted by the appropriate Electoral Commission/s
  - b. the number of members identified in (a) above for whom the Union received an amount of dues in relation to the period between 1 April and 30 June inclusive for that year.

- D2.2 The Audit will be conducted:
- a. by a registered company auditor
  - b. in accordance with Australian Auditing Standard 802 "The Audit Report on Financial Information Other than a General Purpose Financial Report" and Auditing Guidance Standard 1044 "Audit Reports on Information Provided Other than a Financial Report".
- D2.3 The independent audit report will include:
- a. an audit certificate signed by the auditor (Form B: Union Audit Certificate) including a statistical return which will include a figure determined to be equal to or less than the Union's maximum; and
  - b. the unions' desired affiliation as of 30 June of the year in question (which may be less than the number of members, but not more).
- D2.4 Before the close of business on the last Friday in February in each year, each Union will provide an independent audit report from the previous year and advice on the number of members the Union will affiliate on for the current year.
- a. the independent audit report will be provided to the General Returning Officer
  - b. the reports will be scrutineered at an agreed time and place, after the closing date, in the presence of scrutineers that may be appointed by each affiliated union. The three-year rolling average and union delegation numbers will be calculated and endorsed by the March meeting of the Administrative Committee.
  - c. if a Union fails to lodge an audit report in time the General Returning Officer will use the Union's previous year's affiliation reduced by 15 per cent.

### D3 FEES

- D3.1 Each affiliated Union will pay an annual affiliation fee as calculated by multiplying the Union Capitation Fee (See Fee Schedule) by the number of affiliated members advised by the Union.
- D3.2 Where a Union affiliates after the beginning of the financial year its first year fees will be calculated pro-rata for the balance of that financial year.

- D3.3 Each Unions' affiliation fees will be paid in full to the State Secretary by close of business on the last Business Day in March. A Union will be deemed to be unfinancial until such fees are paid in full.
- D3.4 A Union whose affiliation fees are in arrears will be deemed unfinancial and will not be entitled to exercise any rights conferred on Unions by these Rules.
- D3.5 If an unfinancial Union fails to pay its annual affiliation fee within twelve months of the due date that Union will cease to be an affiliated Union.

#### D4 DETERMINING UNION DELEGATION NUMBERS

- D4.1 The number of votes each union is entitled to exercise at State Conference and for Electoral College will be determined in the following manner:
  - a. determining each unions' Three Year Rolling Average Affiliation by combining the last three years' Audited Affiliate Numbers and dividing by three
  - b. determining a quota by dividing the aggregate number of all of the Union's Three Year Rolling Average Affiliation by the number of available Union delegate positions
  - c. dividing each Unions Three Year Rolling Average Affiliation by the Quota to determine the number of delegates to be allocated
    - i. any Union with half a quota or less will be included in the Small Unions Group, which will have its entitlement aggregated as if it was one Union
    - ii. each Union, including the Small Unions Group, will be allocated one delegate per whole quota. Each Union with greater than one half of a quota will be allocated at least one delegate. Any remaining delegates will be allocated to Unions on the basis of descending order of the greatest fraction of remaining quota.
  - d. all affiliated Branches within the State of a federation or amalgamation will be regarded as one Union.

#### D5 THE SMALL UNIONS GROUP

- D5.1 The Small Unions Group will elect its delegate(s) in the following manner:
  - a. the Administrative Committee will call for nominations by circular to each Union included in the Small Unions Group outlining the number of positions to be filled as a result of the calculation of delegates
  - b. every candidate for selection will be nominated in writing on a form, which will be supplied by the State Secretary, or by the executive of any of the Unions concerned
  - c. nominees are required to be financial members of the union that nominates them and of the Party
  - d. if more than the required number of candidates is nominated, an election will be held by means of an electronic or postal ballot and the General Returning Officer will send to each Union concerned a ballot marked with the name of the Union and the ballot will be returned to the General Returning Officer by not later than the time and date fixed for closing of the ballot. Any ballot reaching the General Returning Officer after that time will not be counted
  - e. each Union concerned will have its vote weighted proportionate to the number of members for which it is affiliated.

#### D6 AFFIRMATIVE ACTION FOR UNION DELEGATES

- D6.1 For all union delegations to State Conference, Electoral College and other Party forums, at least the minimum percentage (as defined in *J2.1.1*) of the delegates must be women, unless the proportion of women who are members of the union is less than the minimum percentage, in which case the number of delegates who are women must be at least equal to the proportion. The number of women delegates required to comply with this clause will be determined using the rounding procedure as determined by *Rule J2.1.4*.

## D7 APPOINTMENT OF DELEGATES BY UNIONS

- D7.1 Each Union delegate may exercise up to four votes at State Conference. Unions will advise the State Secretary or the General Returning Officer at the time of nominating their delegates, which delegates are to exercise multiple votes. Delegates holding multiple votes will be issued identification of entitlement to exercise multiple votes and the delegate will receive multiple ballots, in accordance with entitlement, for all elections.
- D7.2 Except for Unions included in the Small Unions Group, Union delegates to State Conference will be appointed or elected according to the rules of the relevant union, subject to each delegate being financial members of that union and of the Party, and each Union will inform the State Secretary or the General Returning Officer in writing prior to State Conference the name of each delegate appointed, and may amend or replace their delegation at any time subject to those delegates being credentialed by the state conference.

## D8 ELECTORAL COLLEGE

- D8.1 Affiliated Unions are entitled to representation on the Electoral College equal to the number of delegates that union is entitled to at state conference.
- D8.2 Each Union will provide a list of Electoral College delegates to be credentialed by the Administrative Committee by the last Business Day in March each year, which may be amended or replaced by the Union at any time subject to the approval of the Administrative Committee.

## D9 QUEENSLAND LABOR ADVISORY COUNCIL (QLAC)

- D9.1 The Queensland Labor Advisory Council (QLAC) will meet regularly and will consist of:
- the Leader, Deputy Leader and members of the Cabinet/Shadow Cabinet of the State Parliamentary Labor Party
  - the State President and State Secretary, who will be responsible for convening the Advisory Council
  - a party member nominated by the QCU
  - a party member nominated by each affiliated union
  - other union and/or political representatives that QLAC agrees to invite.
- D9.2 The role of QLAC will be to provide a formal consultative and campaign mechanism between the Party and the union movement.

## SECTION E: PARTY UNITS

### E1 BRANCHES

- E1.1 The role of Branches is to:
- promote the objectives and platform of the Party
  - assist in the election of endorsed candidates for federal, state and local government by participating in fundraising and election campaigns
  - promote and encourage membership of the Party
  - promote and develop the policies of the Party and encourage Branch members to participate in all Party forums
  - support the training and development of local Branch members
  - encourage Branch members to develop strong links with local communities, engage in local community activities and participate in local community organisations
  - engage in social activities among Branch members.
- E1.2 Branches will hold Ordinary meetings each month (excluding January), or less frequently where approved by the Administrative Committee to suit local conditions.
- E1.3 Branches should:
- provide leadership and encouragement to new Branch members
  - communicate regularly with Branch members
  - engage with Branch members to maximise Party participation.
- E1.4 A Branch may be established by seven or more members of the Party by:
- consulting with existing nearby Branches and Electorate Organising Councils prior to attempting to establish a branch
  - obtaining approval from the Administrative Committee
  - calling a meeting and passing a resolution in the form:  

“This meeting is in sympathy with the Labor Movement and accepts the platform and policies of the Australian Labor Party and resolves to establish (or re-establish) a Branch at...”
  - electing the Branch executive at that meeting
- providing the State Secretary with a copy of the minutes of the meeting including the attendance and the elected executive
  - obtaining final endorsement from the Administrative Committee.
- E1.5 At least one Branch should exist in each state electorate.
- E1.6 Policy-based or workplace branches may be established, which have the same status and fulfil the same functions as other Branches. In order to establish these branches:
- the proposal to form the Branch must be placed on notice for at least one month
  - notice of intention to form the Branch must be circulated to all members and affiliated Unions to seek support or objections to the proposal.
- E1.7 A Branch may be dissolved by the Administrative Committee for any of the following reasons:
- the Branch has not met for six months
  - the Branch has been unable to obtain quorum for six consecutive meetings
  - the Branch is violating the Rules or infringing the principles or platforms of the Party
  - the Branch has failed to meet financial reporting requirements
  - the Branch has less than seven members
  - any other reason the Administrative Committee deems appropriate.
- E1.8 The Administrative Committee must give notice to the relevant Branch prior to dissolving a Branch.
- E1.9 The Administrative Committee may transfer the members of a dissolved Branch to another Branch.
- E1.10 Two or more branches may be amalgamated by:
- the relevant Branches passing a resolution to amalgamate, which must contain the names of all existing relevant Branches, and the name of the proposed amalgamated Branch; and
  - the Administrative Committee approving the amalgamation.

## E2 ELECTORATE ORGANISING COUNCILS

- E2.1 Electoral Organising Councils (EOCs) are established as follows:
- Federal Organising Councils (FOCs) in each federal electorate
  - State Organising Councils (SOCs) in each state electorate
  - Local Organising Councils (LOCs) in each division or ward of Local Government Areas (LGAs) or for the LGA as a whole for undivided LGAs, where the Party contests elections for the LGA.
- E2.2 EOCs will comprise all members who reside in the relevant electorate.
- E2.3 The purpose of EOCs is:
- community engagement - local issues campaigning and engagement with community organisations
  - administration and coordination with local Branches – raise levies on branches, pay state conference delegate fees etc.
  - member engagement - continuous campaigning, fundraising and member participation activities.
- E2.4 EOCs may hold member assemblies to encourage member participation through a range of activities, which may include:
- training
  - workshops
  - hearing from guest speakers
  - policy discussions
  - roundtables.
- E2.5 EOCs may raise funds into the EOC administrative account or campaign account(s), but may only expend funds from the EOC administrative account. EOCs do not have the power to expend from campaign accounts.
- E2.6 The Executive of EOCs will meet at least quarterly and comprise:
- a President
  - two Vice-Presidents
  - a Secretary
  - a Treasurer
  - one representative appointed by each Branch affiliated to the EOC.
- E2.7 Branches may affiliate to EOCs where the branch is connected to an area covered by the relevant electorate. All branch affiliations must be approved by the Administrative Committee. The Administrative Committee may determine branch affiliations following a redistribution on the relevant level of government.

- E2.8 EOCs may apply to the Administrative Committee to combine into a Regional Organising Committee (ROC). A ROC will perform the functions of the constituent EOCs. A proposal to form a ROC must:
- be proposed to the Administrative Committee by at least two branches affiliated to one of the EOCs listed in the proposal
  - undergo a ballot of all members of the relevant EOCs that is approved by both:
    - a simple majority of the proposed membership of the ROC as a whole
    - a simple majority of the membership of each of the constituent EOCs; and
  - undergo a final approval of the Administrative Committee following the ballot.
- E2.9 To add/remove EOCs to/from an existing ROC, the same process as for creating the ROC initially will apply, except that the ballot of members must be approved by both:
- a simple majority of the membership of the existing ROC
  - a simple majority of the membership of the EOCs that are proposed to be added/removed to/from the ROC.

## E3 ELECTORATE CAMPAIGN COMMITTEES

- E3.1 Campaign Committees are formed once a candidate is endorsed for the relevant federal, state, or local government electorate and remain in operation until three months after the return of the writs.
- E3.2 Campaign Committees are responsible for overseeing the planning and implementation of the campaign for the election of endorsed candidates to federal, state, or local government.
- E3.3 The endorsed candidate will, with the approval of the Administrative Committee:
- appoint a Campaign Director
  - form a Campaign Committee.
- E3.4 The Campaign Director is responsible for the overall conduct of the campaign, including:
- liaising directly with the candidate
  - convening Campaign Committee meetings
  - coordinating the activities of the campaign team
  - coordinating with the central campaign
  - reporting to the State Campaign Director as required

- f. developing and implementing a campaign plan in liaison with the Candidate and Campaign Committee
  - g. developing and implementing a campaign budget and fundraising plan with the Campaign Treasurer
  - h. other matters as determined by the Campaign Committee.
- E3.5 Each Campaign Committee will consist of:
- a. the endorsed Candidate
  - b. a Campaign Director
  - c. a Secretary
  - d. a Treasurer
  - e. a Volunteer/Branch co-ordinator
  - f. representatives from Branches affiliated to the relevant Electorate Organising Council, if Branches determine to send a representative
  - g. other positions the Campaign Committee may determine.
- E3.6 All Campaign Committee members must be financial members of the Party.
- E3.7 Quorum for a Campaign Committee meeting will be 5 members, or half the membership of the committee, whichever is less.
- E3.8 All Campaign Committee members, including Branch representatives, will undertake to be actively involved in the campaign and support the Candidate and Campaign Director. Any person not acting in the interests of the Campaign Committee may be removed by a decision of the Campaign Committee.
- E3.9 Campaign Committees will ensure all local Branches and Party members are kept regularly informed of events and other campaign activities.
- E3.10 Campaign Committees may raise and expend funds from the relevant campaign account.
- E3.11 A Campaign Committee can agree by majority vote to delegate the power to spend campaign funds to a member of the campaign committee, in line with an approved budget and/or any other limits agreed to by a majority of the Campaign Committee.
- E3.12 Prior to the automatic dissolution of the Campaign Committee, the Treasurer must ensure:
- a. payments for the campaign are finalised, or where they are not, details have been provided of any outstanding payments to Party Office
  - b. reporting on disclosures and transactions as required by Party Office is complete

- c. assets are transferred to the relevant EOC or as otherwise directed by the Administrative Committee.

## E4 EQUITY GROUPS

### E4.1 RULES COMMON TO ALL EQUITY GROUPS

- E4.1.1 The Party recognises the need for active strategies to promote equity in accordance with its objectives and seeks to further equity programs and outcomes, including resources, access and structure.
- E4.1.2 The Party's Equity Groups are:
- a. Queensland Young Labor (QYL)
  - b. Queensland Labor Women's Network (QLWN)
  - c. Queensland Indigenous Labor Network (QILN)
  - d. Rainbow Labor Queensland (RLQ)
  - e. Labor Enabled Queensland (LEQ)
  - f. Multicultural Labor Queensland (MLQ).
- E4.1.3 The Executive of each Equity Group will:
- a. be responsible for the overall administration of the Equity Group
  - b. liaise with and organise Regional Committees
  - c. conduct recruitment campaigns
  - d. organise the annual Conference and general meetings
  - e. organise events and campaigns
  - f. convene at least three general meetings per year, other than the annual conference.
- E4.1.4 The Executive of the Equity Group is elected by a ballot of all eligible members.
- E4.1.5 The timing of Equity Group Executive elections will be in consultation with the General Returning Officer.
- E4.1.6 Any casual vacancy in the Equity Group Executive will be filled by countback, or if countback is not possible, by resolution of the Equity Group Executive.
- E4.1.7 All Equity Groups will hold an annual conference, at which:
- a. all members of the Equity Group are entitled to attend and vote
  - b. agenda items and motions for the conference will be sought from all members of the Equity Group, and include other items recommended by the Executive and other Committees of the Equity Group
  - c. may submit items for inclusion on the agenda for ALP State Conference.

- E4.1.8 Equity Groups may create Regional Committees of the Equity Group which:
- a. comprise all members of the equity group in the relevant regional area
  - b. progresses the objectives of the Equity Group in the relevant regional area
  - c. will elect a Committee Convenor and a Committee Secretary annually.
- E4.1.9 Equity Groups may develop further rules and procedures consistent with their objectives, provided that such rules are not inconsistent with the Party Rules. In the event of a dispute, the Party Rules apply.

#### **E4.2 QUEENSLAND YOUNG LABOR (QYL)**

- E4.2.1 All Party members under the age of or turning 26 in the current year are members of Queensland Young Labor (QYL).
- E4.2.2 QYL forms the Queensland Branch of Australian Young Labor.
- E4.2.3 The objectives of QYL are to:
- a. further the objectives and platform of the Party
  - b. promote the organisation of young people in the Party.
- E4.2.4 The executive for QYL (QYL Executive) consists of:
- a. a President
  - b. three Vice-Presidents
  - c. Secretary and Assistant Secretary/Treasurer elected by proportional representation where the first elected is the Secretary
  - d. 10 Ordinary members, at least one of which must be from the Greater South-East Queensland Zone or the Regional Queensland Zone.
- E4.2.5 The QYL Executive will meet monthly
- E4.2.6 The quorum for meetings of the QYL Executive is seven
- E4.2.7 The following people may attend meetings of QYL Executive if they are not otherwise a member of the executive with speaking but not voting rights:
- a. State Conference Delegates who are members of QYL
  - b. QYL Women's Committee Convenor
  - c. any convenors of established QYL Regional Committees.
- E4.2.8 A Policy Development Committee of QYL (QYL Policy Committee) will consist of:
- a. Convenor
  - b. five Ordinary members.

- E4.2.9 A Women's Committee of QYL (QYL Women's Committee) will consist of:
- a. Women's Convenor and Women's Deputy convenor elected by proportional representation where the first elected is the Convenor
  - b. seven Ordinary members
  - c. other women QYL Executive members who have speaking but not voting rights.
- E4.2.10 The annual QYL conference will be held prior to the State Conference at a time and location approved by the Administrative Committee on recommendation of the QYL Executive. The State Secretary will notify all Party Units of the date, time and venue of the Conference.
- E4.2.11 On the recommendation of the QYL Executive, new QYL Regional Committees may be formed in the Greater South-East Queensland Zone or the Regional Queensland Zone with the endorsement of the Administrative Committee.
- E4.2.12 Elections for QYL will:
- a. be held annually in November or December at a date recommended by QYL Executive and approved by the Administrative Committee
  - b. elect:
    - i. The QYL Executive
    - ii. The QYL Policy Committee
    - iii. The QYL Women's Committee, for which only women members of QYL may vote and nominate
    - iv. Australian Young Labor Conference delegates
  - c. those who are elected will serve a term from 1 January to 31 December.
  - d. candidates for the positions above must also be members of QYL in accordance with these rules for the subsequent year.

#### **E4.3 QUEENSLAND LABOR WOMEN'S NETWORK (QLWN)**

- E4.3.1 All women members of the Party are members of Queensland Labor Women's Network (QLWN).
- E4.3.2 QLWN forms the Queensland Branch of the National Labor Women's Network.
- E4.3.3 The objectives of QLWN are to:
- a. further the objectives and platform of the Party
  - b. promote the organisation of women in the Party
  - c. educate women politically and industrially

- d. promote Affirmative Action programs in favour of women
  - e. support the selection and election of women candidates for public office.
- E4.3.4 The executive for QLWN (QLWN Executive) consists of:
- a. President and two Vice-Presidents elected by proportional representation where the first elected is the President
  - b. Secretary/Treasurer
  - c. seven Ordinary members, at least one of which must be from the Greater South-East Queensland Zone or the Regional Queensland Zone
  - d. QILN representative.
- E4.3.5 The QLWN Executive will:
- a. elect an auditor
  - b. elect a member of the Central Campaign Committee
  - c. elect other delegates as required.
- E4.3.6 The annual QLWN conference will be held at a time and location approved by the Administrative Committee, including regional centres, on recommendation of the QLWN Executive.
- E4.3.7 On the recommendation of the QLWN Executive, new QLWN Regional Committees may be formed with the endorsement of the Administrative Committee. Each QLWN Regional Committee is responsible for raising awareness of QLWN's activities and issues and for local fundraising.
- E4.3.8 QLWN Executive may establish a Policy Working Group, which if established must report regularly to the QLWN Executive.
- E4.3.9 Elections for QLWN Executive will:
- a. be held every three years
  - b. elect all members of the QLWN Executive except the QILN representative.
- E4.3.10 No member may hold the following positions on the QLWN Executive for more than three terms:
- a. President
  - b. Vice-President
  - c. Secretary/Treasurer.

**E4.4 QUEENSLAND INDIGENOUS LABOR NETWORK (QILN)**

- E4.4.1 All Aboriginal People and Torres Strait Islander members of the Party are entitled to be members of the Queensland Indigenous Labor Network (QILN)
- E4.4.2 The objectives of QILN are to:

- a. further the objectives and platform of the Party
  - b. promote the organisation of Aboriginal People and Torres Strait Islanders in the Party.
- E4.4.3 The executive for QILN (QILN Executive) consists of:
- a. Chairperson
  - b. Deputy Chairperson
  - c. Secretary/Treasurer
  - d. nine Ordinary members, at least three of which must be from the Greater South-East Queensland Zone or the Regional Queensland Zone.
- E4.4.4 QILN Executive will:
- a. appoint a Policy Action Group Convenor and a Policy Action Group consisting of four other members
  - b. appoint a QLWN representative
  - c. conduct awareness raising activities for Party Units
  - d. encourage Aboriginal People and Torres Strait Islanders to stand for office at all levels, particularly for Local, State and Federal elections.
- E4.4.5 The QILN Executive will meet at least bimonthly.
- E4.4.6 The quorum for meetings of the QILN Executive is the greater of:
- a. half plus one of the total number of filled executive positions
  - b. four.
- E4.4.7 Elections for QILN Executive will be held every three years.

**E4.5 RAINBOW LABOR QUEENSLAND (RLQ)**

- E4.5.1 All Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning (LGBTIQ) self-identifying members of the Party are members of Rainbow Labor Queensland (RLQ).
- E4.5.2 The objectives of RLQ are to:
- a. further the objectives and platform of the Party
  - b. promote the organisation of LGBTIQ members in the Party
  - c. raise awareness of LGBTIQ issues within the Party
  - d. educate members of the LGBTIQ community politically and industrially
  - e. support the selection and election of LGBTIQ candidates for public office.

- E4.5.3 The executive of RLQ (RLQ Executive) consists of:
- a. three Convenors not all of the same gender, at least one of whom must be a woman.
  - b. Secretary/Treasurer
  - c. nine ordinary members, of which:
    - i. at least two must be from the Regional Queensland Zone
    - ii. at least 1 must be from the Greater South-East Queensland Zone.

- E4.5.4 RLQ Executive will:
- a. determine each year which Convenor will attend State Conference as a delegate
  - b. determine each year which Convenor will attend Administrative Committee.

- E4.5.5 The RLQ Executive will:
- a. elect an auditor
  - b. elect a member of the Central Campaign Committee
  - c. elect other delegates as required

- E4.5.6 Elections for RLQ Executive will be held every two years.

#### **E4.6 LABOR ENABLED QUEENSLAND (LEQ)**

- E4.6.1 All members of the Party who identify as living with an impairment or disability (cognitive or physical) or mental health condition, or have a lived experience with a disability or mental health condition, are entitled to be members of Labor Enabled Queensland (LEQ)

- E4.6.2 The objectives of LEQ are to:
- a. further the objectives and platform of the Party
  - b. encourage participation in policy development
  - c. encourage membership in the Party
  - d. strengthen the Party's relationships with relevant organisations and stakeholders in the community
  - e. advocate for the implementation, preservation, funding and appropriate expansion of the National Disability Insurance Scheme
  - f. educate members of the Party regarding disability issues.

- E4.6.3 The executive of LEQ (LEQ Executive) consists of:
- a. Convenor
  - b. Deputy Convenor
  - c. Secretary/Treasurer
  - d. two Equity officers
  - e. seven ordinary members, at least two of which must be from the Greater South-East Queensland Zone or the Regional Queensland Zone

- E4.6.4 At least half of the LEQ Executive must be members who identify as living with an impairment, disability or mental health condition.

- E4.6.5 The LEQ Executive will be elected for a term of two years.

#### **E4.7 MULTICULTURAL LABOR QUEENSLAND (MLQ)**

- E4.7.1 All members of the Party who support multiculturalism (the presence of several distinct cultural or ethnic groups within a society) and a culturally and linguistically diverse Party will be entitled to be members of Multicultural Labor Queensland (MLQ).

- E4.7.2 The objectives of MLQ are to:
- a. encourage and promote a culturally and linguistically diverse Party which reflects the realities of Australian society
  - b. encourage and support the participation of members of the Party from culturally and linguistically diverse backgrounds and to mentor those people to ensure their full participation within the Party
  - c. provide a forum for members from culturally and linguistically diverse backgrounds to advocate for, and promote policies of, inclusion and multiculturalism relevant to the Party
  - d. engage with other members and organisations within the wider labour movement regarding the benefits and advantages of a multicultural society
  - e. liaise and establish a dialogue with relevant organisations on matters of mutual concern and advocate and campaign for the maintenance of a multicultural, socially cooperative and compassionate society
  - f. do all other things necessary to actively promote an inclusive and multicultural Australia.

- E4.7.3 The executive of MLQ (MLQ Executive) consists of:
  - a. Convenor
  - b. Deputy Convenor
  - c. Secretary
  - d. Treasurer
  - e. five ordinary members, at least one of which must be from the Greater South-East Queensland Zone or the Regional Queensland Zone.
- E4.7.4 MLQ Executive will appoint a Policy Action Group Convenor and a Policy Action Group consisting of at least five members
- E4.7.5 The MLQ Executive will be elected for a term of two years.

### E5 LABOR ASSOCIATIONS

- E5.1 Labor Associations may be formed to provide forums for branch members and affiliated unions to undertake policy research, discussion and debate, targeted campaigning and community engagement.
- E5.2 Labor Associations may be established by:
  - a. at least 30 financial Branch members agreeing to join the Labor Association and signing the Labor Association application form
  - b. a member of the SPLP, a member of the Queensland FPLP or an affiliated Union agrees to act as patron for the Labor Association
  - c. appointing an interim executive
  - d. proposing rules and a statement of objectives
  - e. Administrative Committee approving the rules, statement of objectives and formation of the Labor Association.

- E5.3 Labor Associations must:
  - a. not have objectives that are similar to existing Equity Groups or other Labor Associations
  - b. not have objectives that are inconsistent with State or Federal Policy Platforms.
- E5.4 Proposed changes to the structure, rules and objectives of a Labor Association must be ratified by the Administrative Committee before taking effect.
- E5.5 A Labor Association may be dissolved by the Administrative Committee for any of the following reasons:
  - a. the Labor Association has not met for six months
  - b. the Labor Association has been unable to obtain quorum for six consecutive meetings
  - c. the Labor Association is violating the Rules or infringing the principles or platforms of the Party
  - d. the Labor Association has failed to meet financial reporting requirements
  - e. the Labor Association has less than 30 members
  - f. the Labor Association no longer has a patron who is a member of the SPLP, Queensland FPLP or an Affiliated Union
  - g. any other reason the Administrative Committee deems appropriate.
- E5.6 The Administrative Committee must give notice to the relevant Labor Association prior to dissolving a Labor Association.

## SECTION F: PARTY UNIT OPERATION

### F1 EXECUTIVES AND OFFICERS

- F1.1 Every Party Unit (except where the Rules provide otherwise) will have an Executive comprising:
- a President
  - two Vice-Presidents
  - a Secretary.
- F1.2 The Party Unit may also resolve to elect as part of the Executive:
- a Treasurer
  - a Minute Secretary to assist the Secretary
  - other executive or non-executive positions as required to fulfil its objectives.
- F1.3 At the meeting prior to the Annual General Meeting, the Party Unit must determine the Executive positions to be elected at the Annual General Meeting.
- F1.4 Other than for Equity Groups, the Executive of Party Units are elected at the Annual General Meeting in accordance with *Section N: Democratic Process (Plebiscites and Preselections)*, and any casual vacancy is filled by resolution of the Party Unit.
- F1.5 Any member of the Executive who ceases to hold office for any reason, must promptly:
- hand over the books and other property in their possession to another member of the Executive
  - inform Party Office.
- F1.6 The President will:
- chair Party Unit and Party Unit Executive meetings in accordance with Party Unit Standing Orders
  - act as the Secretary when the Secretary is incapacitated.
- F1.7 The Vice-Presidents will:
- act as the President when the President is absent.
- F1.8 The Secretary will:
- issue notices of meetings
  - record the minutes of all meetings
  - conduct correspondence
  - collect Membership Application forms and Membership fees and promptly forward forms and fees to Party Office
  - collect Membership Renewal forms and Membership Renewal fees and promptly forward forms and fees to Party Office

- be responsible for the attendance book and branch registration book
  - promptly forward completed branch registration forms to Party Office in the required manner
  - act as the Treasurer where no Treasurer is elected.
- F1.9 The Treasurer will:
- receive all monies
  - issue receipts
  - conduct banking
  - keep financial records
  - report to each meeting on the current financial position
  - provide an audited financial report to the Annual General Meeting containing a statement of receipts and expenditure and a statement of assets and liabilities
  - complete and submit annual financial returns in the manner required by Party Office
  - ensure compliance with the Finances section of these Rules.
- F1.10 An auditor will be appointed at the meeting prior to the Annual General Meeting to audit the annual financial report of the Party Unit.

### F2 ANNUAL GENERAL MEETINGS

- F2.1 All Party Units must hold an Annual General Meeting (AGM) except for Campaign Committees and Equity Groups.
- F2.2 AGMs are to be held:
- for Branches, in the month of July
  - for Electorate Organising Councils, in the month of August.
- F2.3 The notice of an AGM must in writing and inform:
- for Branches and Labor Associations, all members of the Party Unit
  - for Electorate Organising Councils, all members/delegates of the Party Unit and the secretaries of relevant Branches.
- F2.4 The minimum notice period for an AGM is:
- for Branches and Labor Associations, fourteen days
  - for Electorate Organising Councils, 30 days.

- F2.5 If quorum is not met at the AGM, the Party Unit executive must determine a new date as soon as possible, and the Secretary must issue a notice of the rescheduled AGM with a minimum notice period of fourteen days.
- F2.6 If quorum is not met at the rescheduled AGM, the Executive or another member of the Party Unit must inform the State Secretary.
- F2.7 The AGM will:
  - a. elect a returning officer to conduct the election of the Executive where required
  - b. elect the Executive
  - c. in the case of Branches, elect representatives to any Electorate Organising Committee it is affiliated to
  - d. receive the audited financial report prepared by the Treasurer.
- F2.8 Branch AGMs will be held immediately prior to the ordinary July monthly meeting. New members cannot be registered at AGMs.

### F3 REQUIREMENTS OF MEETINGS

- F3.1 Meetings are to commence at the time appointed in the notice of meeting.
- F3.2 If quorum is not present within half an hour of the appointed start time of the meeting, the meeting will lapse and cannot proceed.
- F3.3 Special meetings of Party Units may be called at any time by the president and secretary, or by at least seven members of the Party Unit. Business to be considered at a special meeting must be included in the notice of meeting. New members must not be registered at special meetings.
- F3.4 Where the Chairperson of a meeting is reasonably satisfied and has ruled that a breach of these Rules or the National Rules has occurred or is about to occur, and their ruling is opposed by a majority of the meeting, the Chairperson must close the meeting and promptly report the event to the State Secretary.
- F3.5 Party Units may meet via video-link, provided:
  - a. the platform used for the meeting is one endorsed by Party Office
  - b. consideration is given to access for members with visual, auditory or related disability.
- F3.6 Party Unit meetings will:
  - a. be held in an appropriate and accessible location and venue
  - b. provide a welcoming, respectful and inclusive meeting environment
  - c. be conducted in accordance with Party Unit Standing Orders.

### F4 QUORUM AND PROXIES

- F4.1 Quorum is the minimum number of members that must be present (including by video-link) at a meeting of a Party Unit for the meeting to conduct business. The quorum for a Party Unit meeting is five (except where the Rules provide otherwise).
- F4.2 Proxies are not allowed for Party Units, except for executive meetings of Equity Groups and Branch representatives on EOCs and ECCs.
- F4.3 Proxy delegates must be a member of the relevant Branch or Equity Group.
- F4.4 Appointment of proxies must be submitted in writing by the delegate.
- F4.5 Only members and proxies in attendance may vote at a meeting.
- F4.6 A member or proxy may only exercise their own vote.

### F5 SUB-COMMITTEES

- F5.1 Party Units or Party Unit Executives may create and elect sub-committees for any special purpose.

### F6 DISSOLUTION OF PARTY UNITS

- F6.1 The Executive of any Party Unit experiencing organisational problems must immediately notify the State Secretary and the relevant Electoral Organising Council.
- F6.2 The Administrative Committee may dissolve any Party Unit where satisfied that the Party Unit:
  - a. is violating the Constitution and Rules or infringing the principles or platforms of the Party
  - b. has ceased to function in accordance with the Rules
  - c. has failed to meet the financial reporting and electoral disclosure requirements of Party Units.
- F6.3 Notice of a motion must be provided to the Administrative Committee and the relevant Electoral Organising Council prior to any vote on the motion to dissolve a Party Unit.
- F6.4 Where a Party Unit has been dissolved, the Administrative Committee may re-organise a new Party Unit in the area in which the dissolved Party Unit operated.
- F6.5 On dissolution of a Party Unit for any reason, the funds remaining to its credit, as well as the books and all other property in the actual possession of the unit, must be immediately forwarded to the State Secretary.

- F6.6 Where a Party Unit is dissolved, another such Party Unit must not be established in the same area until the financial obligations of the closed Party Unit to Party Office have been discharged to the satisfaction of the Administrative Committee, or waived by it.

## SECTION G: STATE CONFERENCE

### G1 POWERS

- G1.1 State Conference is the supreme rule, policy and decision-making body of the Party, and has the exclusive power to:
- a. create and amend the Party Platform
  - b. create and amend, and where consistent with the provisions of the Electoral Act, suspend the operation of these Rules. Any such action must receive the approval of an absolute majority of credentialled delegates
  - c. finally determine any matter in dispute affecting the welfare of the Party, subject only to the power of the National Rules of the National Conference and National Executive
  - d. re-admit expelled members on such conditions as it will see fit
  - e. receive and consider reports from the Administrative Committee and Party committees on agenda items submitted by constituent units, and the State Parliamentary Labor Party.
- G1.2 State Conference may:
- a. refer such matters to the National Executive and National Conference as it sees fit
  - b. grant or revoke, on the recommendation of the Awards Committee, Meritorious Service Awards, including life memberships
  - c. receive reports from the Administrative Committee and Party Treasurer on Party finances, including a report on the financial status and administration of all companies in which the Party owns an interest.

### G2 COMPOSITION

- G2.1 State Conference comprises the following voting delegates:
- a. Branch delegates, elected for a term of four years prior to the Conference held in the first year of the Conference Cycle (see Rule G12.3), from each Federal Division elected by plebiscite of Branch members
  - b. Union delegates of a number equal to Branch Delegates
  - c. Ex-Officio delegates:
    - i. State President
    - ii. State Vice-Presidents
    - iii. State Secretary
    - iv. Assistant State Secretary
    - v. Federal Parliamentary leader where the holder of a Queensland seat (otherwise a representative of the Federal Parliamentary Labor Party chosen by and from Queensland members of the Federal Parliamentary Labor Party)
    - vi. State Parliamentary Party Leader
    - vii. State Parliamentary Party Deputy Leader
    - viii. a representative elected by and from endorsed Labor Councillors
    - ix. the President/Chairperson/Convenor of each Equity Group.
- G2.2 State Conference will comprise of the following non-voting ex-officio delegates:
- a. The Party Treasurer
  - b. General Returning Officer.
- G2.3 A member will only be eligible to be credentialled for one delegate category. Ex-officio delegates cannot also be credentialled for Branch or Union delegate positions.
- G2.4 No person will be a State Conference Delegate unless they are a financial member of the Party.

### G3 QUORUM

- G3.1 In order for quorum for State Conference to be met, the following thresholds must be met:
- a. More than half of the total number of Union votes are being exercised
  - b. More than half of the total number of branch member and ex-officio delegate votes are being exercised

- c. More than half of the total number of votes being exercised.

#### G4 PROXIES

- G4.1 Branch and Equity Group delegates will be entitled to appoint a proxy provided that:
  - a. each proxy must be a financial member of the Party and a registered Branch member for not less than six months
  - b. if a proxy for a Branch delegate, either enrolled in the relevant Division or a member of a Branch affiliated with the relevant Division for a period of not less than three months prior to the day of the commencement of the State Conference
  - c. for any non-Branch delegate, a proxy can only be issued to a member who is from the same constituent group who elected the delegate appointing the proxy
  - d. if a delegate is a woman, then the proxy appointed must be a woman.
- G4.2 An appointment of each proxy must be signed by the delegate appointing the proxy and state for which sessions or days of the Conference that it applies and submitted to the General Returning Officer.
- G4.3 Changes to Union delegations must be submitted to the General Returning Officer and each notification of change to a union delegation must state for which sessions or days of the Conference it applies.
- G4.4 Ex-Officio Delegates will not be entitled to appoint proxies, except Equity Groups.

#### G5 VACANCIES

- G5.1 Where a Branch delegate, small Union's delegate, or the Labor Councillors delegate, ceases to be an eligible voter to the Conference, a casual vacancy will arise. The General Returning Officer will conduct a countback to fill the casual vacancy.

#### G6 AGENDA

- G6.1 At least three months prior to each State Conference, the Administrative Committee will elect by proportional representation five persons, at least two of whom will be women, to serve on the Agenda Committee for the State Conference.
- G6.2 The State President, State Secretary and the General Returning Officer will be ex-officio members of the Agenda Committee.
- G6.3 A quorum for meetings of the Agenda Committee will be four.

- G6.4 The powers and duties of the Agenda Committee will be:
  - a. recommend the conference agenda to the meeting of State Conference
  - b. after consultation with the Administrative Committee, Policy and Standing Committees, to recommend to Conference the time of the presentation by each Committee of its report and recommendations
  - c. to circulate to each delegate, at least 21 days before Conference, an agenda for all relevant Committee reports
  - d. consider all conference resolutions submitted by Branch and Union delegates and constituent units.

- G6.5 Items for consideration by State Conference include:
  - a. reports
  - b. proposed amendments to the Policy Platform
  - c. proposed amendments the Party Rules
  - d. proposed resolutions of State Conference.

- G6.6 Items for consideration by State Conference must be:
  - a. received by the State Secretary by the relevant deadlines endorsed by Administrative Committee at least 2 months prior to each State Conference
  - b. submitted in writing and bear the name of the Delegate, Union or Party Unit submitting them.

- G6.7 The State Secretary will refer any item received to each relevant Policy and Standing Committee, which will report to State Conference on the matters referred to it.

- G6.8 The State Conference or the Agenda Committee may give leave to allow late items to be placed on the State Conference agenda.

#### G7 CONDUCT

- G7.1 State Conference will conduct itself according to Standing Orders – State Conference (Appendix One).
- G7.2 The standing orders may be amended by State Conference.

## G8 POLICY COORDINATION COUNCIL

- G8.1 The Policy Coordination Council (PCC) will comprise:
- a. a Convenor elected by State Conference
  - b. the immediate past-Convenor, who will be a non-voting member
  - c. ordinary members:
    - i. 10 branch members elected by ballot of all eligible branch members, two of whom must also be regional members
    - ii. 10 Union members elected by ballot of union delegates to State Conference, two of whom must also be regional members
    - iii. four members elected by and from the State Parliamentary Labor Party
    - iv. one member elected by and from the Queensland members of the Federal Parliamentary Labor Party
    - v. one member elected by and from endorsed Labor Councillors
  - d. a representative from QILN, appointed by the QILN Executive each year
  - e. a Secretary appointed by the PCC, who will be a non-voting member.
- G8.2 Ordinary members are elected every four years prior to the State Conference held in Year 1 of the 4-year Conference Cycle.
- G8.3 The PCC has the following objectives and responsibilities:
- a. facilitate policy debate and development among Party members and affiliated Unions and the the SPLP
  - b. provide a framework for developing the Policy Platform by providing templates for policy drafting
  - c. collating and coordinating draft chapters in the Policy Platform to ensure cohesive and comprehensive drafting
  - d. maintain the relevance of the Policy Platform by conducting reviews
  - e. planning and supporting branch member debate through policy forums, calls for submissions and discussion papers
  - f. take into account all policy amendments submitted by Branch and Union delegates
  - g. take into account all policy amendments passed by Party Units
- h. monitoring State Caucus compliance with the Policy Platform and reporting on non-compliance, requiring each State Minister/Shadow Minister to correlate their relevant portfolio policies or election commitments to the existing Party Platform and to provide a written report to the Policy Coordination Council according to the PCC's published timeline each year. The PCC will assess this policy audit and provide a written report to State Conference, detailing implementation outcomes, differences between government policy and commitments and Party Platform and any other matters the audit may raise
- i. policy development training for members
  - j. establish relevant Policy Drafting Committees and appoint members to those Committees.
- G8.4 The PCC will submit for approval to the Administrative Committee, a work schedule and timetable of meeting times and policy forums to be held in the lead up to each State Conference.
- G8.5 The PCC should report regularly to the Administrative Committee on the implementation of work schedule.
- G8.6 The Convenor of the PCC is responsible for the calling and notification of meetings and the receipt of business and will be entitled to the assistance of Party Office upon request.
- G8.7 Where a member of a PCC is absent without approval of the Committee or tendering an apology (in writing) satisfactory to the majority of the meeting for three or more consecutive meetings of the Committee, that member will be deemed to have vacated their position and will be replaced by the Administrative Committee. Where possible, a countback will be conducted.
- G8.8 Members of the PCC may proxy provided:
- a. a voting member who is unable to attend a meeting of the Policy Coordination Council may appoint a proxy to attend in their place
  - b. a proxy can only be issued to a member of the Party who is from the same constituent group who appointed or elected the member issuing the proxy; specifically:
    - i. the State Parliamentary Caucus Representative may only appoint another member of the State Parliamentary Labor Party
    - ii. the Federal Parliamentary Representative may only appoint another Queensland member of the Federal Parliamentary Labor Party

- c. women members can only proxy to other women.

G8.9 Quorum for PCC will be at least half of the voting members, including members on video or telephone link. If quorum cannot be met within half an hour of the scheduled start time the meeting will lapse.

G8.10 Policy Drafting Committees (PDC) established by the PCC will comprise of:

- a. a Convenor appointed by the PCC
- b. members appointed by the PCC, following an expression of interest process open to all financial members of the Party
- c. appointees of the relevant Ministers/Shadow Ministers
- d. any other members that the PCC sees fit to appoint.

G8.11 PDCs have responsibility for:

- a. drafting policy
- b. considering submissions from Delegates and Party Units
- c. preparing discussion papers to accompany Draft Policy to support branch debate.

G8.12 Quorum for a Policy Drafting Committee meeting will be five.

## G9 LOCAL POLICY CONFERENCES

G9.1 Local Policy Conference will be coordinated and resourced by the State Secretary and held annually ahead of each State Conference according to a timetable set by the Administrative Committee.

G9.2 The boundaries set for each Local Policy Conference will be approved by the Administrative Committee following consultation with the Party Units involved, and will be open to all members living within the relevant area.

G9.3 Motions endorsed by each conference will be forwarded to the State Secretary, who will place relevant items on the agenda of State Conference in consultation with the Administrative Committee, Policy Coordination Council and standing committees.

G9.4 In a State Election Year, where no State Conference is scheduled, Local Policy Conferences will provide a forum for building local campaign skills and readiness.

## G10 RULES

G10.1 The Rules Committee will report to State Conference with its recommendations:

- a. rule change proposals submitted by Branch and Union delegates

- b. rule change proposals submitted by constituent units, and the State Parliamentary Labor Party

- c. matters considered by the Committee to make Rule changes desirable.

G10.2 Except where State Conference decides otherwise, all alterations to these Rules will take effect upon their adoption by State Conference.

## G11 BALLOTS

G11.1 Branch and Unions delegates to State Conference will elect the following positions for the following terms.

G11.2 For four-year terms:

- a. a State Secretary by optional preferential ballot
- b. an Assistant State Secretary by optional preferential ballot
- c. 20 ordinary members of the Administrative Committee elected by proportional representation
- d. a General Returning Officer and four Assistant Returning Officers to be elected in one ballot by proportional representation. The first person declared elected will be the General Returning Officer. The conduct of this ballot is the responsibility of the State President and State Secretary.
- e. five shareholders of Labor Holdings Pty Ltd, Labor Enterprises Pty Ltd and such other companies as State Conference resolves, to be elected in one ballot by proportional representation
- f. 15 members of the Rules Committee elected in one ballot by proportional representation
- g. Awards Committee Convenor and Deputy Convenor to be elected in one ballot by proportional representation. The first person declared elected will be the Convenor.
- h. five ordinary members of the Awards Committee to be elected in a separate ballot by proportional representation.
- i. such other positions, office bearers, committee members as provided for under these Rules or as Conference may from time to time resolve to appoint.

G11.3 for a term concluding at the conclusion of the next ordinary State Conference:

- a. Convenor of the Policy Coordination Council by optional preferential ballot..

G11.4 For the term of a National Conference in accordance with the National Rules,

- a. Union delegates to the National Conference of the Australian Labor Party elected by union delegates by proportional representation
- b. proxy delegates to National Conference of the Australian Labor Party by proportional representation, in a number determined by the Administrative Committee.

G11.5 Each person elected to the above positions will take office upon the conclusion of the State Conference at which they were elected.

### G12 LOCATION AND TIMING

G12.1 State Conference will determine the host city for State Conference two Conferences in advance.

G12.2 State Conference must be held each year, except in the year of a State Election, at a date and location determined by the Administrative Committee.

G12.3 In each four-year Conference Cycle, no more than two successive ordinary State Conferences will be held in South East Queensland. For example:

- Year 1 – SEQ State Conference
- Year 2 – Regional State Conference
- Year 3 – SEQ State Conference
- Year 4 – State Election Year – No Conference

### G13 OBSERVERS

G13.1 Branch members, who are not delegates or their proxies, may attend meetings of State Conference as observers subject to the following;

- a. the Chair may require such members to withdraw from the meeting, where in the opinion of the Chair, there is sufficient reason why they should be excluded
- b. following the withdrawal of observers, the reason will then be made known to State Conference
- c. State Conference may decide by a majority vote that the observers be admitted or excluded and what, if any, conditions are imposed.

G13.2 Speaking Rights, but not voting rights, may be granted to non-delegates under the following conditions:

- a. a member of the Federal, State or endorsed Local Government Parliamentary Labor Parties to address Conference to provide information
- b. a member of the PCC or any Sub-Committee of the Administrative Committee to address Conference and move or second motions on matters within the jurisdiction of that Committee
- c. an executive member of an Equity Group to speak during debates on motions relevant to that Equity Group.

### G14 SPECIAL STATE CONFERENCE

G14.1 A Special State Conference may be requisitioned by a petition to the State Secretary endorsed by either:

- a. at least one half of the number of Branches
- b. a number of affiliated Unions representing at least half the affiliated Union membership based on their entitlement to representation at State Conference.

G14.2 Branch member delegates to a Special Conference will be those who are credentialled for the preceding ordinary State Conference.

## SECTION H: ADMINISTRATIVE COMMITTEE

### H1 POWERS

- H1.1 The Administrative Committee will, subject to the overriding authority of State Conference:
- a. determine all matters affecting the general welfare of the Party
  - b. be responsible for the overall administration of the Party
  - c. admit applicants to membership of the Party, and subject to these Rules expel members from the Party
  - d. restore continuity of membership to members whose continuity has been broken unintentionally
  - e. approve the formation and dissolution of Branches, Electorate Organising Councils, Campaign Committees, Equity Group Regional Committees, Labor Associations and Campaign Committees
  - f. supervise the efficient administration of Party Units
  - g. approve levies on Party Units
  - h. call meetings, both ordinary and special, of State Conference in accordance with the Rules
  - i. call for and receive agenda items for State Conference
  - j. prepare and distribute the agenda for State Conference
  - k. report to State Conference on the administration of the Party since the previous State Conference
  - l. report fully to State Conference on actions taken and decisions made, and on the organisation and administration of the Party since the previous State Conference meeting
  - m. carry out the decisions of State Conference
  - n. submit items to National Platform Committees
  - o. call and close nominations for public office
  - p. supervise the conduct of the Party's election campaigns, appoint a Campaign Director and Central Campaign Committee
  - q. appoint three ordinary members of the Candidate Suitability Panel
  - r. arrange for and ensure the proper conduct of plebiscites to select Party candidates for public office and delegates to State Conference
  - s. endorse candidates to contest preselection ballots
  - t. determine the Party's official order of preferences for election to Parliament, Local Government and other public offices
  - u. determine the roll of certified voters for the purpose of internal ballots
  - v. elect an acting President to serve until the next State Conference where there will be a ballot for the office of President to serve the balance of the term of office
  - w. elect members of standing Sub-Committees; and at its discretion create additional Sub-Committees for any purpose, which will exercise the authority expressly delegated by the Administrative Committee.
  - x. elect members of the Disputes Tribunal
  - y. appoint Party Organisers
  - z. approve an annual budget and approve such expenditure outside of the budget as the Administrative Committee considers appropriate upon recommendation of the Audit Finance and Risk Committee.
  - aa. appoint the Party's State Treasurer
  - bb. appoint the Party's auditors
  - cc. receive regular financial reports, including reports of actuals against administrative and campaign budgets, and present financial reports to State Conference including a report on the financial status and administration of all companies in which the Party owns an interest
  - dd. present an audited balance sheet and financial sheet to State Conference
  - ee. consent to Labor Legacies Pty Ltd acquiring or disposing of real property where such consent is required by *Rule N1*
  - ff. determine, so far as it is able, the composition of the Board of Directors of Labor Holdings Pty Ltd, Labor Enterprises Pty Ltd and any other companies in which the Party has an interest
  - gg. direct the trustees to purchase and dispose of real and personal property in accordance with these Rules
  - hh. direct Labor Legacies Pty Ltd to purchase and dispose of real property in accordance with these Rules.

- H1.2 Members of the Administrative Committee may attend and speak at all meetings of Party Units but not be entitled to vote on, or move or second, any motion in any Party Unit of which they are not members
- H1.3 In order to enable the Party and its officials to comply with the provisions of taxation legislation and Commonwealth and State electoral legislation the Administrative Committee will have the powers to:
- a. confirm all steps carried out by the State Secretary and State President to ensure compliance with the provisions of the Income Tax Assessment Act and the disclosure requirements of the Commonwealth Electoral Act and State Electoral Act as set out in the Rules and to call for reports from the State Secretary detailing compliance with the requirements under those Acts and Party Rules
  - b. determine all administrative procedures to ensure compliance by all constituent units (excluding Unions) with the requirements of the Income Tax Assessment Act and with the requirements of the Income Tax Assessment Act, Commonwealth and State Electoral Acts
  - c. levy any constituent unit (excluding Unions) an amount sufficient to cover the costs incurred in obtaining the information required for compliance with the provisions of the Income Tax Assessment Act and Commonwealth and State Electoral Acts
  - d. to ensure compliance with the provisions of the Income Tax Assessment Act and disclosure provisions of the Commonwealth and State Electoral Acts, the Administrative Committee be empowered to make any necessary consequential amendments to the Constitution and Rules of the Party to give effect to Rules.

## H2 COMPOSITION

- H2.1 The voting members of the Administrative Committee are:
- a. the State President
  - b. the three Vice-Presidents
  - c. the State Secretary
  - d. the Assistant State Secretary
  - e. the leader of the State Parliamentary Labor Party
  - f. the leader of the Federal Parliamentary Labor Party (where a Queensland Member of Parliament) or otherwise a representative of the Federal Parliamentary Labor Party chosen by and from Queensland members of the Federal Parliamentary Labor Party

- g. 20 ordinary members.
- H2.2 The non-voting members of the Administrative Committee who will have speaking rights are:
- a. the State Treasurer - appointed by the Administrative Committee
  - b. the General Returning Officer
  - c. the Party Organisers
  - d. the President of Australian Young Labor (Queensland)
  - e. the President of the Labor Women's Network
  - f. the Chairperson of the Queensland Indigenous Labor Network
  - g. one of the Convenors of Rainbow Labor Queensland
  - h. the Convenor of Labor Enabled Queensland
  - i. the Convenor of Multicultural Labor Queensland
- H2.3 Other employees of the Party are not eligible to be members of the Administrative Committee.
- H2.4 An ordinary member of the Administrative Committee will be replaced by countback where they:
- a. cease to be a member of the Party
  - b. resigns from the Administrative Committee
  - c. are removed by State Conference
  - d. are absent without approval of the Committee or tendering an apology in writing satisfactory to the majority of the meeting for three or more consecutive meetings

## H3 PROXIES

- H3.1 A voting member who is unable to attend a meeting of the Administrative Committee may appoint a proxy to attend in their place
- H3.2 Proxy appointments must be made in writing
- H3.3 Proxies must be a member of the Party
- H3.4 Proxies can not be an employee of the Party
- H3.5 Women members can only appoint other women, except in the case of Equity Group proxies.
- H3.6 A proxy can only be issued to a member who is from the same constituent group who appointed or elected the member issuing the proxy; specifically:
- a. the State Parliamentary Leader may only appoint another member of the State Parliamentary Labor Party

- b. the Federal Parliamentary Leader/Federal Parliamentary Labor Party Representative may only appoint another Queensland member of the Federal Parliamentary Labor Party

H3.7 Non-voting members who are unable to attend a meeting of the Administrative Committee may specify an alternate representative with leave of the Administrative Committee.

#### H4 QUORUM

H4.1 The quorum for meetings of the Administrative Committee is 14 voting members or their proxies.

#### H5 MEETINGS AND NOTICE

H5.1 The Administrative Committee meets each month, with the exception of January.

H5.2 Special meetings of the Administrative Committee may be called by the President, the State Secretary or at the request of five voting members.

H5.3 All members of the Administrative Committee will be given written notice of every meeting of the Administrative Committee.

#### H6 FLYING MINUTES

H6.1 The State Secretary may circulate resolutions for agreement outside of scheduled administrative committee meetings.

H6.2 A resolution circulated in this manner will be in writing, and will have the same effect as a decision of the administrative committee in an ordinary meeting.

H6.3 The majority required to pass a motion circulated by a flying minute is the same as if the resolution was considered at an ordinary meeting.

#### H7 COMMITTEES OF THE PARTY

##### H7.1 RULES COMMON TO ALL COMMITTEES

- H7.1.1 The Party will have the following standing Committees:
- a. Rules Committee (elected at State Conference)
  - b. Audit Finance and Risk Committee (elected by the Administrative Committee)
  - c. Central Campaign Committee (appointed by the Administrative Committee)
  - d. Agenda Committee (elected by the Administrative Committee)
  - e. Credentiaing Committee (elected by the Administrative Committee)

H7.1.2 Each Committee, at its first meeting after its election, will elect from among its own members a Convenor (except as otherwise provided in these Rules) who, with the assistance of Party Office, will be responsible for the calling and notification of meetings and the receipt of business. Committees will also be entitled to appoint a secretary.

H7.1.3 Where a member of a Committee is absent without approval of the Committee or tendering an apology (in writing) satisfactory to the majority of the meeting for three or more consecutive meetings of the Committee, that member will be deemed to have vacated their position and will be replaced by the Administrative Committee. Where possible, this should be filled by countback.

H7.1.4 Any member of a Committee (other than Rules, Policy Coordination Council or Audit Finance and Risk Committee) unable to attend a particular meeting may appoint in writing any other Party member as a proxy, providing same is lodged with the Convenor.

H7.1.5 Unless otherwise provided in these Rules, the quorum will be at least half of the voting members of each committee, including members on video or telephone link. Any committee meeting unable to form quorum within half an hour of the scheduled time of the meeting will lapse.

##### H7.2 RULES COMMITTEE

H7.2.1 The Rules Committee will report to State Conference with its recommendations upon:

- a. rule change proposals submitted by constituent units, and the State Parliamentary Labor Party
- b. matters considered by the Committee to make Rule changes desirable.

H7.2.2 The Administrative Committee may refer matters to the Rules Committee for its opinion as to clarification of the meaning of and any gaps in the Rules.

H7.2.3 The GRO will have speaking but not voting rights as an ex-officio member of the Rules Committee.

##### H7.3 AUDIT FINANCE AND RISK COMMITTEE

H7.3.1 The Audit Finance and Risk Committee (AFRC) comprises:

- a. five ordinary members
- b. President
- c. State Secretary
- d. State Treasurer
- e. Assistant State Secretary (non-voting).

H7.3.2 The AFRC will be chaired by the State Treasurer.

- H7.3.3 The AFRC will meet monthly except January.
- H7.3.4 Quorum for the AFRC is five voting members.
- H7.3.5 The AFRC has the following responsibilities:
  - a. financial governance and reporting responsibilities
  - b. audit and tax matters
  - c. regulatory compliance
  - d. oversight of a Risk Management Framework

- H7.3.6 The AFRC will:
  - a. approve annual administration budgets
  - b. approve campaign budgets
  - c. review financial statements and recommend to the Administrative Committee approval of these financial statements.

**H7.4 CENTRAL CAMPAIGN COMMITTEE**

- H7.4.1 The Central Campaign Committee will
  - a. develop and implement ongoing campaign strategies after each Federal, State and local government election
  - b. develop and implement campaigns around each significant Labor policy announcements
  - c. develop and implement campaigns around significant and strategic decisions by other parties
  - d. encourage appropriate campaign training and
  - e. encourage best-practice and continuous campaigning.
- H7.4.2 Membership of the Central Campaign Committee will be appointed from time to time by the Administrative Committee, but there will be not less than six members, with significant campaign experience and expertise, and representatives of endorsed Labor Local Government teams, State Parliamentary Labor Party and Federal Parliamentary Labor Party.

**H7.5 AGENDA COMMITTEE**

- H7.5.1 Responsible for recommending the conference agenda to the meeting of State Conference. The Administrative Committee elects the Agenda Committee at least three months prior to each State Conference.

**H7.6 CREDENTIALLING COMMITTEE**

- H7.6.1 Responsible for drawing up a list of certified voters and conducting audits of Party membership records. The Administrative Committee elects the Credentialling Committee in December each year.
- H7.6.2 The Administrative Committee will make a regulation for the operation of the Credentialling Committee.
- H7.6.3 The GRO will chair Credentialling Committee meetings.

**H8 ADMINISTRATIVE REGULATIONS**

- H8.1 The Administrative Committee may make, by the agreement of at least two-thirds of members present at a meeting, Administrative Regulations consistent with these Rules.
- H8.2 A notice of motion to make, vary or discharge an Administrative Regulation will be laid on the table at a meeting prior to the meeting at which the regulation is to be considered for determination.
- H8.3 The notice of motion will be forwarded to the Rules Committee for comment prior to the regulation being determined.
- H8.4 That Administrative Regulations will refer specifically to the Rule to which it is giving effect.
- H8.5 State Conference will have the power to reinstate, make, vary or discharge any Administrative Regulations. Further, State Conference will have the power to make any new Administrative Regulations it deems necessary.
- H8.6 All changes to the Administrative Regulations will be circulated to all Party Units and Unions.

## SECTION I: PARTY OFFICIALS

### 11 OFFICIALS

- 11.1 The Officials of the Party are:
- State President
  - Vice-Presidents
  - State Secretary
  - Assistant State Secretary
  - State Organisers
  - State Treasurer
  - General Returning Officer.
- 11.2 In the event of a casual vacancy of any elected Officials, the Administrative Committee may appoint a successor to serve until the next State Conference.

### 12 STATE PRESIDENT

- 12.1 The State President will chair State Conference and Administrative Committee meetings.
- 12.2 The State President is a member of all Committees of the Party.
- 12.3 The State President will be elected for a three-year term in accordance with the Direct Election Rule.
- 12.4 No person may hold the position of State President for more than two consecutive terms. A partial term as a result of being appointed following a casual vacancy does not constitute a term for the purpose of this rule.
- 12.5 A candidate for State President must have five years continuous financial Branch membership immediately prior to the opening of nominations and must not be an employee or a provider of paid professional services to the Party.

### 13 VICE-PRESIDENTS

- 13.1 Vice-Presidents may assume the duties of President in the absence of the President.
- 13.2 Three Vice-Presidents will be elected for a three-year term in accordance with the Direct Election Rule.
- 13.3 The election for Vice-Presidents will occur in the calendar year following the election of State President.

### 14 STATE SECRETARY

- 14.1 The State Secretary is the Chief Executive Officer of the Party.
- 14.2 The State Secretary is responsible for the day-to-day administration of the Party.

- 14.3 The State Secretary is a member of all Committees of the Party.
- 14.4 The State Secretary will be elected for a four-year term at State Conference, or less, if completing the current term as a casual vacancy.
- 14.5 The State Secretary is responsible to the Administrative Committee.
- 14.6 The State Secretary must deliver a report to each State Conference and each meeting of the Administrative Committee.

### 15 ASSISTANT STATE SECRETARY

- 15.1 The Assistant State Secretary is responsible for assisting the State Secretary in the day-to-day administration of the Party.
- 15.2 The Assistant State Secretary will be elected for a four-year term at State Conference, or less, if completing the current term as a casual vacancy.
- 15.3 The Assistant State Secretary is responsible to the Administrative Committee, under the direction of the State Secretary.

### 16 STATE ORGANISERS

- 16.1 The State Organisers are responsible for assisting the State Secretary and Assistant State Secretary.
- 16.2 The State Organisers liaise with Party Units and members under the direction of the State Secretary and Assistant State Secretary.
- 16.3 The State Organisers are appointed by the Administrative Committee and must sign a Contract of Employment agreed upon by the Administrative Committee.

### 17 STATE TREASURER

- 17.1 The State Treasurer is responsible for overseeing the finances of the Party in conjunction with the State Secretary and Assistant State Secretary.
- 17.2 The State Treasurer is appointed by the Administrative Committee for a three-year term.
- 17.3 The State Treasurer must deliver a report to each State Conference and each meeting of the Administrative Committee.
- 17.4 The State Treasurer must develop an annual budget for approval by the Administrative Committee.
- 17.5 The State Treasurer convenes the Audit Finance and Risk Committee.

## 18 RETURNING OFFICERS

- 18.1 The Returning Officers (RO) of the Party are a General Returning Officer (GRO) and four Assistant Returning Officers (ARO) who are elected for a four-year term at State Conference in one ballot, where the first elected is the GRO.
- 18.2 In the event of the GRO or an ARO leaving office for any reason, the Administrative Committee may appoint an Acting GRO or ARO to serve until the next State Conference. State Conference will then elect the GRO and AROs for a new four-year term.
- 18.3 The GRO:
- a. is responsible for organisation and conduct of all preselection ballots and plebiscites
  - b. is responsible for organisation and conduct of Direct Election, Electoral College, Equity Group and State Conference ballots except for the ballot to elect the ROs
  - c. holds the sole authority for declaring the results of each ballot
  - d. provides reports to Administrative committee for endorsement on the conduct of all preselection ballots and plebiscites including the the timetable, nominations, candidates and results.
  - e. with Credentialing Committee, will determine a list of certified eligible voters for preselection ballots and plebiscites
  - f. is responsible for credentialing delegates to State Conference.
- 18.4 The AROs must:
- a. seek the authorisation of the GRO prior to declaring or releasing the results of any ballot
  - b. discharge their functions in accordance with the directions of the GRO.
- 18.5 The ROs must not:
- a. be an officer or employee of the Party
  - b. be a voting member or proxy of the Administrative Committee, Disputes Tribunal, Rules Committee or Electoral College
  - c. be a voting delegate or proxy to State Conference.
- 18.6 Any RO must not act as the returning officer for any State Conference Delegate ballot or local preselection ballot for which they are eligible to vote in.
- 18.7 Any returning officer must not act as the returning officer for any ballot in which they are a candidate.
- 18.8 Any returning officer who has any conflict of interest in a ballot, other than being an eligible voter, must declare that conflict and not act as returning officer for that ballot.
- 18.9 Any returning officer who is eligible to vote in a statewide, National Conference or Equity Group ballot remains eligible to vote in that ballot, regardless of their appointment as returning officer.
- 18.10 For the purposes of conducting any preselection ballot under these Rules, the terms “General Returning Officer” and “Assistant Returning Officer/s” have the same meaning as that given to the term “Returning Officer/s” under the Electoral Regulation 2013.

## SECTION J: AFFIRMATIVE ACTION

### J1 AFFIRMATIVE ACTION FOR PUBLIC OFFICE

#### J1.1 TRANCHES AND SEATS

- J1.1.1 For all public office preselections, “seats” includes council wards, seats in the Queensland Legislative Assembly, seats in the House of Representatives and Senate positions.
- J1.1.2 Prior to the opening of nominations for any general election at any level of government, seats must be split into three tranches on the following basis:
  - a. Tranche 1 (Held) is all seats currently held by the ALP
  - b. Tranche 2 (Winnable) is all seats that would be won by the ALP with a five percent increase in its two candidate preferred vote since the last election
  - c. Tranche 3 (Remaining) is all other seats.
- J1.1.3 In preselections for federal candidates:
  - a. Seats in the House of Representatives and the Senate are grouped together.
  - b. Senate positions occupied by an ALP Senator are part of Tranche 1
  - c. The position after the held Senate positions is part of Tranche 2 if the number of quotas the Party had on primaries at the previous election was more than the number of held positions plus half of a quota.
  - d. All other Senate positions are part of Tranche 3.
- J1.1.4 The Administrative Committee must declare which seats are part of which tranche prior to the opening of nominations.
- J1.1.5 When calculating minimum percentages in this rule, a fraction more than one half must be rounded up to the next whole number and a fraction of one-half or less must be rounded down to the previous whole number.

#### J1.2 WOMEN

- J1.2.1 This Affirmative Action rule is subject to the Affirmative Action rule in the National Constitution.
- J1.2.2 In each of the three tranches, the minimum percentage of women candidates who must be preselected is:
  - a. Until 31 December 2024, 45%
  - b. From 1 January 2025: 50%.

- J1.2.3 For casual vacancies, including by-elections and Senate appointments, if the minimum percentage of women is not met in the relevant level of government, the vacancy must be filled by a woman.
- J1.2.4 The State Secretary must, no later than 1 November each year, provide a report to the Administrative Committee and to the National Executive on the progress of implementation of this Rule.
- J1.2.5 Consistent with the national rules, the enforcement mechanism is as follows:
  - a. If at the close of nominations for preselections for a tranche of seats, the minimum percentage of women cannot be met, the nominations of that tranche will automatically be void, and nominations for that tranche must be re-opened.
  - b. If after preselections (including by way of ballots) have been conducted for a tranche of seats, the minimum percentage of women has not been met, the preselections for that tranche will automatically be void, and nominations for that tranche must be reopened, and fresh preselections conducted in accordance with these Rules.

#### **Affirmative Action Transitional rules**

1. *The Affirmative Action Enforcement mechanism does not apply to any seat that was a held seat at the conclusion of the 2015 State Conference, and has been held continuously since that date.*
2. *If a Councillor, Member or Senator vacates a seat or position held continuously since the conclusion of the 2015 State Conference and less than the minimum percentage of the remaining seats in the relevant group of held seats, are held by women then the vacating Councillor, Member or Senator must be replaced by a woman candidate.*

*These transitional rules are repealed effective 1 July 2023 and will be removed after that date.*

**J1.3 ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE**

- J1.3.1 The minimum number of Aboriginal and Torres Strait Islander candidates for each round of preselections will be a minimum of five percent of Tranches 1 and 2 combined.
- J1.3.2 At each round of preselections the Administrative Committee will ensure the minimum number of Aboriginal and Torres Strait Islander candidates in Tranches 1 and 2 combined is met, and that this number will not be less than:
  - a. one candidate for Federal Parliament
  - b. two candidates for the Queensland Legislative Assembly
  - c. one candidate for each endorsed local government team.

**J1.4 LGBTIQ PEOPLE**

- J1.4.1 The minimum number of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning (LGBTIQ) candidates for each round of preselections will be a minimum of five percent of Tranches 1 and 2 combined.
- J1.4.2 At each round of preselections, the Administrative Committee will ensure the minimum number of LGBTIQ candidates in Tranches 1 and 2 combined is met.

**J2 PARTY POSITIONS**

**J2.1 WOMEN**

- J2.1.1 In all elections and appointments where more than a single candidate is to be elected not less than the following percentage of positions must be held by women:
  - a. Until 31 December 2024, 45%
  - b. From 1 January 2025: 50%.
- J2.1.2 In elections where a single candidate is to be elected or appointed, the following positions will be considered together, and the number of women holding positions in each group would be the same as if they were elected in a single multi-candidate ballot:

- a. State President, Vice-Presidents and Treasurer
- b. State Secretary and Assistant State Secretary
- c. permanently employed Organisers.

J2.1.3 The National Principles of Affirmative Action will be applied to the appointment of temporarily employed organisers, such as field organisers hired specifically for election campaign periods, so that as near as possible to 50 percent must be women.

J2.1.4 When calculating minimum percentages in this rule, a fraction more than one half must be rounded up to the next whole number and a fraction of one-half or less must be rounded down to the previous whole number.

**J2.2 REGIONAL REPRESENTATION**

- J2.2.1 Wherever these rules require a candidate, delegate or member to reside within a specified region, the following defined zones will apply:
  - a. Brisbane North Zone: consisting of the federal divisions of Brisbane, Lilley, Petrie and Ryan
  - b. Brisbane South Zone: consisting of the federal divisions of Bonner, Bowman, Griffith, Moreton, Oxley and Rankin
  - c. Greater South-East Queensland Zone: consisting of the federal divisions of Blair, Dickson, Fadden, Fairfax, Fisher, Forde, Longman, McPherson, Moncrieff and Wright
  - d. Regional Queensland Zone: consisting of the federal divisions of Capricornia, Dawson, Flynn, Groom, Herbert, Hinkler, Kennedy, Leichhardt, Maranoa and Wide Bay.

The following tables assist in the number of women who must be elected for proportional representation ballots.

Number to be elected	40% (before 2022)	45% (2022-2025)	50% (from 2025)
2	1	1	1
3	1	1	1
4	1	2	2
5	2	2	2
6	2	3	3
7	3	3	3

Number to be elected	40% (before 2022)	45% (2022-2025)	50% (from 2025)
8	3	4	4
9	4	4	4
10	4	4	5
11	4	5	5
15	6	7	7
20	8	9	10

## SECTION K: PUBLIC OFFICE

### K1 LEVY

- K1.1 All members in Parliament and endorsed local government councillors will pay a levy of seven per cent of their salaries into a special account to be operated by the State Secretary.
- K1.2 Contributions to the levy fund are to be paid not less frequently than three months in arrears.
- K1.3 Any nominee who is a sitting member and is in arrears by more than three months, cannot be endorsed.

### K2 CAUCUS

- K2.1 The State Parliamentary Labor Party and each endorsed Local Government Labor Party will have a caucus constitution, a copy of which will be lodged with the State Secretary and any changes advised promptly. All caucus constitutions and rules will be subject to the Rules of the Party and in the event of any conflict the Rules of the Party will prevail.
- K2.2 The Chairperson and members of committees in local government will be elected by optional preferential ballot at the first duly constituted meeting of caucus held after a general election.
- K2.3 Any member of Parliament or representative in local government who refuses or fails to abide by the decisions of their caucus is liable to be expelled from the Party provided that the caucus decision is not contrary to any National or State Conference decision.
- K2.4 Any member of Parliament or representative in local government who violates the platform or policies of the Party will not be eligible to attend or take part in any caucus.
- K2.5 Not later than 14 days after the last poll is declared for a State general election, the leader, or failing the leader, the deputy leader, or failing them both, the secretary of the Parliamentary Party, or failing all of these, then the member most senior in occupancy or some other member agreed upon by a majority of the members, will call a meeting of the successful candidates, and the decisions of that caucus and any other caucus of such members will, subject to the authority given to the National Executive and National Conference by the National Rules and the authority given to the Administrative Committee and State Conference by these Rules, be binding on all members of Caucus.

### K3 LEADERSHIP OF THE STATE PARLIAMENTARY LABOR PARTY

- K3.1 A ballot for Leader of the SPLP will be called if any of the following conditions are met:
  - a. a state general election loss
  - b. a casual vacancy where the Leader resigns or becomes permanently unavailable
  - c. not less than 50% of members of caucus petition the State Secretary for a ballot.
- K3.2 The Administrative Committee must, as soon as practical, once any of these conditions are met, call for nominations for SPLP Leader and approve a timetable for elections on the advice of the General Returning Officer.
- K3.3 The Leader of the State Parliamentary Labor Party (SPLP) will be elected by a combined democratic vote, in three separate ballots, consisting of:
  - a. individual members of the SPLP (one third)
  - b. individual branch members (one third)
  - c. Unions affiliated to the Party allocated votes in the same proportions as their respective delegations at the previous state conference (one third).
- K3.4 The General Returning Officer (GRO) will be responsible for the conduct of each ballot.
- K3.5 Eligible branch members, Unions and members of the SPLP will vote in separate optional preferential ballots. Members of the SPLP and Union delegates casting a vote on behalf of their Union, cannot also vote as Branch members.
- K3.6 Votes will not be counted until all three of the SPLP, Union and Branch ballots have been conducted.
- K3.7 The General Returning Officer will convert the results of each candidate for each ballot to an equivalent of 50 votes, so that the total combined, converted votes will equal 150.
- K3.8 The converted votes for each candidate will be combined and the candidate with the highest number of combined votes, after the distribution of preferences (if required) will be the successful candidate.
- K3.9 The Administrative Committee may determine limits on campaign expenditure and other matters, including a code of conduct for candidates and third parties supporting candidates.

K3.10 Unions must provide equal access for candidates as part of any democratic process they undertake to determine their vote.

# SECTION L: SELECTING A CANDIDATE TO BE ENDORSED FOR PUBLIC OFFICE

## L1 THE SELECTION PROCESS

- L1.1 This section describes the rules for selecting a candidate to be endorsed for public office, including:
  - a. candidates for a Federal Election or Federal By-Election
  - b. candidates for a State Election or State By-Election
  - c. candidates for a Local Government Election or Local Government By-Election.
- L1.2 The selection process includes:
  - a. Expressions of Interest
  - b. Candidate Suitability Panel consideration
  - c. Nominations for Public Office
  - d. Vetting and Approval of Nominations
  - e. Preselection Ballot
  - f. Electoral College, or in the case of Senate candidate selection by Direct Election
  - g. Determining a Result
  - h. Endorsement of Candidates.
- L1.3 In the case of an emergent situation, of which the Administrative Committee will be the sole judge, the Administrative Committee may, by a two-thirds majority decision, determine the procedure for the selection process.
- L1.4 In relation to a dispute, an emergent situation may include a determination of the Disputes Tribunal to:
  - a. declare the selection result void
  - b. make recommendations as to the further conduct of the selection process.

## L2 QUALIFICATIONS TO BE A CANDIDATE FOR PUBLIC OFFICE

- L2.1 Nominees must be Australian citizens.
- L2.2 Nominees must not be a member of any association, Union or group of persons or society having objectives contrary to the Party platform or policy.
- L2.3 A nominee who is an employer and has actively discouraged employees from Union membership is not eligible to be a candidate for public office.
- L2.4 Every nominee who is eligible by occupation to be a member of a Union must be a financial member of a Union covering that calling.

- L2.5 Nominees for selection as a candidate for Public Office must be financial and registered members of the Party and have at least six months continuous Branch membership immediately prior to the opening of nominations.

## L3 EXPRESSIONS OF INTEREST

- L3.1 A person seeking to be chosen by the Party as a candidate for public office must be assessed for suitability for candidacy by the Candidate Suitability Panel (CSP) by submitting an Expression of Interest (EOI).
- L3.2 The Administrative Committee is responsible for the process for EOIs.
- L3.3 The Administrative Committee, in consultation with the CSP and the General Returning Officer, will determine the time and dates for the opening and closing of EOIs, which will be called periodically by notice to party members and affiliated unions but may be submitted at any time.
- L3.4 The GRO must provide relevant notification to the Party membership of the process and timelines.
- L3.5 In the case where an insufficient number of EOIs for public office are received by the closing date, EOIs will remain open until the Administrative Committee decides otherwise, at which point the Administrative Committee will determine the process for calling further EOIs.
- L3.6 A fee will be paid to Party Office by each person submitting an EOI. The fee will be determined by the Administrative Committee.
- L3.7 The Administrative Committee will determine the disclosures, reports and checks including criminal history that a person must submit to the CSP when submitting an expression of interest. The CSP may also request further information to support its deliberations.
- L3.8 Once a person has lodged an EOI, they must provide the required documentation within fourteen days or their EOI may be invalidated by the CSP.

## L4 CANDIDATE SUITABILITY PANEL

- L4.1 The Candidate Suitability Panel (CSP) is a panel to assess the suitability of an individual to be a candidate for public office.

- L4.2 The members of the CSP will be:
- the State President
  - the State Secretary
  - three ordinary members.
- L4.3 The ordinary members of the CSP will be appointed by the Administrative Committee.
- L4.4 The ordinary members of the CSP must:
- have at least five years continuous financial membership
  - not hold elected public office, nor be involved in the day-to-day political activity of the Party
  - not be an employee of the Party
  - not be a provider of paid professional services to the Party
  - be a Party member of such standing that they would be regarded by party members as an eminent Party member, through distinguished service in public office, the trade union movement or as an executive member of the Party, thereby understanding the role and responsibilities of those who serve in elected public office.
- L4.5 Each meeting of the CSP must have a minimum of four members present.
- L4.6 The CSP will meet regularly throughout the year to assess EOIs.
- L4.7 The CSP will determine whether or not a person is suitable to be a candidate with reference to suitability criteria that is determined by a resolution of two-thirds of the Administrative Committee.
- L4.8 The CSP must provide its report on the suitability of individuals who have submitted an EOI to:
- the individual submitting the EOI
  - the Administrative Committee.
- L5.4 At the opening of nominations the General Returning Officer will ensure notice of the election is made available to party members and affiliated unions in compliance with the Electoral Act 1992 (Qld) and Electoral Regulation 2013 (Qld).
- L5.5 The GRO must provide relevant notification to the Party membership of the process and timelines.
- L5.6 The closing of nominations must be at least one month after the notification to Party members, provided that in cases of urgency the time period may be reduced by the Administrative Committee.
- L5.7 Where an insufficient number of nominations are received by the closing date, the Administrative Committee will determine the process for calling further nominations.
- L5.8 A member may only nominate in one electorate for the House of Representatives, the Legislative Assembly and Local Government in the relevant Public Office selection round.
- L5.9 In order to submit a nomination, a member must have an approved EOI in accordance with the EOI process.
- L5.10 All Labor candidates for public office will sign and be bound by the following Candidate Pledge:
- I, [candidate name], being a candidate for selection by the Australian Labor Party hereby give my pledge that if not selected I will not in any way oppose the candidature of the duly selected nominee, and, if selected, I will go through with the contest. I agree, if selected to advocate and support the principles contained in the Australian Labor Party's latest National, State and Local Government platforms, and on all questions affecting the platform to vote as a majority of the Parliamentary or Municipal Labor Party may decide at a duly constituted Caucus meeting. In the event of the question of the interpretation of any plank in the platform being in dispute, it will be referred to the State Conference or the National Executive as appropriate for decision and that decision will be final. I also pledge myself to do everything in my power to further the objects of the Party as set forth in its Constitution and General Rules. I hereby declare that I am not a member of a communist or fascist organisation or Party, or of any political party having objects and methods in any way opposed to the Australian Labor Party.

## L5 NOMINATIONS FOR PUBLIC OFFICE

- L5.1 Nominations are sought for selection for candidacy in a specific electorate.
- L5.2 The Administrative Committee will determine the time and dates for the opening and closing of nominations in consultation with the General Returning Officer (GRO).
- L5.3 When first calling for nominations for public office, the Administrative Committee will, except where otherwise decided by two thirds majority, call for nominations for all seats in a tranche to ensure Affirmative Action provisions can be complied with.

- L5.11 The nomination form approved by the Administrative Committee must contain:
  - a. the Candidate Pledge witnessed by a member of the Party
  - b. acknowledgement of receipt of the Model Procedures for the Conduct of a Preselection Ballot
  - c. an agreement to comply with the Fundraising Code of Conduct
  - d. a Candidate Party Building and Fundraising Commitment
  - e. a Candidate Assignment of Public Funding.
- L5.12 Nominations must:
  - a. be in the form approved by the Administrative Committee
  - b. be in writing and signed by the nominee and witnessed by another member
  - c. be received by the GRO or their nominee prior to the close of nominations
  - d. comply with all relevant provisions of the Electoral Act 1992 and Electoral Regulation 2013
  - e. be accompanied by a signed Levy Deduction Authority in the form approved by the Administrative Committee.
- L5.13 All nominations for Senate candidates must be accompanied by a petition of two hundred eligible Branch Members supporting the nomination of that candidate.
- L5.14 All nominations for the mayoral candidate for the City of Brisbane must be accompanied by a petition of fifty eligible Branch Members supporting the nomination of that candidate.
- L5.15 Nominations may be withdrawn by written notice to the GRO.
- L5.16 Any nomination that is withdrawn prior to the close of nominations will be taken to have never been submitted.
- L5.17 Each public office holder will be required to renominate or give written notice to the State Secretary of their intention to retire at least fourteen days prior to the close of nominations, or a longer period of time determined by the Administrative Committee.
- L5.18 Where a public office holder does not indicate an intention to retire within the required time period or does not renominate, the General Returning Officer will recall nominations in the relevant electorate which will remain open for at least fourteen days, or a longer period of time determined by the Administrative Committee.

## L6 VETTING AND APPROVAL OF NOMINATIONS

- L6.1 After the close of nominations, the GRO must decide in relation to each nomination whether it would be considered acceptable.
- L6.2 The GRO may consider nominations prior to the close of nominations and advise a nominee if there may be reason that their nomination may not be acceptable or if there is a reason it could be rejected, to allow a nominee to modify their nomination to be acceptable prior to the close of nominations.
- L6.3 An informal nomination will not be accepted and is taken never to have been submitted.
- L6.4 A nomination will not be rendered informal by any merely technical irregularity. The Administrative Committee will decide whether any irregularity is sufficient to render a nomination informal.
- L6.5 Nominations cannot be amended after the close of nominations.
- L6.6 The GRO must provide a report to the Administrative Committee detailing all nominations received, and in relation to each nomination:
  - a. whether the nominee meets the qualifications to be a candidate for public office
  - b. if the nominee does not meet the qualifications to be a candidate for public office, provide the details of why they do not meet the qualifications
  - c. if there is ambiguity as to whether the nominee meets the qualifications to be a candidate for public office, what that ambiguity is
  - d. whether the nomination meets other formal requirements for nomination for Public Office.
- L6.7 A nomination will not be approved in any of the following circumstances:
  - a. the nomination does not meet the required qualifications
  - b. the nomination does not comply with the formal requirements for nomination for Public Office
  - c. the candidate has not complied with the relevant acknowledgements and pledges
  - d. the nomination to be a Senate candidate or mayoral candidate for the City of Brisbane and does not comply with required petition for eligible Branch Members.

- e. the nominee is a sitting member and is in arrears by more than three months on payment of the Public Office levy.
- L6.8 The Administrative Committee has discretion to approve or reject nominations that do not comply with continuity requisites (see Rule L2) at the opening of nominations, subject to:
- a. if there are other nominees for the relevant electorate who meet continuity requisites, those nominations that do not meet the requirement can only be approved if agreed to by a two-thirds majority decision
  - b. if there are no nominees for the relevant electorate who meet the continuity requisites the nomination can only be approved if agreed to by a majority decision.
- L6.9 The Administrative Committee may reject a nomination where:
- a. it considers, on the advice of the Candidate Suitability Panel, the candidate is not considered suitable for public office
  - b. the nominee has not complied with the Expressions of Interest process.
- L6.10 The Administrative Committee must reject a nomination where:
- a. as a result of careful investigation, the nominee is shown to be lacking in the necessary character, loyalty and ability to be a satisfactory representative of Labor in an elective capacity.
  - b. the nominee's record shows failure, without good and cogent reasons, to vote for and/or defend Labor's legislation or if that person's candidature may prejudice Labor's prospects.
- L6.11 If there are no accepted nominees for a particular electorate, the Administrative Committee must begin the Nominations for Public Office process again.
- L6.12 If there is one accepted nominee for a particular electorate, that nominee will proceed to the Endorsement of Candidates process.
- L6.13 If there is more than one accepted nominee for a particular electorate, then the nominees will proceed to the Preselection Ballot and Electoral College or Direct Election processes.
- L7 PRESELECTION BALLOT**
- L7.1 A preselection ballot will be held where there is more than one nominee for a particular electorate.
- L7.2 No nominee will take part in a preselection ballot unless first approved by the Administrative Committee.
- L7.3 The Administrative Committee will determine the time and dates for each preselection ballot in consultation with the General Returning Officer (GRO).
- L7.4 The General Returning Officer must give written notice to each of the candidates whose nomination is accepted. The notice must contain:
- a. how the preselection ballot will be held
  - b. the opening and closing time for voting
  - c. if voting is to be by electronic and/or postal voting and the address at which postal votes must be received
  - d. if voting is to include attendance voting, where a person will be able to vote
  - e. advice that the candidate may appoint a scrutineer
  - f. advice that the candidate, or any other Party Member enrolled in the relevant electorate, may inspect the preselection voter roll free of charge, including:
    - i. the address at where it may be viewed
    - ii. the time stated and during the period beginning the day after the closing time for nominations and ending 30 days after the close of voting for the preselection ballot.
- L7.5 The information contained in the notice must not be inconsistent with information contained in the notice that called for nominations for the particular ballot.
- L7.6 A copy of the model procedures (Schedule 1 of the Electoral Regulation 2013) must be provided to each preselection candidate, who must give the GRO a written acknowledgement of receipt of the procedures.
- L7.7 The GRO must provide relevant notification of the process and timelines to the Party membership in the relevant electorate.
- L7.8 The State Secretary will hold a candidate forum during a preselection ballot. The date and location for the forum will be determined, in consultation with the GRO, at the same time as the timetable for the preselection ballot.
- L7.9 Consistent with these rules, the principles of free and democratic elections apply to these ballots, including:
- a. only members of the party who are electors may vote

- b. only members of the party who are eligible to vote in accordance with other sections of these rules are eligible to vote
  - c. each member has only 1 vote
  - d. voting is by secret ballot
  - e. a member must not be improperly influenced in voting
  - f. a member's ballot must be counted if the member's intention is clear
  - g. members' votes must be accurately counted
  - h. each person who is seeking selection may be present personally, or may be represented by another person, at the ballot and for the scrutiny, and counting, of votes.
- L7.10 In order to be eligible to vote, a member must have met the requirements for "Full Membership" of the party and be legally enrolled as at 31 January or 31 July immediately prior to the date of opening of nominations in the relevant electorate.
- L7.11 The conduct of the preselection ballot will be in accordance with *Section M: Democratic Process (Plebiscites and Internal Ballots)*, which includes:
- a. Eligibility & Voter Roll
  - b. Communication with Voters
  - c. Ballot Process
  - d. Rights and Responsibilities
  - e. Scrutineers
  - f. Ballot Formality.
- L7.12 At the conclusion of the ballot, an indicative first preference count will be conducted in order to certify the result and prepare a report for the Party.

## L8 ELECTORAL COLLEGE

### L8.1 ELECTORAL COLLEGE - COMPOSITION

- L8.1.1 The Electoral College comprises of:
- a. the State President
  - b. the Leader of the relevant Parliamentary or Local Government Labor Party or the Leader's nominee. For federal selections, where the leader of the Federal Parliamentary Labor Party is not a Queensland, a representative chosen by and from Queensland members of the Federal Parliamentary Labor Party

- c. delegates from each affiliated Union equivalent to their delegation as at the last state conference. The votes of Union delegates for Electoral College will be converted to a total of 28 votes.

- L8.1.2 Unions will provide a list of Electoral College delegates to be credentialed by the Administrative Committee and that list will remain in authority until replaced or amended by the Union at any time. All changes to Electoral College delegations will be approved by the Administrative Committee.

### L8.2 ELECTORAL COLLEGE - OPERATIONS

- L8.2.1 The Electoral College process does not apply to the selection of Senate candidates.
- L8.2.2 The GRO will conduct the Electoral College ballot at the same time as the Preselection Ballot, with both ballots opening and closing simultaneously and being counted at the same time.
- L8.2.3 Each candidate will be provided a list of Electoral College members and delegates including contact details.
- L8.2.4 Each candidate may provide a personal and policy statement of up to 500 words to be circulated to all members of the Electoral College accompanying their ballot.
- L8.2.5 Before voting, the Electoral College will receive a report from the General Returning Officer about whether the vote may trigger the Affirmative Action Rule and cause existing preselections to be rendered void.
- L8.2.6 The conduct of the Electoral College ballot will be in accordance with *Section M: Democratic Process (Plebiscites and Internal Ballots)*, which includes:
- a. Ballot Process
  - b. Ballot Formality.

## L9 SELECTION OF SENATE CANDIDATES

- L9.1 The selection of Senate candidates is conducted under the Direct Election select process in accordance with *Section M: Democratic Process (Plebiscites and Preselections)*.
- L9.2 The Preselection Ballot of eligible branch members will be held prior to State Conference.
- L9.3 Union delegates will vote in a stand-up ballot at State Conference. If a State Conference is unable to be held, the GRO will conduct a ballot of union delegates credentialed by a meeting of the Administrative Committee.
- L9.4 In the event of a double dissolution or casual vacancy:

- a. Senate candidates will be elected by the Administrative Committee
- b. the General Returning Officer will call for nominations immediately
- c. the State Secretary will call the Administrative Committee together to meet within 48 hours.

- L9.5 A candidate selected in any Senate team will not have prior rights in any future Senate selection where a normal or casual vacancy occurs.
- L9.6 The Administrative Committee will determine the number of candidates to be included on the Senate team.
- L9.7 Senate candidates will appear on the Senate team in the order in which they are elected.

### L10 DETERMINING A RESULT

- L10.1 In a preselection at a State or Local Government level, including mayoral candidates, the General Returning Officer will determine the value of the preselection ballot as follows:
  - a. if the number of formal votes cast is 70 or less, no further conversion or recalculation of votes is required.
  - b. if the number of formal votes cast is more than 70 then the branch member ballot result must be converted to an equivalent of 70 votes.
- L10.2 In a preselection for Federal House of Representatives seats, the General Returning Officer will determine the value of the preselection ballot as follows:
  - a. if the number of formal votes cast is 210 or less, then the formal vote for each candidate is reduced to a value equal to 1/3 of the total number of formal votes received by that candidate.
  - b. if the number of formal votes cast is more than 210, then the branch member ballot result must be converted to an equivalent of 210 votes. Next, the formal vote for each candidate is reduced to a value equal to 1/3 of the total number of formal votes received by that candidate.
- L10.3 In a preselection for Senate candidates, the General Returning Officer will determine the value of the preselection ballot as follows:
  - a. the branch member ballot result must be converted to an equivalent of 50 votes.

- L10.4 The converted votes for each candidate will be calculated as follows:
  - a. divide 50 or 70 or 210, as appropriate, by the number of formal votes cast in the ballot to obtain the converted value of each vote.
  - b. multiply the votes received by each candidate by the converted value calculated above to obtain the converted vote for each candidate. The total of the converted votes for all candidates should equal 70 votes, or 50 votes in the case of a Senate candidate selection.
- L10.5 The result of the Union component of the Electoral College will be converted to the equivalent of 28 votes.
- L10.6 The result of the Union component of the Direct Election ballot will be converted to the equivalent of 50 votes.
- L10.7 The final votes for each candidate, will be combined with the votes from the Electoral College or Direct Election process and the candidate with the majority of the combined votes after the distribution of preferences will be declared provisionally elected.

**For clarity:**

In the case of a state or LGA preselection, the preselection ballot is worth up to 70 votes, and the Electoral College is worth up to 30 votes.

In the case of a federal preselection other than for the Senate, the preselection ballot is divided by 3 and worth up to 70 votes, and the Electoral College is worth up to 30 votes.

In the case of a Senate preselection, the preselection is scaled to be worth 50 votes, and the Union component is worth 50 votes adding to 100.

### L11 ENDORSEMENT OF CANDIDATES

- L11.1 Prior to final endorsement of candidates, the Administrative Committee must ensure that the Affirmative Action for Public Office rule is met.
- L11.2 If the Affirmative Action enforcement mechanism is triggered, no candidate in the relevant tranche is endorsed and the selection process begins again with the calling of nominations for all seats within that tranche.
- L11.3 A candidate who has been knowingly and willingly selected or endorsed by any Party Unit or affiliated Union, or any section of an affiliated Union for the purpose of furthering that candidature in any selection will not be endorsed.

- L11.4 Any member being aware of any action of or circumstances in connection with a person nominated as a candidate for public office that would make them unsuitable for endorsement will advise the State Secretary.
- L11.5 The General Returning Officer will provide a report to the Administrative Committee detailing the successful candidate for each electorate, and the results of any ballots that occurred.
- L11.6 Candidates will be endorsed to stand for Public Office in the relevant electorate on the approval of the Administrative Committee.
- L11.7 The State Secretary will provide notification to the Electoral Commission of all endorsed candidates.
- L11.8 The State Secretary, with the authority of the Administrative Committee, is responsible for timing and method of announcement of successfully endorsed candidates. No Party Member or Party Official will hold out any candidate as having been endorsed by the Party until such time.
- a. unfitness for the position
  - b. previous behaviour rendering the candidate unworthy of confidence
  - c. for failing to disclose or misrepresenting a material matter in the Candidate Suitability Panel process.

## L12 DISENDORSEMENT OF A CANDIDATE

- L12.1 The Administrative Committee may by a two thirds majority decision withdraw the endorsement of any candidate on the grounds of:

## SECTION M: DEMOCRATIC PROCESS (PLEBISCITES AND INTERNAL BALLOTS)

### M1 CONDUCT OF BALLOTS

- M1.1 The Australian Labor Party was founded on the basis of internal democracy and fairness, internal ballots are a significant feature of the inclusion of party members and unions in that democracy.
- M1.2 Selection of candidates for public office will also be conducted in accordance with *Section L – Selecting a Candidate to be Endorsed for Public Office*.
- M1.3 Except where there is another method described, ballots will be conducted
- for single positions: by optional preferential ballot in accordance with Rule *M11*
  - for multi-member positions: by optional preferential proportional ballot in accordance with Rule *M12*.
- M1.4 The Administrative Committee, must determine, prior to the opening of nominations, the mode of issuing and recording votes, which may include:
- an online voting platform
  - a stand-up ballot procedure (attendance)
  - postal voting
  - telephone voting
  - another approved voting option that allows voters to cast a formal vote
  - a combination of the above.
- M1.5 All Returning Officers and presiding officers, officers of the Party at all levels, Party Units and employees of the Party will deal with all nominees and voters in an impartial and even-handed way.

### M2 NOMINATIONS FOR INTERNAL PARTY POSITIONS

- M2.1 For positions elected for a Branch or Electorate Organising Councils, nominations will be accepted from the floor, and are required to be seconded by an eligible member.
- M2.2 For all other internal Party Positions candidates must complete the approved Nomination Form and submit it to the General Returning Officer before the close of nominations by an approved method.
- M2.3 Candidates for election as State President or Vice-President, must also submit a Petition for Nomination of Candidate (Form H):

- for President, signed by at least 200 Party members who are eligible to vote in that ballot
- for Vice-President, signed by at least 100 Party members who are eligible to vote in that ballot.

- M2.4 Nominees for internal Party Positions must be financial and registered members of the Party and, with the exception of QYL and any union delegate positions, have at least six months continuous Branch membership immediately prior to the opening of nominations.
- M2.5 For positions that have residential eligibility, nominees must be enrolled in the relevant electorate or have their residency verified at least three months prior to the opening of nominations.

### M3 ELIGIBILITY & VOTER ROLL

- M3.1 In this part, the relevant electorate refers to:
- in the case of a public office preselection, then the electorate or local government area or division or ward for which that preselection is being conducted
  - in the case of state conference delegate elections, the relevant federal electorate
  - in the case of Party Unit elections not conducted at an AGM, the members of that Party Unit
  - in the case of elections for Party Officials and similar positions, all members.
- M3.2 In order to be eligible to vote in internal Party ballots, a member must have met the requirements for “Full Membership” of the party, and, in accordance with the verification process (*AR7*), meet one of the following criteria as at 31 January or 31 July immediately prior to the opening of nominations:
- be legally enrolled in the relevant electorate
  - where unable to be enrolled due to being under 18 years of age, provides proof of residential address
  - where unable to be enrolled due to lack of Australian citizenship, and is a permanent resident, provides proof of their residential address and their permanent residency status.

- M3.3 In accordance with the verification process (AR7), in order to be eligible to vote in preselections, a member must be legally enrolled in the relevant electorate as at 31 January or 31 July immediately prior to the opening of nominations, and meet the requirements for “full membership” of the party. Except, a member will be included as an eligible voter on the voter roll where:
- a. They meet the requirements for “full membership”, but due to age, citizenship or some other disqualifying reason they are not enrolled on the relevant verification cut-off day, but subsequently legally enrolled in the relevant electorate prior to the opening of nominations, and they apply to be included as an eligible voter
  - b. They transferred their membership from interstate and were not enrolled as at the relevant verification cut-off day, but subsequently legally enrolled in the relevant electorate prior to the opening of nominations and have met the requirements for registering with a branch in Queensland as at the opening of nominations.
- M3.4 The General Returning Officer will prepare a Voter Roll for any election to be conducted.
- M3.5 A Voter Roll will contain the details of:
- a. all eligible voters
  - b. all other members who reside in or are a part of the relevant electorate but who are not eligible voters. These ineligible voters must be marked in such a way to indicate that they are ineligible and the reason for their ineligibility.
- M3.6 The details to be included on the Voter Roll for each member are:
- a. name
  - b. enrolled address
  - c. mailing address if different to their enrolled address
  - d. email address
  - e. phone number
  - f. gender
  - g. date of birth
  - h. eligibility date
  - i. member number.
- M3.7 The Returning Officer must make the Voter Roll available for inspection by any candidate in an election, or any member who resides in the electorate. For any state or local government preselection, a physical copy of the Voter Roll will be available:
- a. free of charge
  - b. at the address indicated in the notice of election
  - c. at times indicated in the notice of election during a period that commences the day after nominations close and ends 30 days after the close of the ballot.
- M3.8 Any challenge to the inclusion or exclusion of a member from the voting roll should be made in the first instance to the General Returning Officer, and may be made by a candidate or any other member of the party.
- M3.9 The General Returning Officer will, following any challenge, make a ruling and communicate their decision to:
- a. the person making the challenge
  - b. any person whose eligibility has changed as a result of the ruling
  - c. all candidates for election in the relevant ballot.
- M3.10 The General Returning Officers ruling on eligibility is subject to further challenge through the Disputes Process.
- M3.11 A Canvassing Roll will be prepared for all preselections and for all plebiscites ballots conducted under the supervision of the GRO, except:
- Statewide ballots
  - National Conference ballots.
- M3.12 The Canvassing Roll will:
- a. Contain, at a minimum, the name, email address, phone number and mailing address of each eligible voter
  - b. be provided to all candidates equally and at the same time
  - c. be provided as soon as possible after the endorsement of candidates to ensure candidates have maximum opportunity to canvass eligible voters.
- M3.13 Candidates who receive an electronic copy of the Canvassing Roll may only use it for purposes related to the ballot they are contesting, and must delete their copy of the Canvassing Roll within 30 days after the close of the ballot. Misuse of the Canvassing Roll constitutes an offence that may be dealt with by the Disputes Tribunal.
- M3.14 Members may apply to be included on the postal vote register so long as the GRO is satisfied that the member cannot reasonably be involved in online voting.

#### M4 COMMUNICATION WITH VOTERS

- M4.1 The GRO must provide relevant notification(s) to the Party membership in the relevant electorate, including:

- a. of the process
- b. timelines for the opening and closing of voting
- c. the names and contact details of each candidate (listed in ballot order)
- d. candidate statements of each of the candidates (where provided by candidates).

M4.2 For elections where a Canvassing Roll is not provided to Candidates, the General Returning Officer will provide each Candidate the opportunity to send communications to all eligible voters.

## M5 ELECTRONIC VOTING

- M5.1 The Administrative Committee will approve an online voting platform to allow for electronic voting.
- M5.2 Authorised access to any online voting platform will be only with the express approval of the General Returning Officer. Unauthorised access to any such platform is a serious offence, and the State Secretary will immediately refer any member involved to the Disputes Committee.
- M5.3 All rights and responsibilities of eligible voters will, as far as is possible, be maintained during any electronic voting process.
- M5.4 Eligible voters are entitled to keep any email, SMS or other electronic communications confidential. Any deliberate actions by any member of the Party to coerce another member to disclose confidential voting information as determined by the Administrative Committee, will constitute an offence and may be subject to disputes proceedings.
- M5.5 The General Returning Officer will determine a time and place, prior to the commencement of electronic voting, for the scrutiny of the online platform settings and voter lists. Scrutineers will be required to sign an approved form to indicate they have inspected the settings and voter lists.
- M5.6 All eligible voters with an email address will receive an electronic ballot to their email unless they are on the Register of Postal Voters. All eligible voters on the Register of Postal Voters or without a registered email address will be sent a postal ballot to their mailing address.

## M6 BALLOT PROCESS

- M6.1 If the number of candidates who nominate is greater than the number of vacancies, then a ballot will be conducted.
- M6.2 Voting in a ballot will be by secret ballot.
- M6.3 Ballots will be issued:

- a. in the case of an electronic vote, at, or as close as reasonably possible after, the time for the opening of the ballot
- b. in the case of a postal vote, at least two working days prior to the opening of the ballot
- c. in the case of a stand-up ballot, when the eligible voter presents to the location where ballots are being issued, after the opening of the ballot and before the close of the ballot.

- M6.4 Physical ballots must be initialled by the returning officer or presiding officer in a colour different from that on which the ballot is printed.
- M6.5 Ballots must include instructions on the method of voting and the number of persons to be elected.

## M7 CANVASSING

- M7.1 Candidates are entitled to canvass personally all eligible voters.
- M7.2 No member may circulate any material that is defamatory of any candidate or damaging to the Party
- M7.3 All material that is circulated must be authorised by its author.
- M7.4 No candidate in a ballot may collect ballots from any voter.
- M7.5 No Party Unit will endorse any candidate, nor circulate ballot-related materials on their behalf.
- M7.6 Where the Administrative Committee determines that a candidate has been knowingly and willingly selected or endorsed by any Party Unit or affiliated Union, or any section of an affiliated Union for the purpose of furthering that candidature, they will not be endorsed, and their candidature terminated.

## M8 SCRUTINEERS

- M8.1 A candidate in a ballot is entitled to appoint a scrutineer.
- M8.2 A scrutineer for a ballot may be present on any of the following occasions:
  - a. for a stand up/attendance ballot, when a ballot is given to an eligible preselection voter
  - b. for a postal vote, when the return envelope is opened and the declaration envelope is opened and scrutinised
  - c. when votes are scrutinised and counted, including when postal votes are uploaded for electronic ballots
  - d. when electronic votes are released and electronic vote reports are generated.

- M8.3 The scrutineer for a ballot may be the candidate or a person who is a member of the Party, who is appointed by the candidate to act as their scrutineer.
- M8.4 An appointment as a scrutineer must:
  - a. be in writing in a manner acceptable to the General Returning Officer
  - b. be received by the General Returning Officer before that person acts as scrutineer.

**M9 DISPUTES**

- M9.1 Any dispute as to the consequence of a plebiscite or preselection ballot will be notified in writing to the State Secretary within seven days of the declaration of that ballot, otherwise the result will not be open to challenge.
- M9.2 Before the expiration of the time referred to above, no Party Member or Party official will hold out any candidate as having been endorsed by the Party except that the State Secretary with the authority of the Party Officers may announce the successful candidate at any time after the preselection ballot.

**M10 BALLOT FORMALITY**

- M10.1 For a vote to be formal it must have the number (1), a tick or a cross, placed against only one of the candidates to indicate the voter’s first preference. Then, optionally, the voter may write the numbers 2,3,4 etc against other candidates.
- M10.2 Use of electronic voting systems may preclude a voter from casting an informal vote
- M10.3 Where possible, the Returning Officer must err in favour of the franchise to consider a ballot to be formal where the voter’s intention is clear.
- M10.4 Ballots with repeated numbers, other than a repeated 1, are considered formal and useable up until the repeated number.
 

For example, a ballot that goes 1, 2, 3, 4, 4, 5 is considered formal, and useable up until the third preference. There is no way to determine which is the voter’s fourth preference.
- M10.5 A vote will be considered exhausted if it contains no further useable preference.

**M11 COUNT OF BALLOT - ONE CANDIDATE TO BE ELECTED**

- M11.1 This section describes the process for counting a ballot where only one candidate is to be elected.

- M11.2 After the close of the ballot, voting papers will be scrutinised to include only formal votes in the count.
- M11.3 A candidate who receives a number of votes greater than half the total number of formal votes (an absolute majority) will be declared elected.
- M11.4 If no candidate receives an absolute majority of votes the returning officer will exclude the candidate with the lowest vote and distribute those votes according to the preference indicated. The returning officer will continue to do this until either:
  - a. a candidate receives an absolute majority
  - b. only two candidates remain, in which case the candidate with the highest vote will be declared elected.
- M11.5 In the event of the final two candidates in a ballot obtaining an equal number of votes, the General Returning Officer will declare the candidate with the highest primary vote to be the successful candidate. In the event that both candidates have equal primary votes the Administrative Committee will select one of the candidates who received equal votes as the successful candidate.
- M11.6 In the event that there are two or more candidates with the same lowest vote, the candidate to be eliminated will be that candidate with the lowest vote who had the fewest votes at the previous distribution. In the event that this does not produce an elimination, then the returning officer will eliminate on the same basis by the previous distribution, and so on. If after completing this procedure the returning officer is unable to eliminate an individual candidate, then the returning officer will select the candidate to be eliminated by lot.
- M11.7 For a single candidate election for a Party Unit Executive position, where the vote is tied, another vote will be taken, and if that vote is tied, the result will be determined by lot.

**M12 COUNT OF BALLOT - PROPORTIONAL REPRESENTATION**

- M12.1 This section describes the process for counting a ballot where more than one candidate is to be elected, which is by proportional representation.
- M12.2 After the close of the ballot, voting papers will be scrutinised to include only formal votes in the count.
- M12.3 Formal votes will then be allocated according to the first preference indicated for each candidate.

M12.4 A Quota, which is the value of votes a candidate needs to obtain to be elected, will be calculated in accordance with the following formula:

$$Quota = \left( \frac{Total\ Formal\ Votes}{Number\ of\ Vacancies + 1} \right) + 0.001$$

For example: 100 formal votes exercised in a ballot to elect 5 positions:

$$Quota = \left( \frac{100}{5 + 1} \right) + 0.001$$

$$Quota = \frac{100}{6} + 0.001$$

$$Quota = 16.666 + 0.001$$

$$Quota = 16.667$$

M12.5 Any candidate whose value of votes equals or exceeds Quota is to be declared elected, subject to:

- a. If more than one candidate obtains or exceeds Quota, then they are elected in the order such that the candidate with the highest value of votes is elected before the others
- b. If two or more candidates have an equal value of votes, then the candidate with the highest value of votes when they were last unequal will be deemed to be elected before the others. If every previous progress total was equal, then the returning officer will determine by lot which candidate is deemed to be elected before the others
- c. If declaring candidates elected based on having met quota would result in Affirmative Action requirements not being met, then sufficient positions would need to be held open - i.e. by not declaring relevant candidates elected to allow Affirmative Action requirements to be met.

For example, in a ballot to elect four people, Affirmative Action requires that two women be elected, then if three candidates who are not women reach quota, then only the first two are declared elected, and all remaining non-women candidates in the ballot are excluded in accordance with the next clause.

M12.6 If Affirmative Action requirements require that all remaining vacancies be filled by candidates of a particular qualification, then:

- a. All candidates who do not meet the particular qualification are immediately excluded

- b. The excluded candidates will have their votes transferred in the order that the candidate with the highest value of votes will be dealt with first. If two or more candidates have an equal value of votes, then the candidate with the highest value of votes when they were last unequal will be excluded before the others. If every previous progress total was equal, then the returning officer will determine by lot which candidate is excluded before the others
- c. All exclusions must be completed before distributing the surplus of any candidate that may be elected as a result of the transfer of votes of excluded candidates.

M12.7 The count concludes when any of the following apply:

- a. the number of candidates declared elected is equal to the number of positions to be elected
- b. only one vacancy remains unfilled and two continuing candidates remain, in which case the candidate with the highest value of votes will be declared elected
- c. where the number of continuing candidates is equal to the number of vacancies not yet filled, all such candidates will be declared elected.

M12.8 When a candidate is elected with a value of votes greater than Quota, then votes in the last bundle the elected candidate received are transferred to remaining candidates using the following procedure; however if multiple candidates are declared elected, then this process is completed separately for each elected candidate in the order they were elected:

- a. A surplus is calculated, which is equal to the value of votes the candidate has minus Quota
- b. Continuing candidates are any candidate who is not yet elected or excluded
- c. The ballots are sorted according to the next available preference for a continuing candidate. Any ballot does not have an available preference for a continuing candidate will exhaust
- d. The useable ballots is all ballots in each bundle that express a further preference for a continuing candidate

- e. The transfer value of each voting paper of the candidate whose surplus of first preference papers is being transferred will be calculated by subtracting the quota from the value of that candidate's preference papers and dividing the surplus by the number of useable papers. The whole number part of the result will be the transfer value and any remainder will be entered opposite a remainders entry on the counting sheet. The transfer value may not be more than 1:

$$\text{Transfer Value} = \frac{\text{Surplus}}{\text{Number of useable ballots}}$$

- f. Each continuing candidate will receive the bundle of votes for which they have the next available preference, and their vote value will have the number of votes in that bundle multiplied by the transfer value added to it
- g. Should a continuing candidate reach quota, they should be declared elected consistent with above.

- M12.9 When the distribution of surplus votes has occurred for all candidates declared elected and the number of candidates elected is less than the number of positions to be elected, then the candidate with the lowest value of votes is excluded from the count, subject to:
- a. All candidates with a value of votes of zero are immediately excluded from the count
  - b. If two or more candidates have an equal value of votes, then the candidate with the lowest value of votes when they were last unequal is excluded first. If those candidates were equal at every previous progress total, the returning officer will decide by lot which candidate is to be excluded first
  - c. If excluding a candidate would result in Affirmative Action requirements not being met, then the candidate will not be excluded.

- M12.10 The process for allocating the votes of an excluded candidate is as follows:
- a. Each bundle of votes the candidate has received is dealt with separately, in the order they were received and at the value they were received.
  - b. Continuing candidates are any candidate who is not yet elected or excluded
  - c. The ballots are sorted according to the next available preference for a continuing candidate. Any ballot does not have an available preference for a continuing candidate will exhaust

- d. Should a continuing candidate reach quota, they should be declared elected consistent with above, however remaining bundles should still be transferred before distributing that elected candidate's surplus.

- M12.11 The returning officer may delay the transfer of a surplus, if the value of that surplus together with the value of any other surplus not yet transferred:
- a. is less than the difference between the quota and the highest progress total of a continuing candidate; and
  - b. is also less than the difference between the progress totals of the two lowest continuing candidates.
- M12.12 Where a transfer of a surplus is delayed, the matter of the delay will be reconsidered after every candidate is dealt with in order to ensure that conditions in Rule *M12.12* still apply.
- M12.13 The transfer of one surplus may not be delayed so that a later transfer can be made.

### M13 COUNTBACK AND CASUAL VACANCIES

- M13.1 Where an election under this section is held to fill vacancies that are not of the same standing, then the order of significance will be determined by the order of election under these Rules.
- M13.2 The returning officer will retain ballots in proportional representation elections for the term of the elected members.
- M13.3 Where a casual vacancy occurs in any elected position appointed using proportional representation, it will be filled by a countback as follows:
- a. the RO will distribute the ballots that were used to elect the vacating member, at the value that they were received
  - b. only the ballots used to elect the vacating member will be counted in the countback
  - c. in any case where a preference is indicated for the vacating member, the ballot is allocated to the next candidate indicated, disregarding any candidates who were elected in the original ballot
  - d. the ballots used to elect the vacating member will be distributed until a candidate receives a majority of votes
  - e. the candidate who receives a majority of votes will, if that person is prepared to fill the casual vacancy, be declared elected.
- M13.4 Where a countback cannot occur or does not result in a casual vacancy being able to be filled:

- a. in the case of State Conference Delegate positions, a fresh ballot will be conducted for the vacant position
- b. in the case of Party Unit Executive positions, appointed by a meeting of that Party Unit
- c. in the case of all other positions, appointed by a process determined by the Administrative Committee by two-thirds majority.

- a. enrolled in the federal division
- b. registered to a Branch affiliated with the federal division.

M15.1.2 Should a Branch Delegate no longer comply with the enrolment or Branch registration requirement during their term, they will no longer be a delegate and a casual vacancy will arise.

M15.1.3 The number of Branch delegates to be elected from each Federal Division will be determined prior to the opening of nominations using the following process:

- a. each Federal Division will be ranked in order from largest to smallest by the number of eligible Branch members in each as determined by the current certified list
- b. the number of delegates to be elected for each Federal Division are determined in accordance with the below table.

Federal Division Ranking	Number of Delegates
1-3	11
4-10	9
11-17	7
Any other rank	5

M15.1.4 Federal Divisions that elect nine or more State Conference Branch delegates will include at least one delegate who is a member of QYL in the year of opening of nominations.

M15.1.5 In the event of a federal redistribution being finalised or due to be finalised in the calendar year when new delegates are scheduled to be elected, the Administrative Committee will have the power to defer elections of branch conference delegates for a period not exceeding 12 months to ensure new delegates are elected on the new federal boundaries.

M15.1.6 In the event of a federal redistribution occurring during the term of office for Branch member delegates, eligibility for delegates and proxies will be determined in accordance with the federal boundaries in operation at the time the election of those Branch member delegates.

**M15.2 UNION DELEGATES**

M15.2.1 Union Delegates to state conference will be appointed and allocated votes in accordance with the process outlined in *Section D: Unions*

**M15.3 DELEGATE REPRESENTING LABOR COUNCILLORS**

M15.3.1 Following each quadrennial Queensland local government elections or a casual vacancy the General Returning Officer will prior to the next scheduled State Conference:

**M14 DIRECT ELECTION**

M14.1 Direct Election is the joint vote of Union Conference Delegates and a plebiscite of eligible Branch members with each ballot constituting 50 per cent of the total vote.

M14.2 Direct Election ballots are conducted using optional preferential voting and will not occur at the same time as Branch State Conference delegate plebiscites.

M14.3 Union delegates will vote in a stand-up ballot at State Conference. If a State Conference is unable to be held, the GRO will conduct a ballot of union delegates credentialled by a meeting of the Administrative Committee.

M14.4 The Ballot of eligible branch members will be held prior to State Conference.

M14.5 Votes will not be counted until both Union and Branch ballots have been conducted and voting papers will be stored in a secure location until that time.

M14.6 The General Returning Officer will convert the results of the Branch member ballot to an equivalent of the total of Union delegate votes counted as formal.

M14.7 Those votes will be combined with the Union delegate votes. The candidate in single-position ballots with the highest number of combined votes, after the distribution of preferences (if required) will be the successful candidate. Subject to the Affirmative Action Rule, candidates in multi-position ballots will be deemed successful in the order that they are elected until all vacant positions are filled.

M14.8 All positions elected in accordance with this Rule will take effect immediately after the ballot is declared, subject to any dispute process initiated out of the ballot, unless the Administrative Committee, by a two-thirds majority, determines otherwise.

**M15 STATE CONFERENCE DELEGATES**

**M15.1 BRANCH DELEGATES**

M15.1.1 Candidates for Branch delegate of a federal division must be, for a period of at least three months prior to the opening of nominations either:

- a. call for nominations from endorsed local government councillors
- b. if required, conduct a ballot of all endorsed local government councillors
- c. report the outcome to the Administrative Committee, which will endorse the successful candidate and include on the list of Conference delegates.

M15.3.2 A casual vacancy will arise if the representative resigns as a local government councillor prior to the next quadrennial Queensland local government elections.

### M16 NATIONAL CONFERENCE DELEGATES

M16.1 The number of National Conference Delegates to be elected will be determined by the National Rules. This number will be divided equally into Branch Delegates and Union Delegates.

M16.2 Union Delegates will be elected by Union Delegates at the State Conference prior to the scheduled date of National Conference. If a State Conference is unable to be held, the GRO will conduct a ballot of Union Delegates credentialled by a meeting of the Administrative Committee.

M16.3 Branch Delegates will be further divided into four separate ballots, one for each Regional Representation zone as described in *Section K: Affirmative Action*. The number of positions to be elected in each zone will be calculated by:

- a. a delegate quota will be calculated by dividing the number of eligible branch members in Queensland at the time of opening nominations, by the number of delegates to be elected in total
- b. the number of eligible Branch members in each zone will be divided by the delegate quota to determine the number of full quotas in each zone. Any remaining delegate positions will be allocated to zones on the basis of descending order of the greatest fraction of remaining quota.

M16.4 At a meeting prior to State Conference, the Administrative Committee will determine the number of National Conference Proxy Delegates.

M16.5 National Conference Proxy Delegates will be elected at the State Conference prior to the scheduled date of National Conference.

## SECTION N: FINANCES

### N1 PROPERTY AND FUNDS - PARTY

#### N1.1 THE TRUSTEES

- N1.1.1 All real and personal property of the Party (other than money) will be held by Labor Legacies Pty Ltd as trustee for all of the members of the Party.
- N1.1.2 Labor Legacies Pty Ltd will keep a register of all such real and personal property.
- N1.1.3 All money of the Party will be held by the State President and State Secretary in trust for all of the members of the Party in accordance with these rules.
- N1.1.4 The terms of the trusts referred to in this sub-rule are those contained in a Memorandum of Trust initialed by the Treasurer for identification and tabled at a meeting of, and approved by, the Administrative Committee after the 1994 State Conference of the Party. In the event of any inconsistency with the Memorandum of Trust, these rules are paramount.

#### N1.2 INDEMNITY

- N1.2.1 The Party hereby indemnifies the State President, State Secretary and State Treasurer against all liabilities, claims, actions, suits, proceedings, demands, losses, damages, costs, fees and expenses whatsoever incurred or arising out of or in connection with the State Secretary, State President and State Treasurer in their capacities as a State Secretary, State President or State Treasurer of the Australian Labor Party (State of Queensland) in the performance of duties imposed on them in relation to those officers by these Rules or applicable legislation, or failing, neglecting or omitting in good faith to perform any such duties other than those incurred or arising out of actual dishonesty on the part of the State Secretary, State President or State Treasurer.

#### N1.3 SHAREHOLDERS

- N1.3.1 Notwithstanding *N1.1*, voting shares in Labor Resources Pty. Ltd, Labor Holdings Pty. Ltd and Labor Enterprises Pty Ltd will be held as to one share each by the State President, State Secretary and five other members of the Party to be elected by proportional representation at every third ordinary State Conference.

- N1.3.2 Notwithstanding *N1.1*, shares in any other corporation promoted by or incorporated for the purposes of the Party will be held in proportions determined by Labor Holdings Pty. Ltd. or as the Administrative Committee determines.
- N1.3.3 A member will, when nominating for election as State President, State Secretary or a shareholder, sign a deed stating that by accepting a transfer of such shares, the member acknowledges that the shares are held on behalf of the members of the Party. The deed is the *Party Property and Funds Form*.
- N1.3.4 Subject to *Rule N1.3.5*, Labor Legacies Pty. Ltd. and such trustees referred to in *N1.1* will so far as they may lawfully do so act in accordance with such authority and directions as may be given from time to time by the Administrative Committee.
- N1.3.5 The powers of Labor Legacies Pty. Ltd. will include the power to do all such things as they deem expedient for the purposes of or incidental or conducive to giving effect to the authority conferred on them or directions given to them by the Administrative Committee.
- N1.3.6 In relation to every company any share in which is held pursuant to the deed for members of the Party, the trustees will, so far as they may lawfully do so, ensure that the President, Secretary, Treasurer and five other persons elected by (but not necessarily from) the Administrative Committee after a State Conference that elects shareholders, are Directors of such Company. The Administrative Committee should take account of the principles of Affirmative Action in relation to the election of Company Directors.

#### N1.4 INCOME

- N1.4.1 The assets and income of the Party will be applied solely in furtherance of its objectives and no portion will be distributed directly or indirectly to the members of the Party except as bona fide compensation for services rendered or expenses incurred on behalf of the Party.

### N1.5 INCOME TAX

- N1.5.1 To enable the Party to comply with the Income Tax Assessment Act (the Act) and to facilitate the provision of the Party's income tax return:
- a. all Branches will be provided with a tax file number by the State Secretary
  - b. all Party Units must within fourteen days of the end of each financial year provide details of income from all sources and expenditure together with a statement of assets and liabilities
  - c. all funds will be banked in accordance with *Rule N2.3.1* or as otherwise approved by the State President and State Secretary
  - d. to ensure compliance with the Act the State President and State Secretary are hereby empowered, subject to ratification by the Administrative Committee, to require any Party member and any Party Unit to provide such information and such documentation as they deem to be necessary to comply with the Act
  - e. the powers vested in the State President and State Secretary pursuant to these Rules will, for the purpose of the Act, overrule any other Rule contained within the Party's Constitution and Rules.

### N1.6 FINANCIAL YEAR OF THE PARTY

- N1.6.1 The financial year of the Party will begin on 1 July and end on 30 June in each year.

### N1.7 BANK ACCOUNTS

- N1.7.1 The Party will operate such accounts with a bank or financial institution as are necessary or desirable for the operation of the Party as a whole and as are approved by the Administrative Committee.
- N1.7.2 One of the said accounts will be a Central Operating Account.
- N1.7.3 All such accounts, including the Central Operating Account, will be maintained in the name of the Party.
- N1.7.4 In the case of the Central Operating Account, the signatories thereto will be any two of the State President, State Vice-Presidents, State Secretary, and State Treasurer, and in the case of all other accounts, the signatories thereto will be as determined by the Administrative Committee, or, in the case of a bank account maintained pursuant to *Rule N2.3.1*, any two of the President, Vice Presidents, Secretary and Treasurer of the Party Unit concerned.
- N1.7.5 The State Secretary and/or Treasurer will pay all moneys received by them for the Party into such accounts in accordance with the direction of the Administrative Committee.

### N1.8 AUDITORS

- N1.8.1 Each year, at the first meeting of the Administrative Committee after the end of financial year, the Administrative Committee will appoint a person or persons who are registered as auditors to be the Party's auditors until next appointed, and that the shareholders will so far as they are able, ensure that those auditors are also auditors of every company and share in which is held in trust for the Party.
- N1.8.2 Such auditors will be given access to all books of account, invoices, receipts and other financial records of the Party and will be responsible for the preparation of reports, and report to the Administrative Committee. Such report will state:
- a. whether the balance sheet and accounts of receipts and expenditures give a true and fair view of the state of the Party's affairs
  - b. whether the accounting and other records of the Party (including registers) have been properly kept in accordance with these Rules
  - c. whether the auditors have obtained all the information and explanations that they require
  - d. whether, in the auditor's opinion, returns submitted from Party Units are adequate
  - e. any other matter which the auditors consider ought to be drawn to the attention of the Administrative Committee and/or State Conference.

## N2 PROPERTY AND FUNDS - PARTY UNITS

### N2.1 PROPERTY OF PARTY UNITS

- N2.1.1 All real and personal property of whatever nature will be held in accordance with the provisions of *Rule N1*. The register of property (other than money) maintained by Labor Legacies Pty Ltd in accordance with *Rule N1.1.2* will, where applicable, attribute the real property and personal property (or constituent parts of it) to the Party Unit responsible for the acquisition of the same. In these rules, such property, or constituent part or parts of it, which is attributed to a Party Unit in the register is referred to as the property of that Party Unit, notwithstanding that it is held on trust for all members of the Party in accordance with *Rule N1.1*.

N2.1.2 All personal property (other than money) of a Party Unit will be administered by the Executive of that Party Unit subject to any direction by the Administrative Committee or Labor Legacies Pty Ltd. All other personal property of the Party will be administered by Labor Legacies Pty Ltd subject to any direction by Administrative Committee. A direction under this sub-rule can only be made consistent with the Memorandum of Trust, the Constitution of Labor Legacies Pty Ltd and these Rules.

N2.1.3 In the case of real or personal property and money held by a Party Unit at the time of any electoral redistribution, the Party Units may not disperse funds held by the Party Unit, except with the permission of the Administrative Committee, and that the Administrative Committee should take into account the view of the outgoing Party Unit or any other relevant body.

**N2.2 PERSONAL PROPERTY - PRUDENTIAL MANAGEMENT**

N2.2.1 To assist it in discharging its responsibilities as trustee under *Rule N2.1.2*, Labor Legacies Pty Ltd may require a Party Unit, at the unit's cost, provided that such requirements will not be imposed unreasonably or oppressively:

- a. on the one occasion, or regularly, to commission an investment strategy report from an independent licensed investment adviser with respect to personal property held on trust by Labor Legacies Pty Ltd and attributed to the unit
- b. to supply such reports to Labor Legacies Pty Ltd
- c. to supply such other relevant documents held by the Party Unit as Labor Legacies may reasonably require
- d. to commission an audit of the financial affairs of the unit to be conducted by an auditor nominated by Labor Legacies Pty Ltd

N2.2.2 All interests in real property of the Party must be held as provided for in *Rule N1.1*. The Executive of any Party Unit must promptly provide a report to the State Secretary if it acquires in any manner any real property on behalf of the Party or wishes to dispose of or deal with in any way any real property on behalf of the Party. The State Secretary must provide a report to Labor Legacies annually, or as otherwise agreed with Labor Legacies, about such dealings.

**N2.3 BANK ACCOUNTS**

N2.3.1 The Secretary and/or Treasurer of any Party Unit must:

- a. pay all monies received into an account or accounts at a bank or financial institution as approved by the Administrative Committee
- b. ensure any said account or details be in the name of the Party
- c. ensure online transfer service accounts can only be transferred to an account held by the Party Unit.

N2.3.2 The account of any Party Unit will be operated upon only by a resolution of a meeting of that unit.

N2.3.3 The maximum amount of money held by a Party Unit in a bank account or bank accounts to which *Rule N2.3.2* applies, in aggregate, is \$10,000.00 or such other greater amount as the Administrative Committee may, from time to time, determine by administrative regulation. Any money in excess of that amount will be transferred to, and held within, the Central Operating Account and will be attributed to the Party Unit that has transferred it.

N2.3.4 Nothing in *Rule N2.3.3* will prevent any Party Unit, in its discretion, from using the Central Operating Account in relation to monies to which *Rule N2.3.3* does not apply, which monies will be dealt with in accordance with these rules.

N2.3.5 The State President and State Secretary must keep detailed records of all amounts so transferred to the Central Operating Account, and of the total amount held in the Central Operating Account and attributed to each Party Unit at any time, such amount to include all interest accrued in respect of the money so transferred by the Party Unit.

N2.3.6 Any amount held within the Central Operating Account and attributed to a Party Unit will be expended at the direction (on reasonable notice) of the Executive of the Party Unit, in accordance with these Rules.

N2.3.7 All campaign accounts conducted for endorsed candidates and endorsed public office holders will be controlled by the relevant Party Unit using the signatories identified in *Rule N2.3.2*. Any such account will include the Australian Labor Party in its title. Where no relevant Party Unit exists, the accounts will be operated by signatories approved by the Administrative Committee.

N2.3.8 Notwithstanding the preceding Rules the State President and State Secretary or their authorised nominees will by virtue of their office be deemed to be joint signatories upon all accounts covered by *Rules N2.3.2 and N2.3.7* and as such empowered to carry out any transactions upon such accounts as they deem necessary, but only where the Administrative Committee has approved such action. The provisions of this Rule will ensure that the Party's best interests are advanced, and further, it will also allow such actions to be taken so as to ensure compliance with the requirements of the Rules, and for the purpose of the Income Tax Assessment Act and the Commonwealth and State Electoral Acts.

**N2.4 EXPENDITURE OF PARTY UNITS MONIES**

- N2.4.1 The section applies to monies held in an account or accounts to which *Rule N2.3.2* applies or within the Central Operating Account and attributed to a Party Unit.
- N2.4.2 Such monies will be expended on the following only:
  - a. Party Unit administration
  - b. fundraising for the benefit of the Party
  - c. campaign and election costs
  - d. payment for services rendered to the Party Unit
  - e. payments for the assistance of other Party Units and/or the Administrative Committee.
- N2.4.3 Notwithstanding *Rule N2.4.2* such monies may, at the discretion of the Executive of the Party Unit, be expended to make donations in accordance with *Rule N2.4.4* to:
  - a. an affiliated trade union
  - b. a non-affiliated not-for-profit body whose rules prevent distribution of its fund amongst its members and whose aims, objective, purpose or charter do not substantially conflict with the objectives of the Party.
- N2.4.4 Donations made under *Rule N2.4.3* will be in the amounts:
  - a. without further approval, of no more than \$500.00 per donee and of no more than \$5,000.00 in aggregate for all donees per financial year (or such other amounts as the Administrative Committee, from time to time, determines by administrative regulation); or
  - b. with the approval of the State President and the State Secretary, which approval must subsequently be ratified by the Administrative Committee, of such amounts as are so approved.

N2.4.5 In the event that any Party Unit makes, in accordance with these rules, a donation to a non-affiliated body which body has deductible gift recipient status, the Party Unit will obtain a receipt for the donation and will provide a copy of the receipt to the State Secretary.

**N2.5 FINANCIAL REPORT & AUDIT**

- N2.5.1 The Secretary and/or Treasurer of each Party Unit must prepare and submit to each annual general meeting a duly audited statement of receipts and expenditure, together with a full statement of assets and liabilities. A report on the current financial position will be made to each ordinary meeting and accounts submitted for approval. Where no relevant Party Unit exists, the signatories for each account will submit an audited statement to the Administrative Committee.
- N2.5.2 Such audit will be conducted by one auditor to be appointed in the case of QLWN at its conference and in all other cases at the last ordinary meeting in each financial year. Such auditors will inspect all books of account, invoices, receipts, and other financial records of the organisation, and compare them with the statement prepared by the Secretary and/or Treasurer and furnish a report to the annual general meeting. In addition, Branch auditors will ascertain that particulars have been properly entered in the membership register and that the Rules relating to membership are being complied with.
- N2.5.3 The Administrative Committee may appoint an auditor other than provided for in *Rule N2.5.2* to carry out an audit of a Party Unit.
- N2.5.4 The Administrative Committee may direct a Party Unit to deliver to the State Secretary all books of account, invoices, receipts and other financial records.

**N2.6 CAMPAIGN ACCOUNTS**

- N2.6.1 A Campaign Account will exist for each federal and state electorate, and for each ward or division of each Local Government Area where the Party endorses candidates.
- N2.6.2 Prior to a Local Campaign Committee being formed, the relevant Electorate Organising Council will be responsible for the Campaign Account and may deposit funds into the account, but may not expend monies from the account.
- N2.6.3 When a Local Campaign Committee is formed until it is dissolved, it will take responsibility for the Campaign Account and may both deposit funds into the account and expend monies from the account.

- N2.6.4 After a Local Campaign Committee is dissolved, the responsibility for the Campaign Account reverts to the relevant Electorate Organising Council.
- N2.6.5 The State Secretary or their nominee may, at all times, deposit funds and expend monies from the Campaign Account.
- N2.6.6 Only funds raised with the explicit purpose of fundraising for electoral purposes may be deposited into a Campaign Account.
- N2.6.7 Monies may only be expended on campaign and election costs from a Campaign Account.

**N2.7 EXPENDITURE OF FUNDS**

- N2.7.1 Funds can only be expended by a Party Unit following a resolution of that Party Unit which:
  - a. identifies the purpose for the expenditure and the amount of funds to be expended; or
  - b. identifies the purpose for the expenditure and the maximum amount to be expended if that maximum is consistent with an expenditure budget previously adopted by the Party Unit.
- N2.7.2 If an expenditure is urgent and cannot be reasonably authorised by the Party Unit prior to being expended and is less than \$500, the Executive of the Party Unit may by resolution authorise the expenditure. The Executive must obtain the endorsement of any such expenditure as soon as possible from the Party Unit.

**N3 ELECTION FUNDING AND FINANCIAL DISCLOSURE**

- N3.1 The State Secretary or the nominee of the State Secretary will be the agent for the Party as required by the State and Commonwealth Electoral Acts.
- N3.2 The Party at all levels must keep the necessary records to enable the agent to complete the required returns and to claim the Party's maximum entitlement for reimbursement of expenditure incurred as soon as possible after each election.
- N3.3 The Secretary, or Treasurer of every Party Unit, every sitting Senator and Member and every candidate must keep such records as may be required by the State Secretary and as is required by the relevant legislation.
- N3.4 In particular, every Party Unit, Senator, Member and candidate will keep records of:

- a. the true name and address of all donors to the Party whether for a purpose related to an election or otherwise
- b. expenditure incurred in relation to any election (whether or not incurred during the election period)
- c. the making of a gift by any person or organisation to:
  - i. any Branch
  - ii. any Candidate
  - iii. any Campaign Committee or Electorate Organising Council.

- N3.5 All Party Units must within one month of the end of each financial year provide details of all gifts and donations from any source including the name of the donor and the amount of the donation to the State Secretary.
- N3.6 The State Secretary will furnish each financial year, to the relevant Electoral Commission, a return in accordance with electoral disclosure obligations.
- N3.7 To ensure compliance with the legislation the State President and State Secretary are hereby empowered subject to ratification by the Administrative Committee to require any Party member and any Party Unit to provide such information and such documentation as they deem to be necessary to comply with the legislation.
- N3.8 The powers vested in the State President and State Secretary pursuant to these Rules will for the purpose of the legislation overrule any other Rule contained within the Party's Constitution and Rules.
- N3.9 No endorsed candidate, parliamentarian or local authority member will operate, be a signatory to, nor accept the benefit for campaign purposes of any account other than an account held by a Party Unit or the State Branch or as otherwise provided for under the Rules.
- N3.10 All endorsed candidates for public office are required to take all necessary steps to ensure that electoral funding is assigned to the Party. The Administrative Committee may require a signed deed or form to direct electoral funding to be paid to the Party as a condition of nomination for preselection under *Rule L5.12*.
- N3.11 Sitting members and candidates may only accept political donations in accordance with the Electoral Act 1992 (Qld).
- N3.12 The State Secretary is deemed to be the Agent for all endorsed candidates and members for the purposes of the Electoral Act 1992 (Qld).

## SECTION O: DISPUTES

### O1 DISPUTES TRIBUNAL

- O1.1 The Disputes Tribunal is a committee of the party, appointed by the Administrative Committee to handle disputes of members about internal party matters.
- O1.2 Subject to the power of the National Conference, the National Executive and the State Conference, the Disputes Tribunal has jurisdiction to hear and determine:
  - a. an appeal against a decisions made by a Party Unit or a Party Official
  - b. complaints in relation to the conduct of Party member, Party Unit or Party Official
  - c. Other than the State Secretary, no member will make public comment concerning any matter that is before the Disputes Tribunal except with the permission of the Administrative Committee.

### O2 ELIGIBILITY FOR APPOINTMENT TO DISPUTES TRIBUNAL

- O2.1 For a Party Member to be eligible to be a member or alternate member of the Disputes Tribunal they must not:
  - a. hold public office
  - b. be actively seeking election or appointment to public office
  - c. be an employee of the Party
  - d. be an employee of a company, firm or practice engaged to provide professional services to the Party.
- O2.2 To be eligible for appointment as a member or alternate member, a Party Member must have at least five years' continuous membership.
- O2.3 Members or alternate members selected to the Disputes Tribunal must not be involved in the day-to-day politics of the Party and demonstrate some knowledge of procedural fairness and natural justice.

### O3 COMPOSITION

- O3.1 The Disputes Tribunal consists of three panels, with each panel selected by separate resolution of the Administrative Committee, and each having:
  - a. three members
  - b. three alternate members.

- O3.2 The Administrative Committee may appoint, an eligible Party Member to be member or alternate member of the Disputes Tribunal for a term of three years, except where that appointment is objected to by five or more members of the Administrative Committee.
- O3.3 Where a member or alternate member vacates office prior to the expiry of their term of appointment, the Administrative Committee may by resolution appoint an eligible Party Member to replace the vacated member or alternate member, who will then serve the remainder of the term of appointment.
- O3.4 Each member of each Disputes Tribunal panel will serve a period as Convenor of their panel for twelve months in rotation, in the order determined by the Administrative Committee.
- O3.5 The Disputes Tribunal will sit as the Complaints Panel when dealing with matters arising under AP9.

### O4 POWERS OF THE DISPUTES TRIBUNAL

- O4.1 The Disputes Tribunal, subject to the powers of National Conference, the National Executive and State Conference, will mediate, conciliate, arbitrate or otherwise hear and determine all matters in dispute within the Party.
- O4.2 In regard to any dispute, the Tribunal may:
  - a. make findings of fact
  - b. make declarations regarding the validity or otherwise of reported acts of Party Officers, members or units
  - c. make declarations regarding the validity or otherwise of practices within the Party
  - d. make recommendations to the Administrative Committee to take certain courses of action either in respect of the dispute or generally
  - e. make recommendations to the Rules Committee on proposed changes to the Rules
  - f. dismiss the application
  - g. allow amendment of an application at any time.

- O4.3 In determining a dispute, the Tribunal may:
- a. where the dispute is in relation to a preselection:
    - i. declare the selection result void
    - ii. make recommendations to the General Returning Officer and the Administrative Committee as to the further conduct of the preselection.
  - b. impose any of the following penalties:
    - i. a reprimand
    - ii. a severe reprimand
    - iii. a suspension for a specified period, not exceeding twelve months, of some or all of the rights of membership, including loss of continuity
    - iv. recommend to the Administrative Committee that the respondent be expelled (in which the person or persons will be immediately suspended from membership until the next meeting of the Administrative Committee)
  - c. impose no penalty.

### O5 OPERATION OF DISPUTES TRIBUNAL

- O5.1 The Disputes Tribunal operates independently in its deliberations at all stages of the disputes process.
- O5.2 The Administrative Committee determines the initial order in which each panel of the Tribunal will receive a dispute and then disputes are allocated to each panel on rotation.
- O5.3 The State Secretary will number each claim as it is received and allocate it immediately to the next panel in order of rotation for mediation of the dispute, subject to following the process set out in AP9.
- O5.4 The State Secretary will keep a register of disputes and for each dispute record:
- a. the parties
  - b. date lodged
  - c. details of the dispute
  - d. details and date of each step taken
  - e. any determinations made or outcomes reported.
- O5.5 Each panel of the Tribunal sits independently in the mediation and arbitration phase of a dispute.
- O5.6 Where a member of a panel is unavailable when a dispute is allocated they will nominate an alternate member for the duration of the hearing of that dispute.
- O5.7 All members of a panel, or their nominated alternate, who participated in the hearing, must be present when decisions of arbitration or appeal are being made.
- O5.8 The Tribunal will take all reasonable steps to ensure that all parties are given a full opportunity to properly present their case.
- O5.9 All parties to a dispute may be represented at the hearing of the application by any other nominated member of the Party.
- O5.10 In considering a dispute, if any member of the Disputes Tribunal reasonably believes an act of criminal dishonesty (including electoral fraud) has been committed, the matter should be immediately referred to the State Secretary for referral to the relevant law enforcement authority.
- O5.11 The processing of any dispute will also comply with the *Complaints Handling Policy* where it involves a breach of a Party Code of Conduct or associated policy:
  - a. *Code of Conduct - Membership Recruitment*
  - b. *Code of Conduct - Fundraising*
  - c. *Queensland Branch Code of Conduct*
  - d. *Policy on Sexual Harrassment Prevention and Response*
  - e. *Policy on Bullying and Harrassment Prevention and Response.*
- O5.12 Where mediation is unsuccessful, another panel may be allocated to arbitrate the matter.
- O5.13 The matter for arbitration or appeal will be determined by a majority of the panel hearing the arbitration or the appeal.
- O5.14 The Tribunal will notify all parties and the State Secretary of any determination made in consideration of a dispute.
- O5.15 A party to a dispute may also require the Disputes Tribunal to undertake further deliberation or clarification in order to ensure that all parties to a dispute are given natural justice in the determination of any matter.
- O5.16 A complaint regarding a decision of the Disputes Tribunal must be lodged with the State Secretary within 28 days of being provided with the decision of the panel. Any complaint not lodged within this time period will not proceed unless otherwise determined by the Tribunal.
- O5.17 The State Secretary will report to each regular meeting of the Administrative Committee the status of all live disputes, listing all current complaints, dates of meetings held to consider these complaints and any determinations and deliberations made.

- O5.18 The Administrative Committee will not endorse any report of the Disputes Tribunal until the disputes process has been completed in accordance with these Rules.
- O5.19 The Administrative Committee will review any dispute that has not been concluded within twelve months of being initiated. The Administrative Committee may, by a two thirds majority, after reviewing a dispute and giving the parties an opportunity to be heard, dismiss the dispute if there are no reasonable prospects of resolution.

**O6 DISPUTES RELATING TO BALLOTS**

- O6.1 If any irregularity or breach of Rules in connection with a plebiscite or preselection ballot, referred to the GRO for determination results in further complaint or protest, the matter will be placed before the Disputes Tribunal for decision.
- O6.2 A ruling of the GRO in relation to any issues with the Voting Roll may be challenged and referred to the Disputes Tribunal.
- O6.3 Each candidate will be responsible for providing any challenges to the Voting Roll to the General Returning Officer. Any candidate who fails to advise the General Returning Officer of any challenge to the conduct of ballots and takes these issues into forums outside the Party will be referred immediately to the Disputes Tribunal that will have the power to withdraw the candidate’s endorsement.
- O6.4 Disputes regarding pre-selection will be initiated in writing to the State Secretary within seven days of the declaration of that ballot, otherwise the result will not be open to challenge. Within this timeframe, no Party Member or Party official will hold out any candidate as having been endorsed by the Party, except that the State Secretary with the Authority of the Administrative Committee may announce the successful candidate at any time after the preselection ballot.

**O7 INITIATING A DISPUTE**

- O7.1 Disputes may be initiated by a Party Member by an application to the State Secretary or as provided for in AP9.
- O7.2 The Administrative Committee may also initiate a dispute, or refer a dispute on behalf of a Party Unit, by resolution by a two-thirds majority.
- O7.3 Applications will include:
  - a. the names any persons (“respondents”) whose conduct the applicant requires determination to be made
  - b. the facts of the dispute

- c. any Rules or Party practice the applicant requires to be interpreted and/or considers relevant to the dispute.

- O7.4 The applicant may also provide further supporting documentation relevant to the consideration of the dispute.
- O7.5 The applicant (except the Administrative Committee) must pay an administration fee to the Party at the time of lodging an application.
- O7.6 Without limiting matters that may be considered, an applicant may allege in an application that respondent has:
  - a. been disloyal to the Party
  - b. engaged in conduct severely harmful to the best interests of the Party
  - c. infringed the Party’s National or State Rules, Platform or Policy
  - d. wilfully disobeyed a decision of National Conference, National Executive, State Conference or the Administrative Committee
  - e. not providing full and frank disclosure to the Candidate Suitability Panel when seeking nomination for public office
  - f. committed a breach of a Party Code of conduct.
- O7.7 The State Secretary will provide a copy of the application to any named respondent.
- O7.8 The State Secretary will supply the Tribunal panel a copy of the application and provide assistance as required.

**O8 MEDIATION OF A DISPUTE**

- O8.1 Once allocated a dispute, the Disputes Tribunal panel will mediate with the parties involved in an attempt to reach an agreement.
- O8.2 The panel may by unanimous decision appoint one of its members to undertake the mediation. The mediation panel may require the parties to attend the mediation.
- O8.3 The mediation session should normally be undertaken within 28 days of the complaint being received by the State Secretary.
- O8.4 If a suitable agreement can be reached, the Disputes Tribunal panel will endorse the agreement and report to the State Secretary.
- O8.5 If a suitable agreement cannot be reached, the Disputes Tribunal panel involved in the mediation will advise the State Secretary of the outcome.

- O8.6 If an agreement cannot be reached through mediation, or if the mediation has not been finalised within two months of the day on which the complaint was received, then a party may, by request to the State Secretary, refer the matter to the next Disputes Tribunal panel in the rotation order for arbitration.
- O8.7 A request for referral to arbitration must be made within fourteen days of the panel advising the State Secretary that agreement cannot be reached.
- O8.8 If, after initial mediation of a dispute, the Disputes Tribunal panel considers that a dispute is frivolous or vexatious, it may, after giving the parties an opportunity to be heard, dismiss the dispute.

### O9 ARBITRATION OF A DISPUTE

- O9.1 The Disputes Tribunal will make directions as to the conduct of its proceedings as it sees fit.
- O9.2 The Tribunal will not be bound by rules of evidence and is entitled to inform itself, without the need of proof by any of the parties, of Party Rules, practices, history and generally known matters within the party concerning any particular dispute.
- O9.3 The Tribunal will conduct its proceedings in camera. The Tribunal will allow the parties and their representatives, and witnesses as are relevant, to address it at a time and manner as it sees fit.
- O9.4 Where a party fails unreasonably to comply with the directions of the Tribunal, the Tribunal may take appropriate steps including:
  - a. where the party is the applicant, dismiss the application without further hearing
  - b. where the party is not the applicant, restrict the party's participation in the hearing of the dispute including restricting the party's right to cite certain evidence or a total exclusion of the party from the hearing.
- O9.5 If a member of the Disputes Tribunal panel has a conflict of interest in relation to any matter before the Tribunal, that person must declare that conflict of interest and disqualify themselves from the Tribunal and their nominated alternate will take their place.

- O9.6 Any panel determining a matter by arbitration will provide the State Secretary and the parties written reasons for the decision.

### O10 APPEALS

- O10.1 Within fourteen days of notification of the decision of the arbitration panel, a party may lodge a request for leave to appeal and the grounds for appeal with the State Secretary.
- O10.2 The appeal will be heard by the next Disputes Panel in the rotation (so long as it is not the panel that made the original decision)
- O10.3 The appeals panel will not grant leave to appeal unless it considers it is in the best interests of the Party to do so.
- O10.4 A party to a dispute may only appeal on the grounds that the arbitration panel has, in hearing and determining the matter, exceeded its jurisdiction or is wrong in law.
- O10.5 Any appeal arising out of leave granted by the appeals panel will be presided over by that panel.
- O10.6 The question of leave to appeal a decision of the panel sitting in arbitration, and the appeal, will be heard and determined within 28 days, or such other time as may be determined by the appeals panel.
- O10.7 The appeals panel will provide the State Secretary and the parties with written reasons for its decision.

### O11 DISPUTES TRIBUNAL RULINGS

- O11.1 Where a party to a dispute ignores or otherwise breaches a decision of the Disputes Tribunal, the member will be required to show cause. If the Disputes Tribunal finds the member guilty of breaching an earlier decision of the Tribunal, the Tribunal must advise the Administrative Committee that the member be automatically expelled.
- O11.2 Any Party member found guilty by the Disputes Tribunal of deliberate failure to forward member registration documents or deliberate falsification of Branch or Party Unit records relating to membership will be automatically expelled.

# APPENDICES

## GLOSSARY

Unless context otherwise requires in these Rules, the following meanings for each word or phrase applies.

**Affiliated Union** means a Union affiliated to the Australian Labor Party (State of Queensland) in accordance with these Rules.

**Affiliation fees** means fees paid by Unions as a condition of their affiliation.

**Affirmative Action rule** means the procedure by which candidates or positions are determined in accordance with *Section J*.

**ALP** or **Australian Labor Party** means the national Australian Labor Party.

**Annual membership subscription** means fees paid by Party members and applicants as a condition of Party membership.

**Attendance** at a meeting means a member physically attending in person or at one or more other venues by means of the use of any technology including video or telephone link, provided that this technology gives all members present at the meeting reasonable opportunity to participate in the meeting and permits each member in attendance to hear and be heard by each other member in attendance.

**Bona-fide** means genuine (of good faith).

**Branch** means a branch of the Party established in accordance with these Rules.

**Branch registration form/certificate of registration** means the approved form by which applicants and members register with a Branch.

**Branch delegate** means a Branch member elected in a ballot of Branch members to represent them at State Conference.

**Campaign Account** means an account set up for endorsed candidates (refer *Rule N2.6*).

**Capitation fees** are the fees payable to Party Office by constituent units calculated by reference to the membership of the constituent unit.

**Caucus** means a meeting of endorsed members of a Federal or State Parliamentary, or Municipal Labor Party, or any other local authority or other public body.

**Certified list** means a list of eligible members who are entitled to vote in preselections or plebiscites (refer *Administrative Regulation 7*).

**Committee** means a committee established by any body but does not mean an executive of a Party Unit or the Sub-Committees of the Administrative Committee.

**Concessional rate** of membership means the lowest rate of membership as determined on the Schedule of Fees, not including Life Membership.

**Constituent unit** includes Party Units and Unions.

**Continuity** (of membership) means an unbroken specified period in which a member has maintained financial membership and/or Branch registration (refer *Section C: Membership*).

**Credentialed** in relation to a delegate means a delegate to a State Conference, or a Party Unit who has been accepted by the body in question as entitled to attend and vote at deliberations of that body.

**Cut-off day** means the date from which a member's eligibility to vote in a preselection or plebiscite is determined.

**Double dissolution** means when both Houses of the Australian Parliament are dissolved and elections are called.

**Eligible preselection voter** means a member of the Party who is eligible to vote in a preselection ballot and has the same meaning as that defined under the Electoral Regulation 2013.

**Endorsed candidate** means a candidate whose qualification to participate in an election has been approved by the relevant body.

**Equity Group** includes QYL, QLWN, QILN, RLQ, LEQ and MLQ.

**Ex-officio** means membership is determined by virtue of the position a member holds.

**FOC** means Federal Organising Council.

**Federal Parliamentary Labor Party** means endorsed members of the Party elected to the Senate and the House of Representatives.

**Financial member** means a member who has paid all fees due to the Party (refer *Section C: Membership*).

**Former member** means a member who has been unfinancial for 12 months or more and has been removed from the list of current members.

**Financial year** means the period from 1st July to 30th June.

**FPLP** means Federal Parliamentary Labor Party.

**GRO** means General Returning Officer.

**Issuing officer** has the same meaning under these Rules as it does under the Electoral Regulation 2013.

**Joint vote** means separate ballots for the same election are combined to determine the result.

**LEQ** means Labor Enabled Queensland.

**LGBTIQ** – means Lesbian, Gay, Bisexual, Transgender, Intersex and Queer/Questioning, and includes any person who self-identifies as such.

**LOC** means Local Organising Council.

**Local returning officer** means the returning officer for a Party Unit.

**Membership renewal** means annual subscription or fees paid and confirmation of membership by a person already admitted to membership of the Party.

**Meritorious service** means a member's years of membership and activity from date of branch registration (refer *Section C: Membership*).

**MLQ** means Multicultural Labor Queensland.

**National Conference** means the National Conference of the Australian Labor Party.

**National Executive** means the National Executive of the Australian Labor Party.

**National Rules** mean the Rules of the National Conference and the National Executive of the Australian Labor Party in the ALP National Constitution.

**Non-voting member** or **delegate** means a person who holds all rights of membership to a body except the right to cast a vote.

**Optional Preferential Voting** means a vote where the number (1) is placed opposite one and only one candidate. Voters may express subsequent preferences, by numbering boxes in order of preference according to instructions on the ballot paper, for some or all of the remaining candidates if they so desire.

**Parliament** means the Parliament of the State of Queensland or Australia as the context requires.

**Party Unit** means a Branch, Electorate Organising Council, Campaign Committee, Equity Group or Labor Association.

**Party Office** means the principal office of the Party.

**PCC** means the Policy Coordination Council (refer *Section G: State Conference*).

**PDC** means a Policy Drafting Committee (refer *Section G: State Conference*).

**Platform** means the policies of the Party adopted by National Conference or State Conference.

**Policies** means the policies of the Party determined by any body of the Party having authority in that regard.

**Postal ballot** means a ballot of eligible members conducted by post.

**Plebiscite** means a process under these Rules where Party members elect member/s to internal positions established by these Rules.

**Preselection** means that part of the process under these Rules where Party members participate in the selection of a candidate to contest a Federal, State or Local Government election. For these purposes, the term has the same meaning as is defined under the Electoral Act 1992.

**Proportional Representation** means a system of electing multiple members to a body by use of a quota (refer *Section M: Democratic Process (Plebiscites and Internal Ballots)*).

**Proxy** means a member who holds a vote on behalf of a delegate or committee member.

**QILN** means the Queensland Indigenous Labor Network.

**QLWN** means the Queensland Labor Women's Network.

**QYL** means Queensland Young Labor.

**Quorum** means the minimum number of eligible members or proxies who must be present before a meeting can proceed.

**Returning officer/s** means the General Returning Officer, Assistant Returning Officers, or such other person/s as appointed under these Rules, who will conduct preselection ballot/s held pursuant to these Rules and has the same meaning as defined under the Electoral Regulation 2013.

**Preselection roll** means the roll of eligible preselection voters prepared for a preselection ballot under these Rules and has the same meaning as defined under the Electoral Regulation 2013.

**Registered officer** means the same as that defined under the Electoral Act 1992.

**RLQ** means Rainbow Labor Queensland.

**Scrutineer** means a member endorsed by a candidate to represent that candidate during aspects of the conduct of the ballot.

**SOC** means State Organising Council.

**Secret ballot** means the casting of a vote by a member will not be disclosed to another member unless the voter so wishes.

**Senate team** means endorsed Senate candidates (refer *Section L: Selecting a Candidate to be Endorsed for Public Office*).

**Simple majority** means a majority of members present and voting.

**Special levy** means an amount as determined by Administrative Committee that Branches will pay to an Electorate Organising Council.

**Special meeting** means a meeting called to discuss specific topic/s only as provided in the notice of meeting.

**SPLP** means State Parliamentary Labor Party.

**Stand-up ballot** means a ballot of eligible members conducted on a specified day at a specified location.

**State Branch** includes all bodies comprising the Party.

**State Parliamentary Labor Party** means endorsed members of the Party elected to State Parliament.

**The Party** means the Australian Labor Party (State of Queensland).

**Two thirds majority** means two-thirds of members and proxies present and voting.

**Unfinancial member** means a member who has not paid fees by 31 March and has lost all rights of membership.

**Union** means an affiliated Trade Union.

**Unregistered member** means a member of the Party who has not yet registered with a Branch.

**Video link** means that a person is connected visually and audibly to the meeting and can see and be seen, hear and be heard by each other member in attendance.

**Writing** includes correspondence by email.

# APPENDIX ONE – STANDING ORDERS – STATE CONFERENCE

## WELCOME TO COUNTRY

1. Welcome to Country and Acknowledgement of Country are an important part of recognising and paying respect for to the Traditional Owners and to their ongoing connection and custodianship. These protocols provide awareness and recognition of Australia's First Nations people and culture, and an acknowledgment of the injustices and wrongs of the past.
2. A Welcome to Country is to be given at the commencement of each State Conference to be delivered by traditional owners of the land on which the event is taking place.

## CHAIRPERSON

3. The State President will preside over State Conference. In the President's absence a Vice President will preside. If none of these officers is available, a Chairperson will be elected by and from Conference.

## CREDENTIALS

4. Each body represented at State Conference will lodge with the State Secretary the names and addresses of delegates as early as practicable.
5. In the event of any dispute to the credentials of any nominated delegate, State Conference will appoint a Credentialling Committee to take evidence and advise of the proper delegate for the body concerned.

## SESSION TIMES

6. Conference will meet at a time and place determined by the Administrative Committee, and in accordance with the agenda as recommended by the Agenda Committee.

## ORDER OF BUSINESS

7. The order of business will be as recommended by the Agenda Committee and endorsed by resolution of State Conference.

## MOTIONS AND AMENDMENTS

8. No discussion will be allowed except on motion or amendment duly proposed and seconded.
9. Any member desiring to propose a motion or amendment, or to discuss any matter under consideration, must rise and address the Chair. No member will address the Conference unless called by the Chairperson.
10. All questions will be determined in the following manner:
  - a. The mover of the motion will have three minutes to present an argument in support of the motion and two minutes to reply
  - b. The seconder of such motion, and all other speakers, will be limited to two minutes
  - c. The movers and seconders of motions and amendments must exercise the right to speak at the time of moving and not subsequently, subject to the right of reply by the mover of the motion
  - d. Conference, on motion without debate, may extend the time of any speaker. Such extension of the time will not exceed three minutes. Conference may agree to further extensions
  - e. The Chairperson will call attention to the time of all speakers one minute before such time expires. Motions for extensions may be made when the chairperson so calls, but not later
  - f. After the motion has been moved and seconded, and no speaker rises to oppose or move an amendment, the chairperson will proceed to put such motion to vote of Conference
  - g. All votes of Conference will be subject to the following procedure:
    - i. the Chairperson will call upon those who support the question by calling 'Aye' and those who are opposed by calling 'No'
    - ii. the Chairperson will then declare the question carried or lost on the voices
    - iii. the Chairperson can repeat the call or ask for a show of hands if unable to judge the outcome of the vote

- h. Any delegate not satisfied with the Chairperson’s decision may, by standing in that delegate’s place, call for a show of hands:
  - i. The Chairperson will appoint two tellers to take the count and they will be representative of the opposing viewpoints
  - ii. The Chairperson will proceed to determine the question by calling upon those who support the motion to raise their hand or bat and then those opposed to raise their hand or bat
  - iii. When the tellers agree upon their count, the Chairperson will declare the result by quoting the figures for and against
- i. Any delegate not satisfied with the count as declared by the Chairperson may, by standing in that delegate’s place, call for a division:
  - i. If supported by not less than seven other delegates standing in their places, the Chairperson will proceed to conduct a division
  - ii. This will be done by the roll of members eligible to vote being called with each member’s response being recorded against the member’s name
  - iii. The names of all delegates participating in a division will be recorded in the Minutes.
- j. When any question voted upon by Conference results in equal numbers for and against, the Chairperson will declare such a question lost.
- k. Any motion or amendment affecting the Pledge, Platform or Rules of the Party will be declared lost if less than a majority of delegates credentialled to the Conference vote for it.
- l. If a show of hands or division is called, the Chairperson will allow three minutes for delegates to assemble on the floor of Conference to participate in the vote.
- m. All amendments must be seconded. Motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place, providing that the effect of any proposed amendments is not to establish a direct negative to the question contained in the motion. Minor changes to the wording of an amendment or motion can be accepted from the floor of Conference without notice, provided leave has been granted by the Conference.

## IN COMMITTEE

- 11. The Conference may resolve to suspend these standing orders and move into committee in order to facilitate general discussion on a cognate matter. The Conference must resolve to resume standing orders in order for matters to be formally resolved.

## PLATFORM CHAPTERS

- 12. Conference will deal with Platform Chapters in the following manner:
  - a. A resolution will be adopted that Ministers will be invited to the stage to speak on each chapter. The relevant Ministers for each chapter will be listed on the Agenda
  - b. The proposed Platform Chapter will be formally moved and seconded
  - c. The Chair will request Ministers to provide their report to Conference. Each Minister will have 5 minutes. The report will cover the portfolio responsibilities of the Minister and is not limited to the Platform Chapter before the Conference
  - d. The Chair will ask Delegates for questions to the Ministers about the Platform or its implementation
  - e. The Chair will then ask a member of the Policy Coordination Council (PCC) to report to the Conference on proposed amendments to the Chapter before the Conference as follows:
    - i. Amendments that have been withdrawn by the mover and seconder
    - ii. Amendments that are agreed and are to be included in the Platform and moved en bloc
    - iii. Amendments that are not agreed
  - f. The Conference will only consider each amendment that has been submitted to and considered by the PCC and is not agreed. The amendment will be considered as a substantive motion and will be dealt with individually prior to debating any subsequent amendment, with a right of reply to the mover of the amendment.

## RULES COMMITTEE REPORT

13. Amendments to the Rules Committee Report will be dealt with as follows:
  - a. Only amendments to the Rules Report that have been submitted in accordance with the established timelines/procedures and consequently considered by the Agenda Committee can be the subject of debate at Conference
  - b. The Rules Committee Convenor will move the Rules Committee Report
  - c. The Conference will only consider each amendment that has been submitted to and considered by the Rules Committee and is not agreed. The amendment will be considered as a substantive motion and will be dealt with individually prior to debating any subsequent amendment, with a right of reply to the mover of the amendment.

## CONFERENCE RESOLUTIONS

14. Only conference resolutions that have been submitted in accordance with the established timelines/procedures and considered by the Agenda Committee can be the subject of debate at Conference.
15. Proposed conference resolutions will be put before the Conference as follows:
  - a. Resolutions that are to be debated
  - b. Resolutions that are agreed and moved en bloc.
16. The Conference will consider each resolution that has been submitted to and considered by the Agenda Committee and is not agreed. The resolution will be considered as a substantive motion and will be dealt with individually prior to debating any subsequent resolution, with a right of reply to the mover of the amendment.

## OTHER PROVISIONS

17. Any motion or amendment affecting the pledge, platform or constitution of the Party will be declared lost if less than a majority of the members credentialled to the meeting vote for it.
18. No member will speak more than once to any question before the chair, unless by way of personal explanation or with the consent of the Conference. Such consent will not be given unless by a majority of those present.
19. At any time during debate on any question, the chairperson may accept a motion: 'That the question be adjourned', provided at least two speakers have spoken for and against. A member having spoken to the question may not so move. Such motion will be immediately put without debate.
20. At any time during debate on any question the Chairperson may accept a motion: 'That the question be now put', provided at least two speakers have spoken for and against. A member having spoken to the question may not so move. The motion will be immediately put, however the mover of the original motion will have the right of reply.
21. On Conference agreeing 'That the question be now put' it will mean not only the question contained in the motion, but in any and all amendments.
22. No question will be debated for a longer period than half an hour, subject to Conference agreeing on motion or amendment put without debate to extend such time. A two-thirds majority of those present will be required to approve any such extension.
23. Motions directed towards the reconsideration of any decision reached by Conference will fail unless carried by a three-fourths majority of the delegates credentialled to Conference.
24. Not more than two delegates in succession will speak for or against any question.
25. All questions involving an interpretation of policy on any section of the Platform, or the direction of members of the Parliament in accordance with the principles and methods of the Party, will be subject to decision by Conference on the basis of these Standing Orders and not by ruling of the President.
26. Questions other than those contained on the agenda will not be discussed unless agreed to by an absolute majority of the delegates credentialled to Conference, and no delegate will canvass the subject matter of the proposed new business when seeking Conference approval for the discussion.
27. Rulings given by the Chairperson on any question will be subject to a motion calling upon Conference to disagree with any ruling. In the event of such a motion, the mover will be permitted not more than five minutes to support the motion and the Chairperson will be permitted not more than five minutes to defend the ruling. There will be no other speakers. A Vice President or any other delegate appointed by Conference will occupy the chair during such a motion.

## APPENDIX TWO – STANDING ORDERS – PARTY UNITS & COMMITTEES

### ACKNOWLEDGEMENT OF COUNTRY

1. An acknowledgement of country should be undertaken by the chairperson or another person nominated by the chairperson at the commencement of each meeting. The following words are provided to assist:  
“We acknowledge the traditional owners (use the traditional groups name if known) of the land on which we are meeting, and pay our respects to Elders past, present and future.”

### CHAIRPERSON

2. The President (or Convenor, or Chairperson) of the Party Unit will chair meetings of the Party Unit. In the chairperson’s absence, a Vice President will preside. If none of these officers is available, a chairperson will be elected by and from the meeting.
3. If the chair wishes to speak to a motion they should vacate the chair, and either the most senior executive present or a member appointed by the meeting will act as chair.
4. The chair of meetings is only entitled to a single vote in any matter, and if a vote is tied will declare the vote not carried.
5. Rulings given by the chairperson on any question will be subject to a motion calling upon the meeting to disagree with the ruling. In the event of such a motion, the mover will be permitted not more than five minutes to support the motion and the chairperson will be permitted not more than five minutes to defend the ruling. There will be no other speakers. A Vice President or any other member appointed by the meeting will occupy the chair until such motion is determined.

### ATTENDANCE

6. Where a Party Unit has a fixed membership, attendance may be taken by a roll call of members at the beginning of the meeting.
7. For Branch meetings, and where a Party Unit does not have a fixed membership, every member or visitor will sign the attendance book, and at the end of the meeting the chair will sign the book under the last member to sign - no names can be added after this.
8. Meetings must obtain the required quorum in order to begin. If it is not achieved within half an hour of the scheduled starting time, the meeting will lapse.

### MINUTES

9. The minutes of a meeting should be circulated to members of the Party Unit prior to the next meeting of the Party Unit.
10. Each meeting will confirm the minutes of the previous meeting and be signed by the chairperson upon confirmation.

## ORDER OF BUSINESS

11. The usual order of business at ordinary meetings of Party Units is:
  - a. Attendance
  - b. Apologies, and Proxies (where allowed)
  - c. Minutes of the previous meeting
  - d. Business arising from the Minutes
  - e. New members (where allowed)
  - f. Correspondence
  - g. Finance Reports and accounts for payment
  - h. Reports: Executive, campaign committees and electorate organising councils, elected representatives, and from committees or subcommittees
  - i. Notices of motion for the next meeting
  - j. General Business:
    - i. discussion of business for which notice has been given
    - ii. other business
  - k. Close of meeting.
12. The meeting may at any time on motion without debate, by majority decision, determine some other order of business.

## MOTIONS

13. Members may give notices of motion for the purpose of placing items on the agenda for the next Party Unit meeting.
14. The chairperson will not allow discussion on the notice of motion at the meeting at which the notice is given.
15. Members may give notices of motion for the purpose of rescinding or amending any motion carried at a meeting of the Party Unit. For such motions:
  - a. The motion will be read to the meeting and handed to the chairperson
  - b. A rescission motion that is defeated will not be moved again until three months have lapsed.
16. If the mover of a motion is not present, then the motion will lapse unless a new mover nominates
17. Any item that has already had a decision made at a meeting cannot be reconsidered at that same meeting unless a motion is carried by a three quarter majority of members present to reconsider the item.

## OTHER PROVISIONS

18. There will be no electronic taping of the business of any meeting except with the express permission, by way of resolution of the meeting.
19. Motions will be moved and seconded, and the mover is given the first opportunity to contribute to the debate.
20. The Chairperson of the Branch will encourage and oversee discussions, debates and decision-making, and ensure members have a fair chance to contribute
21. The Branch meeting can discuss issues without a formal motion or the need for a formal resolution. Such discussion will take place during General Business.
22. The Chairperson will ensure speakers are brief, and can direct members to conclude their remarks.
23. A member who places an item on the agenda for discussion, will be entitled to make the first contribution to the debate.
24. Following a discussion the Branch may reach a decision or make a resolution on the issue through the moving and passing of a formal motion.

## APPENDIX THREE – STANDING ORDERS – FORMAL RULES OF DEBATE

1. A Party Unit or Committee may resolve to apply formal rules of debate.
2. No discussion will be allowed except on motion or amendment duly proposed and seconded.
3. Any member proposing a motion or amendment, or to discuss any matter, will rise and address the chair. No member will address the meeting unless called by the Chairperson.

### SPEAKING TO MOTIONS

4. The order and time limits for speaking to motions is:
  - a. The mover of the motion has seven minutes to speak
  - b. The seconder has five minutes to speak
  - c. Any other speakers have five minutes to speak. No more than two speakers in succession will speak for or against any motion
  - d. The mover has a right of reply at the conclusion of debate, limited to five minutes.
5. Movers and seconders of motions and amendments must exercise their right to speak at the time of moving, excepting the right of reply of the mover.
6. No member will speak more than once to any question before the chair, unless providing personal explanation or with the consent of a majority of members present.
7. After a motion has been moved and seconded, if no speaker rises to oppose or to move an amendment, the chairperson will proceed to put the motion to a vote.
8. The chairperson will call attention to the time of all speakers one minute before the speaker's time expires. Motions for extension of time may be made when the chairperson so calls, but not later. A motion to extend a speaker's time must be immediately put without debate.
9. Extensions of time will not exceed five minutes. The meeting may agree to further extensions of time on the same basis.
10. No question will be debated for a longer period than one hour, provided that the meeting may agree by a motion supported by two-thirds of members present to extend such time.

### AMENDMENTS

11. A member may move an amendment at any time during debate on any motion.
12. All amendments must be seconded.
13. Motions may be amended by adding words, by deleting words and inserting others in their place, provided that the effect of any proposed amendment is not to establish a direct negative to the question contained in the motion.
14. Any number of amendments may be proposed and discussed simultaneously with the original motion. At the close of debate amendments will be put in the order in which they were moved.

### TRUNCATING DEBATE

15. At any time after at least two speakers have spoken for or against a motion, a motion may be moved to put the substantive motion or adjourn debate.
16. No person who has spoken to the substantive motion may move that the motion be put or adjourned.
17. Any motion to put or adjourn a motion must be put immediately along with any amendments, except that the mover of the motion retains their right of reply.

## VOTING

18. All votes will be subject to the following procedure:
  - a. the Chairperson will call upon those who support the question by calling 'Aye' and those who are opposed by calling 'No'
  - b. the Chairperson will then declare the question carried or lost on the voices
  - c. the Chairperson can repeat the call or ask for a show of hands if unable to judge the outcome of the vote.
19. Any member not satisfied with the Chairperson's decision may, by standing in their place, call for a show of hands.
  - a. The Chairperson will appoint two tellers to take the count and they will be representative of the opposing viewpoints.
  - b. The Chairperson will proceed to determine the question by calling upon those who support the motion to raise their hand and then those opposed to raise their hand.
  - c. When the tellers agree upon their count, the Chairperson will declare the result by quoting the figures for and against.
20. Any delegate not satisfied with the count as declared by the Chairperson may, by standing in their place, call for a division.
  - a. If supported by not less than seven other members standing in their places, the Chairperson will proceed to conduct a division.
  - b. This will be done by the roll of members eligible to vote being called with each member's response being recorded against the member's name.
  - c. The names of all delegates participating in a division will be recorded in the Minutes.
21. In the case of a tied vote the chairperson will declare the motion lost.

## APPENDIX FOUR – CODE OF CONDUCT – MEMBERSHIP RECRUITMENT

### BRANCH STACKING

1. Branch stacking is conduct unacceptable to the Australian Labor Party (State of Queensland).
2. Branch stacking is defined as the registering of persons to the Party by offering inducement or registering persons for the principal purpose of influencing the outcome of ballots of members within the Party.
3. Party members individually or collectively who engage in, organise or promote Branch stacking activities, including any of the following activities, will be deemed to have engaged in Branch stacking:
  - a. Arrange membership for any person unaware that membership has been taken out on their behalf
  - b. To pay the membership fee of a person as an inducement for that person to join the Party or renew their membership
  - c. To enrol, encourage or assist a member to enrol on the electoral roll at an address which is not the principal address of the member
  - d. To organise or pay for concessional rate fees for a person who is ineligible for that rate without a reasonable belief that the person was entitled to the concessional rate.

### RESPONSIBILITY OF ELECTED PARTY OFFICIALS AND OFFICE HOLDERS

4. Any Party Official or office holder who engages in, promotes or assists in Branch stacking activities will be subject to a disputes process.

### ADMINISTRATIVE COMMITTEE RESPONSIBILITIES

5. The Administrative Committee will appoint a representative to investigate allegations of Branch stacking activities in a division/electorate/ward where a complaint is received from members or affiliated unions entitled to vote in a preselection ballot in that division/electorate/ward.
6. A written report of the investigation will be provided to the Administrative Committee.
7. Where the report identifies conduct which, in the opinion of the Administrative Committee, may constitute a branch stacking activity, and which is sufficient to justify charges being brought in respect of the conduct, the Administrative Committee will initiate a Dispute.

# APPENDIX FIVE – CODE OF CONDUCT – FUNDRAISING

## NATIONAL FUNDRAISING CODE OF CONDUCT

### PREAMBLE

1. Australia's political, economic, and social stability is dependent on the strength of our democratic system.
2. The Australian Labor Party (ALP) seeks to ensure every Australian is fairly represented in democratic processes and systems; regardless of wealth, education, background, or status.
3. In striving to achieve this aim, the ALP believes in an independent, well-resourced, transparent, and fair electoral process that is protected from vested interests, both at home and abroad.
4. The ALP believes that our democracy is strengthened by the ability of the public, including Australian unions and business, to make moderate and transparent financial contributions to further democratic debate, or to support a particular candidate for election. The ALP has a long-standing commitment to moderate and fair public funding of political systems, including political parties.
5. The following code of conduct establishes the conditions that govern fundraising by the ALP at state and national levels.
6. This code is binding on all ALP branches, other constituent units, Parliamentarians, and candidates for public office.
7. Funds are raised by the organisational wing of the ALP primarily to assist candidates for public office to gain and/or maintain office.
8. Funds are needed for policy development, Party administration and, most importantly, campaigning. All these political tasks must be carried out federally and in each state.
9. The National Secretary and each State Secretary of the ALP has a responsibility to raise funds to support these functions.
10. Campaign and public responsibilities can overshadow the need for adequate funds to support a strong and effective Party organisation. Lack of funding for Party maintenance and administration not only drains the Party's ability to develop policy and maintain membership, but also undermines Labor's ability to campaign effectively and give a genuine choice to the Australian community in elections.

### ORGANISATION OF FUNDRAISING

11. The National Secretary has ultimate responsibility for fundraising at the national level. State Secretaries have the primary responsibility for fundraising at a state level.
12. The National Secretariat and each state branch raise funds co-operatively but separately.
13. Each branch organises its fundraising efforts independently and according to its own methods, subject to the conditions outlined in this code.
14. The National Secretariat collects funds for national campaigning, administrative support of the Party and the support of various state branches. These funds support the National Secretariat's role of national policy development, assistance to the Federal Parliamentary Labor Party and maintenance of the Party's professional and voluntary organisation throughout Australia.
15. State and national offices shall operate systems of centralised bank accounts to ensure the efficient and secure expenditure of ALP finances and assist the party to meet its commitment to transparency.
16. All local campaign and other party accounts will be held under the relevant state central banking system with the relevant Tax File Number. Central bank accounts may be held at a national level where it is appropriate to do so.
17. It is the legitimate responsibility of the relevant State or National Secretary, finance committee members and/or collectors to accept money on behalf of the ALP.
18. ALP staff, Parliamentarians, and candidates for public office may act as fundraising agents for the ALP and in that capacity receive funds on behalf of the ALP.
19. The National Secretary has the ultimate responsibility for the maintenance and enforcement of the provisions in this code.

## CONDITIONS OF THIS CODE

20. The ALP and its constituent units observe the following fundraising code of conduct. This code is fundamental to the integrity of the ALP and its organisational and Parliamentary members.
21. Parliamentarians and candidates, acknowledging the collective party effort to secure their election as representatives of the ALP, can and should voice the party's need for both support and funds. This may include appeal emails and correspondence, together with regular appearances at ALP fundraising events.
22. All funds raised for, by, or in the name of the ALP, must comply with the relevant provisions of the Commonwealth Electoral Act 1918 and any other relevant legislation or associated regulation. Any funds raised by constituent units of the party, including state branches, must comply with any relevant state legislation.
23. Donations raised or accepted as part of any ALP fundraising effort must be held in a central banking account, which the National Secretariat or relevant state branch has visibility of and control over. It must, in its name, indicate that it is an ALP account. No funds raised by, for or in the name of the ALP may be held in personal accounts.
24. Any funds held in other accounts, or otherwise not under an ALP central banking system with the relevant Tax File Number, will be regarded by the ALP and any other interested party as "personal accounts".
25. Cheques, direct online donations and direct financial transfers (for example through online banking) should be made payable to a central, ALP-named account, not individuals.
26. Any intermediary accounts set up on a digital platform (e.g. Paypal) for the purpose of fundraising must be directly linked to a central, ALP-named account. All outflows from these intermediary accounts should be restricted to a central, ALP-named account.
27. The detail of donations shall be publicly disclosed as per the requirements of the Commonwealth Electoral Act 1918.
28. Parliamentarians should never use the resources of public office to assist in their own or the ALP's fundraising efforts.
29. The ALP at a national level and all federal Parliamentarians and candidates for public office, will not accept donations from foreign sources. Funds raised for, by, or in the name of the federal ALP or federal Parliamentarians or candidates for public office must be obtained from a verified domestic source. This includes, without limitation, funds obtained from individuals, corporate entities, unincorporated associations or any other type of entity. For the purpose of enforcing this clause, the National Executive will from time-to-time establish guidelines to help Party agents determine the origins of donations so as to ensure that only donations from domestic sources are received.
30. Without limiting the conditions imposed on the federal ALP and federal Parliamentarians and candidates for public office by the preceding paragraph, where possible, all ALP fundraising agents should seek reasonable assurance that funds raised have no connection to foreign or prohibited sources.
31. All fundraising bodies, including ALP fundraising agents, should give due consideration to the possible perception of any individual donation and whether it may reflect negatively on the party as a whole.
32. The ALP does not accept funds that are subject to conditions of any kind, whether they be explicit or implied.
33. Under no circumstances will the ALP accept funds which, even if only by inference, are intended to obtain the Party's support for specific actions, attitudes or public statements.
34. Donors retain a right to put forward views to the Party or individual Parliamentarians, however this right does not exceed that of any other general member of the Party or Australian enrolled voter or citizen.
35. The ALP and its constituent units never raise funds on behalf of any other party or organisation.
36. Under no circumstances will the ALP, its Parliamentarians, or any of its endorsed candidates for public office accept donations from the tobacco industry.
37. Parliamentarians or candidates for public office who act outside these guidelines will be liable to sanctions by the National Executive, relevant ALP Caucus, state Administrative Committee or other interested parties.

## APPENDIX SIX – ALP NATIONAL CODE OF CONDUCT

### PRINCIPLES AND PURPOSE

1. The Code of Conduct (Code) sets out the Australian Labor Party's expectations for all people involved with the Party. The following policies sit alongside the Code (Associated Policies):
  - a. Policy for Sexual Harassment Prevention and Response
  - b. Policy on Bullying and Harassment Prevention and Response
  - c. Complaints Handling Policy.
2. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity, disability, age or ethnicity.
3. The ALP is further committed to providing a safe, inclusive and respectful environment in all Party forums for members, officials, employees, contractors and volunteers. This extends to ensuring policies and procedures effectively protect complainants when allegations of misconduct are made.
4. These same principles apply to all those participating in the democratic processes of the ALP.
5. In order to consistently meet the standards of behaviour demanded by these principles, the Code and Associated Policies have been harmonised across all levels and Branches of the Party. This has been done by modifying each Branch's Rules to incorporate the Code and Associated Policies as binding obligations.
6. In order to ensure people involved with the ALP are aware of, understand and adhere to the Code and the Associated Policies, the ALP will promote this Code and the Associated Policies across the organisation.

### APPLICATION

7. The Code and Associated Policies apply to the conduct of all ALP members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are familiar with and are bound by this Code and the Associated Policies. This Code also applies to any person who attends an ALP gathering or event.
8. The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

### INTERACTION WITH OTHER CODES, POLICIES AND PROCEDURES

9. The ALP reserves the right to develop further complaints handling policies for individual workplaces or gatherings where appropriate which are consistent with the principles outlined in the Code and Associated Policies. Such policies may apply concurrently with the Code and Associated Policies.
10. The ALP also recognises that particular workplaces, including parliamentary workplaces, are governed by specific codes of conduct, legal and WHS requirements and disciplinary procedures. Such policies and obligations may apply concurrently with the Code and the Associated Policies and may be better suited to handle complaints in some circumstances, particularly where the matter relates to Ministerial or Parliamentary staff and employment relationships.

## STANDARDS OF CONDUCT

11. The ALP expects all persons covered by this Code and Associated Policies to abide by the following standards and principles:
  - a. Every person should be treated with dignity, fairness and respect
  - b. Every Member must engage with other Members in a way which affords them dignity, fairness and respect
  - c. Every person should comply with all relevant laws and regulations that apply to any ALP activities
  - d. Every person should be able to participate in activities of the ALP free from bullying, discrimination and harassment including sexual harassment, intimidation, and victimisation
  - e. Action, including decisions as to whether action should be taken, should not be affected by personal interests and relationships and conflicts of interest should be disclosed as appropriate
  - f. No person should behave or act in a way that harms the reputation of the ALP or impacts the health and safety of any person.

## BREACHES OF THE CODE

12. Misconduct under the Code includes but is not limited to situations where someone:
  - a. Breaches the law
  - b. Falsifies documents
  - c. Is involved in fraud, bribery or corruption
  - d. Engages in unlawful, disruptive or anti-social behaviour including abuse of legal or illegal drugs
  - e. Is negligent or careless or fails in the duty of competence in the performance of duties
  - f. Is abusive or uses obscene or threatening language to another person
  - g. Is physically or verbally violent against any person
  - h. Behaves in a manner that constitutes discrimination as defined in the *Policy on Bullying and Harassment Prevention and Response*, which includes discrimination or harassment towards a group of persons on the basis of race, ethnicity, gender, gender identity, sexuality, age or disability
  - i. Sexually harasses another person, as defined in the *Policy for Sexual Harassment Prevention and Response*
  - j. Sexually assaults another person
  - k. Behaves in a manner that constitutes harassment towards a person as defined in the *Policy on Bullying and Harassment Prevention and Response*, including on the basis of their sex
  - l. Breaches workplace policies or workplace health and safety laws
  - m. Attends an ALP gathering or event or when purporting to conduct business on behalf of the ALP or representing the ALP is under the influence of drugs or alcohol which prevents the proper or safe performance of duties
  - n. Has unauthorised possession or misuses the property (including information systems) of the ALP
  - o. Deliberately fails to declare to the ALP a conflict of interest (and obtain consent where required) which may affect their performance or judgment as an office holder
  - p. Behaves in a manner which brings the ALP into disrepute
  - q. Misuses ALP confidential information
  - r. Fails to abide by the Associated Policies or other internal ALP policies for member conduct
  - s. Breaches the confidentiality requirements under the Code and Associated Policies
  - t. Victimises a person for making a complaint or participating in the complaints handling processes under the Code and Associated Policies.

## SEXUAL HARASSMENT

13. The ALP believes in an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent sexual harassment. ALP recognises that sexual harassment is a form of gendered violence.
14. The ALP recognises sexual harassment can constitute serious misconduct. Further details about what conduct is considered sexual harassment and how ALP handles this are outlined in the *Policy for Sexual Harassment Prevention and Response*.

## BULLYING AND HARASSMENT

15. The ALP takes a strong stance against bullying and harassment, including harassment on the ground of sex of any person by any individual covered by this Code.
16. The ALP recognises that bullying and harassment can constitute serious misconduct. Further details about what conduct is considered bullying and harassment and how ALP handles this are outlined in the *Policy on Bullying and Harassment Prevention and Response*.

## PROCEDURE AND COMPLAINTS

17. The ALP takes seriously complaints involving alleged breaches of the Code and Associated Policies.
18. Pathways to make, handle and resolve complaints, either formally or informally, are outlined in the *Complaints Handling Policy*.
19. The ALP encourages complainants to report criminal conduct to the Police or relevant authorities.
20. When dealing with allegations of misconduct, the ALP will:
  - a. act promptly
  - b. undertake a transparent process having regard to procedural fairness
  - c. maintain confidentiality.

## APPENDIX SEVEN – POLICY – POLICY FOR SEXUAL HARASSMENT PREVENTION AND RESPONSE

### APPLICATION

1. The Code of Conduct (Code) sets out the Australian Labor Party's expectations for all people involved with the Party. The following policies sit alongside the Code (associated policies):
  - a. This Policy for Sexual Harassment Prevention and Response
  - b. Policy on Bullying and Harassment Prevention and Response
  - c. Complaints Handling Policy.
2. The Code and the associated policies are made pursuant to the Queensland Branch disputes process.
3. The Code and associated policies apply to the conduct of all Queensland Branch members, elected ALP parliamentary representatives, officials, employees, contractors and volunteers, who each agree they are familiar with and bound by this Code and the associated policies. The Code and associated policies also apply to any person who attends an ALP gathering or event.
4. The Code and associated policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

### PRINCIPLES

5. The ALP believes in an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent and address sexual harassment.
6. Bullying and harassment, particularly sexual harassment, can cause physical, emotional, sexual, psychological, social and economic harm. Victims, survivors and complainants in many organisations have historically been silenced and left unsupported.
7. The ALP has harmonised its policies for Sexual Harassment Prevention and Response across its structure. This means the definition, response and prevention approach adopted by the ALP in response to these issues is consistent across all levels of the organisation.
8. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity, disability, age or ethnicity. These same principles apply to all those participating in the democratic processes of the Party.
9. International Labour Organisation convention 190 – Violence and Harassment in the World of Work (Convention) recognises the fundamental right of every worker to be free from all forms of violence and harassment at work, regardless of their employment type. This includes volunteers, contractors, casuals, trainees and apprentices.
10. Consistent with the Convention, the ALP stands against work related gendered violence, in all its forms, including sexual harassment, bullying and other types of inappropriate behaviour, which are prohibited and will not be tolerated. If sexual harassment does occur, the Party has a duty to respond promptly, confidentially and safely.

### AWARENESS AND TRAINING

11. The ALP recognises that simply having a policy or code is not enough, and that the Party must ensure that steps are taken to create a robust positive culture by improving awareness, providing training and implementing robust systems and processes.
12. The ALP has a duty to ensure that everyone involved with the Party is aware of this Policy and the expectations of the ALP regarding sexual harassment.
13. The ALP recognises that it has a duty to provide adequate training to Members of Parliament (MP), elected ALP parliamentary officials, other elected officials, paid staff and support staff and to extend training opportunities to other members of the ALP as time and resources permit.
14. Training is mandatory upon induction for MPs, elected ALP parliamentary officials, other elected officials and senior staff, with regular refresher training. A register is kept of each person who has received training, including where persons have received appropriate equivalent training in a workplace setting.

## WHAT IS SEXUAL HARASSMENT?

15. Sexual harassment is unwanted or unwelcome conduct of a sexual nature, including unwelcome sexual advances or unwelcome requests or sexual favours, in circumstances where it is reasonable (considering the context of the situation and individuals) to anticipate the possibility the recipient will feel offended, humiliated or intimidated. It is irrelevant whether the person committing the acts intends to sexually harass the recipient.
16. Sexual harassment can take many different forms – it can be obvious or indirect, physical or verbal, online or in person, and repeated or one-off. Sexual harassment may include (this list is not exhaustive):
  - a. physical acts, such as unwanted touching, sexual gestures or sexually explicit contact
  - b. verbal acts, such as requests for sexual favours or dates, making promises or threats in return for sexual favours, inappropriate jokes and innuendos, explicit conversations, derogatory comments, insults, taunts, or intrusive questions or comments about a person’s private life
  - c. visual acts, such as leering or staring at a person, and viewing, displaying or distributing offensive or explicit material including via the internet or email/ text messages.
17. Sexual harassment can be a form of discrimination and can have serious legal and other consequences for individuals, bystanders and work teams. It can expose the ALP to disputes and litigation.
18. Sexual harassment can occur in person or online. Technology-facilitated harassment can take many forms, such as: messages or calls, account take overs, image-based abuse, fake social media accounts; and being tracked through a phone or device
19. Sexual harassment can cause distress and harm for people who are not directly involved, including family members and colleagues.
20. Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

## ACTIVE BYSTANDER INTERVENTION

21. The ALP encourages and values safe active bystander intervention by members of the Party to prevent or stop sexual harassment from occurring or continuing.
22. Steps involved in safe active bystander intervention are:
  - a. noticing the situation – paying attention to what is going on nearby
  - b. assessing and deciding whether someone might need help
  - c. checking with others if unsure
  - d. accepting responsibility to take action – not assuming someone else will act
  - e. making a plan to step in, without being aggressive or putting oneself or others in danger.

## RESOLUTION AND COMPLAINTS

23. Complaints and breaches of this Policy should be reported in accordance with the *Complaints Handling Policy*.
24. Various informal and formal methods are available to resolve complaints depending on the nature and seriousness of the allegations, and the wishes of the complainant.
25. The process to handle and resolve complaints is outlined in the *Complaints Handling Policy*.

## SUPPORT

26. A member who alleges sexual harassment by a member of the Party, or a person who alleges that sexual harassment took place at a gathering or event under the auspices of the ALP, is entitled to a respectful and prompt response from the ALP.
27. Part of the resolution process is ensuring that a complainant is aware of available reporting options. This may involve referral to counselling or other independent avenues of professional advice and assistance, with the consent of the complainant.
28. Appropriately skilled and trained Party members can support a person who has experienced sexual harassment. However, it is of the utmost importance to ascertain and respect the wishes of the person making a complaint with respect to privacy and confidentiality.

29. Where criminal conduct, including sexual assault, has occurred, or may have occurred, referral to police by the ALP should only occur subject to the consent of the complainant and any mandatory reporting obligations.

## APPENDIX EIGHT – POLICY – POLICY ON BULLYING AND HARASSMENT PREVENTION AND RESPONSE

### APPLICATION

1. The Code of Conduct (Code) sets out the Australian Labor Party’s expectations for all people involved with the Party. The following policies sit alongside the Code (associated policies):
  - a. Policy for Sexual Harassment Prevention and Response
  - b. this Policy on Bullying and Harassment Prevention and Response
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2. The Code and the associated policies are made pursuant to the Queensland Branch disputes process.
3. The Code and associated policies apply to the conduct of all Queensland Branch members, elected ALP parliamentary representatives, officials, employees, contractors and volunteers, who each agree they are familiar with and bound by this Code and the associated policies. The Code and associated policies also apply to any person who attends an ALP gathering or event.
4. The Code and associated policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

### PRINCIPLES

5. The ALP believes in an organisation, and a community that is safe and inclusive for everyone and that it is imperative to take positive steps to prevent and address bullying and harassment.
6. The ALP has harmonised its policies for Bullying and Harassment Prevention and Response across its structure. This means that the definition, response and prevention approach adopted by the ALP in response to these issues is largely consistent across all levels of the organisation.
7. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity, disability, age or ethnicity. These same principles apply to all those participating in the democratic processes of the Party.
8. International Labour Organisation Convention 190 – Violence and Harassment in the World of Work (Convention) recognises the fundamental right of every worker to be free from all forms of violence and harassment at work, regardless of their employment type. This includes volunteers, contractors, casuals, trainees and apprentices.
9. Consistent with the Convention, the ALP stands against work related gendered violence, in all its forms, bullying and other types of inappropriate behaviour, which are prohibited and will not be tolerated.
10. Bullying, harassment and discrimination can cause physical, emotional, sexual, psychological, social and economic harm. Victims, survivors and complainants in many organisations have historically been silenced and left unsupported. The ALP strive to create a strong and positive culture, and commit ourselves to the creation of policies, training and grievance procedures that will effectively protect complainants when allegations of harassment are made.

### AWARENESS AND TRAINING

11. The ALP recognises that simply having a policy or code is not enough and that as an organisation steps must be taken to create a supportive and positive culture, to improve awareness, to provide training (and mandate training where appropriate) and to implement robust systems and processes to deal with allegations and complaints of bullying, harassment and discrimination.

## WHAT IS BULLYING?

12. Bullying occurs when a person or group of people repeatedly behaves unreasonably towards another person, or a group of people of which the other person is a member and that behaviour creates a risk to health and safety.
13. Bullying is misconduct and can be, but is not limited to:
  - a. repeatedly making demeaning jokes or belittling remarks about a person
  - b. threats, intimidation, stand-over tactics and coercion
  - c. verbal abuse or degrading language or gestures aimed at an individual
  - d. yelling or screaming at an individual
  - e. spreading rumours or misinformation about a person
  - f. excluding, isolating or marginalising a person from activities
  - g. abuse of supervisory or managerial authority such as sabotaging a person's work or deliberately inconveniencing them
  - h. unjustified threats of disciplinary procedures.
14. Bullying is not:
  - a. differences of opinion
  - b. non-aggressive conflicts
  - c. interpersonal problems in working relationships
  - d. reasonable performance management
  - e. operational changes or restructuring
  - f. lawful termination of employment or position
  - g. robust intellectual debate
  - h. constructive feedback.

## WHAT IS HARASSMENT?

15. Harassment refers to both single and repeated occurrences of a range of unwelcome, offensive or unacceptable behaviours and practices, or threats, that aim at, result in, or are likely to result in physical, psychological, sexual, social or economic harm and can be, but is not limited to (note, this list is not exhaustive):
- a. unwanted physical contact
  - b. repeated offensive comments, including insults, verbal or physical threats
  - c. spreading rumours about a person
  - d. breaching the privacy of a person, for example by disseminating personal information without their consent
  - e. posting offensive comments in public forums about a person
  - f. repeated shouting, insults, threats, disparagement, public humiliation or intimidation
  - g. purposefully isolating a person from normal party business, conversations or events
  - h. making offensive remarks about a person based on their sex, gender identity, marital status, religious belief, ethical belief, colour, race, ethnic or national origin, disability, age, political opinion, employment status, family status or sexual orientation
  - i. deliberately mimicking the way a person speaks, making jokes about their race, calling a person by a racist name, deliberately pronouncing a person's name incorrectly, or deliberately mis-gendering a person
  - j. repeatedly following a person (stalking)
  - k. unreasonably and persistently contacting or attempting to contact a person by any means
  - l. interfering with a person's property
  - m. harassment on the ground of sex, which occurs when a person
    - i. engages in unwelcome conduct of a seriously demeaning nature towards another person, on the basis of that person's sex or a characteristic generally imputed on or associated with that person's sex, in circumstances where it is reasonable to anticipate the possibility that they will feel offended, humiliated or intimidated
    - ii. creates or facilitates an intimidating, hostile, humiliating or offensive environment for a person or persons of a particular sex.

## WHAT IS DISCRIMINATION?

16. Discrimination occurs when a person directly or indirectly discriminates against another person as follows:
- a. on the grounds of a protected attribute of the other person, the first person treats or proposes to treat the other person less favourably than they would treat a person with a different type of protected attribute, in the same or not materially different circumstances
  - b. the first person imposes a requirement that is likely to disadvantage someone with a protected attribute more than a person without a protected attribute
  - c. the first person undertakes any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.
17. For the purposes of this Policy, a protected attribute includes race, colour, sex, religion, political beliefs, decent or national extraction, nationality, social origin, immigration status, age, medical record, criminal record, relationship status, pregnancy and associated attributes, family or carer responsibilities, impairment, mental, intellectual or psychiatric disability, physical disability, disease, illness or other medical status (including being HIV positive), sexual orientation, gender identity, intersex status, physical appearance, criminal record and spent convictions, and trade union activity, including attributes generally imputed to a person with one of the above attributes as well as association with a person who has one of the above attributes.

### ACTIVE BYSTANDER INTERVENTION

18. The ALP encourages and values safe active bystander intervention by Party members to prevent or stop bullying or harassment from occurring or continuing.
19. The steps involved in safe active bystander intervention are:
  - a. noticing the situation – paying attention to what is going on nearby
  - b. assessing and deciding whether someone might need help
  - c. checking with people around if unsure
  - d. accepting responsibility to take action – not assuming someone else will act
  - e. making a plan to step in, without being aggressive or putting oneself or others in danger.

### RESOLUTION AND COMPLAINTS

20. Complaints and breaches of this Policy should be reported in accordance with the *Complaints Handling Policy*.
21. Complaints can be resolved using various informal and formal methods depending on the nature and seriousness of the allegations, and the wishes of the complainant.
22. The process to handle and resolve complaints is outlined in the *Complaints Handling Policy*.

### SUPPORT

23. A member who alleges bullying, harassment or discrimination by a member of the ALP, and any person who alleges that bullying or harassment took place at an ALP gathering or event, is entitled to a respectful and prompt response from the ALP.
24. Part of the resolution process is ensuring that a complainant has been adequately supported by appropriately training Party members and is aware of available reporting options. This may involve referral to counselling or other avenues of professional advice and assistance, with the consent of the complainant.

# APPENDIX NINE – POLICY – COMPLAINTS HANDLING POLICY

## APPLICATION

1. This Complaints Handling Policy applies to complaints arising under the following (Code and associated policies):
  - a. Branch Code of Conduct
  - b. Policy for Sexual Harassment Prevention and Response
  - c. Policy on Bullying and Harassment Prevention and Response.

## COMPLAINT RESPONSE JURISDICTION

2. The ALP has harmonised its complaints handling policy across its structure. This means that the process and procedure for responding to complaints are consistent across the Party including in the Queensland Branch.
3. Complaints should be actioned by the Branch to which they relate.
4. The Branch cannot action complaints relating to the National Office, or in connection with a National ALP gathering or event. Complaints relating to the National Office or in connection with a National ALP gathering or event will be actioned by the National Secretariat’s Office.
5. The ALP reserves the right to develop complaints handling policies for individual workplaces where appropriate, which are consistent with the law and the principles outlined in the Code of Conduct and Associated Policies.
6. The following table sets out the relevant pathways for complaints to be actioned. However, the ALP recognises that many members are involved in the Party in a variety of ways and encourages anyone who may wish to make a complaint to speak to a Respect Contact Officer for further guidance.

Coverage	Relevant Jurisdiction	Relevant Policies
ALP members, elected ALP parliamentary representatives, officials (paid and unpaid), staff, contractors, volunteers and any person who attends a National ALP gathering or event	National Secretariat Office	National Code of Conduct ALP National Policy for Sexual Harassment Prevention and Response ALP National Policy on Bullying and Harassment Prevention and Response ALP National Complaints Handling Policy
Parliamentary Staff & Volunteers of Members of Parliament & Members of Parliament in relation to workplace matters	Cth, State and Territory Parliaments, Department of Finance Relevant State/Territory department/ agency as applicable	Members of Parliament (Staff) Act 1994, or Work Health & Safety Act 2011, or Fair Work Act 2009 or relevant State/Territory legislation as applicable
Federal Members of Parliament in relation to conduct at jurisdictional gatherings and events outside of the jurisdiction of their Membership	National Secretariat Office	National Code of Conduct ALP National Policy for Sexual Harassment Prevention and Response ALP National Policy on Bullying and Harassment Prevention and Response ALP National Complaints Handling Policy
Federal Members of Parliament in relation to conduct at jurisdictional gatherings and events in the jurisdiction in which they are a Member	Relevant State or Territory Branch	The following branch rules, procedures and processes: Branch Code of Conduct Policy for Sexual Harassment Prevention and Response Policy on Bullying and Harassment Prevention and Response This Complaints Handling Policy
ALP members, elected ALP parliamentary representatives, officials (paid and unpaid), staff,	Relevant State or Territory Branch	The following branch rules, procedures and processes: Branch Code of Conduct

Coverage	Relevant Jurisdiction	Relevant Policies
contractors, volunteers and any person who attends a jurisdictional gatherings and events		Policy for Sexual Harassment Prevention and Response Policy on Bullying and Harassment Prevention and Response This Complaints Handling Policy
National ALP organisational staff and paid officials	National Secretariat Office	National ALP Workplace Health & Safety Policy and Employment Terms and Conditions
Branch organisational staff and paid officials	Relevant State or Territory Branch	Relevant Branch employment agreements, and the following rules, procedures and processes: Branch Code of Conduct Policy for Sexual Harassment Prevention and Response Policy on Bullying and Harassment Prevention and Response This Complaints Handling Policy

- In the event that a complaint relates to conduct of an ALP member (excluding Federal MPs) occurring across more than one jurisdiction or online, the complaint will be referred to a Complaint Manager in the jurisdiction in which the respondent is a member.

**KEY SUPPORT PRINCIPLES IN COMPLAINT HANDLING**

- The Queensland Branch is committed to ensuring that allegations of sexual harassment, harassment, bullying, discrimination and other breaches of the Code of Conduct are dealt with promptly, confidentially and in accordance with the principles of procedural fairness for all parties involved.
- It is important that the handling and resolution of any complaint is undertaken in a manner that is respectful, trauma informed, culturally safe, particularly for First Nations people, and avoids additional distress to complainants, survivors and victims
- It is also important throughout the complaint handling and resolution process that complainants are adequately supported and are aware of the support options and complaint reporting options available to them. Respect Contact Officers and Complaint Managers can provide information on available support options, including External Support Providers.
- In order to respect the privacy of complainants and the principles of natural justice, the Queensland Branch will not comment on any complaint while it is being investigated or subject to any process or action in relation to a complaint except to say that this Policy is being complied with.

## RESPECT CONTACT OFFICER

12. Respect Contact Officers are available as an initial contact point for a complainant.
13. Respect Contact Officers have been trained in both this Policy and the Code of Conduct and Associated Policies. In carrying out their role, a Respect Contact Officer will support the complainant by:
  - a. taking all complaints seriously
  - b. listening without interrupting
  - c. letting the person express how they feel and respecting the words they use in reference to the incident or incidents
  - d. acknowledging if the person is in distress and may have difficulties in expressing themselves
  - e. respecting the decisions of a complainant
  - f. provide information to complainants on External Support Providers, being organisations that have the training and capacity to support the complainant.
14. The role of a Respect Contact Officer is to:
  - a. receive complaints
  - b. act promptly
  - c. assess the nature of a complaint and provide initial information and advice to the complainant regarding the complaints handling process and options available to the complainant under this Policy
  - d. initiate immediate action where there is imminent danger/ immediate risk
  - e. refer complaints to an appropriate Complaint Manager, as provided by the Pathways set out above
  - f. refer complaints to another Respect Contact Officer if they have a conflict of interest
  - g. respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation
  - h. ensure appropriate details of the complaint are recorded in the Complaint Report Form
  - i. record appropriate details of all complaints as required by ALP's record keeping and reporting requirements (see Reporting System reference).
15. The details of Respect Contact Officers and an indication of whether a Respect Contact Officer is connected to a National Office or a Branch is available at <https://queenslandlabor.org/code-of-conduct-and-complaints-handling-policy/>. A complainant may wish to contact a National Office Respect Contact Officer instead of a Branch Respect Contact Officer. If a National Office Respect Contact Officer does assist a complainant, the Pathways set out above remain applicable.

## COMPLAINT MANAGER

16. Complaint Managers are appointed from within the Branch and receive complaints, including referrals from Respect Contact Officers or the Secretary, and then acts and provides guidance to ensure that the complaint is handled in accordance with this Policy.
17. Complaint Managers have been trained in both this Policy and the Code of Conduct and Associated Policies. In carrying out their role, a Complaint Manager will support the complainant by:
  - a. taking all complaints seriously
  - b. listening without interrupting
  - c. letting the person express how they feel and respecting the words they use in reference to the incident or incidents
  - d. acknowledging if the person is in distress and may have difficulties in expressing themselves
  - e. respecting the decisions of a complainant
  - f. provide information to complainants on External Support Providers, being organisations that have the training and capacity to support the complainant.

18. The role of a Complaint Manager is to:
- a. refer complaints to another Complaint Manager or an external provider if they have a conflict of interest
  - b. confirm complaints fall under this Policy including the appropriate jurisdiction for the complaint to be actioned
  - c. provide advice to the complainant about the complaint handling process and options available to the complainant for resolving their complaint
  - d. provide written advice to the Secretary on the complaint, the complaints handling process and this Policy
  - e. assist Secretary in carrying out complaints handling process requirements set out in this Policy
  - f. provide information to the respondent promptly, this may include advising the respondent that a complaint has been made with the consent of the complainant
  - g. ensure appropriate details of the complaint are recorded in the Complaint Report Form
  - h. initiate immediate action where there is imminent danger/ immediate risk
  - i. record appropriate details of all complaints as required by ALP's record keeping and reporting requirements (see Reporting System reference)
  - j. respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation
  - k. act promptly.
19. The details of Complaint Managers for the Branch is available at <https://queenslandlabor.org/code-of-conduct-and-complaints-handling-policy/>. Where a Complaint Manager listed above cannot be appointed due to conflicts of interest, the Secretary may refer the complaint to a Complaint Manager from another Branch or an external complaints provider to perform the duties of the Complaint Manager under this Policy. If a Complaint Manager from another Branch is appointed, the Pathways set out above remain applicable.
20. Where a Complaint Manager cannot be appointed from the list in the link above, due to an actual or potential conflict of interest, the Secretary may refer the complaint to a Complaint Manager from another Branch or an external complaints provider to perform the duties of the Complaint Manager under this Policy.

## STATE SECRETARY

21. The State Secretary (Secretary) may receive complaints.
22. The Secretary will refer complaints to an appropriate Complaint Manager having regard to the applicable Pathway and for the purposes of complying with the complaints process set out in this document.
23. The role of the Secretary is to:
  - a. act promptly
  - b. take all complaints seriously
  - c. respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation
  - d. receive referrals from a Complaint Manager to action complaints in accordance with the requirements of this Policy
  - e. action or dismiss complaints in accordance with the requirements of this Policy
  - f. initiate immediate action where there is imminent danger/ immediate risk
  - g. refer matters to a panel for decision making on disciplinary action where an investigation substantiates or partially substantiates a complaint either:
    - i. in the Secretary discretion for matters where the sanction considered does not include expulsion, suspension or termination of appointment
    - ii. in all cases where a sanction being considered includes expulsion, suspension or termination of appointment
  - h. determine the disciplinary action to be taken where the sanction proposed does not include expulsion, suspension or termination – or where the respondent agrees to expulsion, suspension or termination of appointment
  - i. record appropriate details of all complaints as required by ALP’s record keeping and reporting requirements (see Reporting System reference).

## CONFLICTS OF INTEREST

24. Where a Secretary has a perceived, actual or potential conflict of interest in relation to a complaint, the President of the Branch will facilitate the process with the same authority as the Secretary.
25. Where the Secretary determines that both they and the President of the Branch have a conflict of interest that cannot be managed, the Secretary may ask the Complaint Manager to request that a member of the ALP National Appeals Tribunal appoint a suitably qualified person from the Party to carry out the role and functions of the Secretary set out in this Policy. Such person will have the powers and responsibilities given to the Secretary under this Policy, including the power to impose a sanction.

## LESS FORMAL RESOLUTION OPTIONS

26. Different methods of resolution may be used to resolve potential complaints, depending on the nature of the allegations, the seriousness of the alleged behaviour, and the wishes of the complainant.
27. Less formal resolution processes are usually appropriate where the allegations are less serious in nature or the complainant wishes to pursue a less formal resolution.
28. Less formal resolution options include:
  - a. the complainant contacting the person directly either verbally or in writing to tell the person that they do not like the behaviour, and asking that it stop
  - b. a facilitated meeting between the complainant and respondent, noting that this option will be dependent on the respondent’s willingness to participate in a meeting.
29. The purpose of self-resolution is to enable the parties to resolve the matter themselves. The complainant may seek advice on possible strategies from a Complaint Manager.
30. The purpose of less formal resolution is to allow the complainant to put their complaint forward in a supported environment to the respondent, with the aim of ensuring the offending behaviour ceases.

31. Outcomes from less formal options include:
  - a. an acknowledgement of complaint
  - b. an apology
  - c. undertaking not to repeat behaviour
  - d. undertaking to change behaviour
  - e. agreement to undertake additional training
  - f. agreement regarding conduct in the future.
32. If a complainant or respondent does not believe an issue can be resolved by less formal resolution, they should advise the Complaint Manager as soon as practical. The Complaint Manager will then advise the complainant of other resolution options.

### MORE FORMAL RESOLUTION OPTIONS

33. Where a complaint is not resolved by less formal resolution, the Secretary may take more formal resolution options, with the consent of the complainant.
34. In this instance, the Complaint Manager will provide advice to the Secretary on next steps.
35. Having regard to the principles set out at AP19(9), the following steps may be taken, as part of more formal action:
  - a. a mediation between the complainant and respondent in the first instance to resolve the complaint, with the consent of both parties to the complaint
  - b. an independent third party may be appointed by the Complaint Manager to investigate the complaint with the consent of the complainant.
36. By way of general guidance, if an investigation is commenced the Investigator will be provided with Terms of Reference authorised by the Secretary to investigate the complaint. As part of the investigation process the following may occur:
  - a. the complainant may be asked to provide written details of the complaint or may be interviewed, with a support person or adviser if required
  - b. relevant details of the complaint will be conveyed to the respondent
  - c. the respondent will be given 7 days to respond, or as otherwise reasonably determined by the Investigator
  - d. the respondent may be asked to provide written details of the response to the complaint or may be interviewed, with a support person or advisor, if required
  - e. the complainant may be required to provide an affidavit or statutory declaration verifying on oath the truthfulness of the complaint
  - f. the respondent may be required to provide an affidavit or statutory declaration verifying on oath the truthfulness of the response to the complaint
  - g. if there is a dispute over facts, other relevant evidence may be gathered and witnesses may be interviewed
  - h. a finding may be made as to whether the complaint is substantiated to the satisfaction of the Investigator on the balance of probabilities
  - i. a written report may be prepared, documenting the evidence, the finding and any recommendations including disciplinary action.
37. The final investigators report must be provided to the Complaints Manager and Secretary.
38. Where a complaint is not substantiated, parties are to be advised and the matter will be closed within 7 days of receiving the investigators final report.
39. If the complaint is substantiated, including partially, by the Investigator, within 4 days the Secretary must advise the respondent and provide the respondent with 7 days to provide written submissions on sanctions or other disciplinary action.
40. Within 4 days of receipt of submissions from the respondent and where it is recommended or intended that the sanction or disciplinary action is suspension, expulsion or termination, the Secretary must refer the matter to the Complaints Panel in writing for a decision on sanction or other disciplinary action.

41. Within 7 days of receipt of submissions from the respondent where it is recommended or intended that the sanction or disciplinary action is not suspension, expulsion or termination, the Secretary must make a decision on the sanction or other disciplinary action.
42. In its discretion, the Secretary may also refer matters for decision on sanction or disciplinary action where the proposed sanction is not suspension, expulsion or termination.

### COMPLAINTS INVOLVING CRIMINAL CONDUCT

43. Some forms of harassment, including sexual harassment may constitute a criminal offence. This includes physical assault, indecent exposure and sexual assault.
44. In accordance with the Code of Conduct, criminal conduct is able to be reported to the Police by the complainant
45. Any referral to the police or external agencies by the ALP will be done in consultation with, and consent by, the complainant, subject to the requirements of this Policy, mandatory reporting obligations and obligations under work health and safety legislation
46. Where a police or other agency investigation or prosecution is underway, legal advice should be obtained by the Secretary in relation to next steps under this Policy including whether any action should be placed on hold.

### ALLEGATIONS OF SEXUAL ASSAULT

47. Where an allegation of sexual assault is made, the ALP should be active in its support of the complainant by providing appropriate details of External Support Providers.
48. Survivors of sexual assault should be in control of the decisions affecting them, especially their right to decide whether to seek counselling, medical services, police or legal intervention.
49. At all times the privacy of the complainant should be respected and no information should be shared without their consent, subject to the requirements of this Policy, mandatory reporting obligations and obligations under work health and safety legislation.
50. At all times complaints will be managed in a way which acknowledges and is respectful of the fact that sexual assault is a traumatic incident and every individual will differ in the impact upon their ability to make immediate decisions and to communicate
51. External Support Providers (see below) are best placed to provide advice about legal options, court preparation and court support to the complainant and it is not intended that the Respect Officer or the Complaint Manager provide these types of supports to the complainant.

### CONSEQUENCES AND DISCIPLINARY ACTION

52. A breach of the Code of Conduct, depending on its nature and severity, may lead to disciplinary action being taken by the Secretary, which may include:
  - a. Counselling
  - b. requiring an apology
  - c. conciliation/mediation conducted by an impartial third party
  - d. training on expected standards of behaviour
  - e. a warning.
53. A breach may also lead to:
  - a. termination of appointment, suspension or expulsion from the Party in accordance with the process set out in this Policy
  - b. where the respondent is an employee, performance management, demotion or termination in accordance with relevant workplace laws, agreements and policies.
54. A decision made under this Policy to impose a sanction or take disciplinary action against a respondent is binding, subject to any appeal available under this Policy.

## DECISIONS BY THE SECRETARY

55. Where the respondent is an employee, any decision relating to their employment will be consistent with any applicable workplace laws, agreements and policies.
56. A decision of the Secretary under Consequences and disciplinary action is appealable to the Complaints Panel, except where the decision relates to an employee and their employment in which case decisions are subject to relevant workplace laws, agreements and policies.

## DECISIONS BY COMPLAINTS PANEL

57. Where a matter is referred to a Complaints Panel for decision making, the Secretary will allocate the complaint to a Disputes Panel in the manner required by Rule O5.3 and the complaint will be dealt with by the Disputes Tribunal sitting as the Complaints Panel in the manner required by Section O, including in relation to appeals.

## REPORTING PLAN

58. The Branch is committed to monitoring the effectiveness of the Code of Conduct and Associated Policies.
59. The Branch will collect de-identified data on each complaint received under this Policy in accordance with annual reporting obligations under the Code of Conduct and Associated Policies Reporting Plan.
60. Each year by 31 January, the Secretary will provide the National Secretary a deidentified report of all complaints received under this Policy in accordance with annual reporting obligations under the Code of Conduct and Associated Policies Reporting Plan.

## GENERAL

61. Anonymous complaints can be made under this Policy. The ability to take action in relation to anonymous complaints will depend on the nature of the complaint, level of information provided and, where appropriate, the consent of the person subject to the alleged conduct.
62. All parties to a complaints process must maintain confidentiality. A failure to maintain confidentiality may be a breach of the Code of Conduct which may result in action being taken under this Policy.
63. Where a finding is made against a person, or a sanction or other disciplinary action is imposed under this Policy, the finding, sanction or other disciplinary action may be shared between Branches to the extent reasonably necessary to properly administer a Branch and uphold the Code of Conduct and Associated Policies. Details of complaints that are not finalised due to a member resigning can also be shared for this purpose.
64. Victimising a person for making a complaint under this Policy or participating in a complaints handling policy may be a breach of the Code of Code which may result in action being taken under this Policy.
65. Disciplinary action may also be taken against a person for making a complaint or against a complainant if there is substantiated evidence that the complaint was malicious or vexatious.
66. In the event that time or other circumstances do not permit the Secretary to conduct the process for a complaint, the Secretary may appoint another Branch official or independently qualified person to facilitate the process with the same authority as the Secretary.
67. The ALP will not comment on any complaint while it is being investigated or subject to any process or action, save to say this Policy is being complied with. Upon conclusion of the process, the Secretary may if appropriate in the circumstances, provide a brief factual statement on the outcome.
68. Any existing complaints being actioned when this Policy comes into effect will continue to be actioned in accordance with the rules and procedures in place at the time the complaint was made.

## EXTERNAL SUPPORT PROVIDERS

### SEXUAL ASSAULT & DOMESTIC VIOLENCE NATIONAL HELP LINE

1800 Respect (1800 737 732)

<https://www.1800respect.org.au>

### LIFELINE

13 11 14

24-hour crisis support and suicide prevention.

<https://www.lifeline.org.au>



**BEYONDBLUE**

1300 224 636

Mental health support

<https://www.beyondblue.org.au/>

**QLIFE**

1800 184 527

## APPENDIX TEN - TIMETABLE FOR ELECTIONS

The timetable for future elections to be held at State Conference and by Direct Election (indicative).

### 2023

Ballot	Timing / Type	Term
Policy Coordination Council Convenor (1)	At State Conference	2 years
National Conference Delegates and Proxies – Branch	Membership Ballot prior to State Conference	3 years
National Conference Delegates and Proxies – Union	Union Ballot at State Conference	3 years
Queensland Young Labor (16 + subcommittees)	Membership Ballot - November/December	1 year
Labor Enabled Queensland (12)	Membership Ballot	2 years
Multicultural Labor (9)	Membership Ballot	2 years

### 2024

Ballot	Timing / Type	Term
State President (1)	Branch component - ballot of members Union component - ballot of credentialed delegates	3 years
Senate Candidates	Branch component - ballot of members Union component - ballot of credentialed delegates	6 years
State Conference Delegate – Local Government Councillors' Representative (1)	Following Local Government Elections	4 years
Queensland Young Labor (16 + subcommittees)	Membership Ballot - November/December	1 year
Rainbow Labor Queensland (13)	Membership Ballot	2 years
Queensland Labor Women's Network (11)	Membership Ballot	3 years
Queensland Indigenous Labor Network (12)	Membership Ballot	3 years

### 2025

Ballot	Timing / Type	Term
General Returning Officer & Assistant Returning Officers (5)	At State Conference	4 years
Shareholders – Labor Holdings & Labor Enterprises	At State Conference	4 years
State Vice-Presidents (3)	Branch component - membership ballot prior to State Conference Union component - ballot at State Conference	3 years
Policy Coordination Council Convenor (1)	At State Conference	1 year
Policy Coordination Council Members (26 total): Branch (10), Union (10), SPLP (4), FPLP (1), BCC (1)	Prior to State Conference	4 years
Branch State Conference Delegates (212)	Membership Ballot prior to State Conference	4 years
Administrative Committee (20)	At State Conference	4 years
Rules Committee (15)	At State Conference	4 years

Ballot	Timing / Type	Term
Awards Convenor (1) & Deputy Convenor (1)	At State Conference	4 years
Awards Committee members (5)	At State Conference	4 years
Queensland Young Labor (16 + subcommittees)	Membership Ballot - November/December	1 year
Labor Enabled Queensland (12)	Membership Ballot	2 years
Multicultural Labor (9)	Membership Ballot	2 years

## 2026

Ballot	Timing / Type	Term
State Secretary (1) & Assistant State Secretary (1)	At State Conference	4 years
Policy Coordination Council Convenor (1)	At State Conference	1 year
National Conference Delegates and Proxies - Branch	Membership Ballot prior to State Conference	3 years
National Conference Delegates and Proxies - Union	Union Ballot at State Conference	3 years
Queensland Young Labor (16 + subcommittees)	Membership Ballot - November/December	1 year
Rainbow Labor Queensland (13)	Membership Ballot	2 years

## 2027

Ballot	Timing / Type	Term
State President (1)	Branch component - ballot of members Union component - ballot of credentialled delegates	3 years
Senate Candidates	Branch component - ballot of members Union component - ballot of credentialled delegates	6 years
Policy Coordination Council Convenor (1)	At State Conference	2 years
Queensland Young Labor (16 + subcommittees)	Membership Ballot - November/December	1 year
Labor Enabled Queensland (12)	Membership Ballot	2 years
Multicultural Labor (9)	Membership Ballot	2 years
Queensland Labor Women's Network (11)	Membership Ballot	3 years
Queensland Indigenous Labor Network (12)	Membership Ballot	3 years

# ADMINISTRATIVE REGULATIONS

## AR1 - TIMETABLE FOR ADMINISTRATIVE COMMITTEE (SECTION H)

Description	Timing / Type	Rule Reference
Timing of ordinary meetings	Monthly (excluding January) - second Monday of Month	H5.1
State Secretary Report	Each meeting	I4.6
Financial Report from the State Treasurer	Each meeting	I7.3
New Member Applications & Interstate Transfers	Each meeting	C3 & C4
Branch Registrations	Each meeting	C5
Credentialling Committee Report	March	AR7
Tabling of Union Affiliation Numbers following Union Audits	March	D2
Union Affiliations		
Union Electoral College Delegate List	April	H8.2
Auditor Appointment	July	N1.8
Credentialling Committee Report	September	AR7
Affirmative Action Report - women	October	J1.2.4
Election of Credentialling Committee	December	H7.5
PCC Timetable of Meetings, Work Schedule	Annually	G8.4
Approve an Annual Budget	Annually	H1.1(g)
Promoting Diversity Report - report on AA and other targets	Annually	B6.3
Election of Agenda Committee members	At least three months prior to each State Conference	G6.1
Determine number of National Conference Proxy Delegates	Before each State Conference that will elect National Conference proxy delegates	M16.4
Calculation of number of votes for State Conference - Union Delegates	Before each State Conference	G4
Endorsement of Awards Committee recommendations for Meritorious Service & Life Membership Awards	Meeting prior to each State Conference and as required	C12.1
Report on Public Office Affirmative Action - Aboriginal and Torres Strait Islander Representatives	Each round of preselections	J1.3
Report on Public Office Affirmative Action - LGBTIQ Representatives	Each round of preselections	J1.4
GRO report- Election of Council Delegate to State Conference	Following each quadrennial Queensland local government elections, but prior to the next scheduled State Conference	M15.3
Run Process for the election of State Parliamentary Labor Party Leader	Following a state general election loss, or the current leader resigns, or a petition of 50% of caucus	K3

## AR2 - FEES AND CHARGES

### MEMBERSHIP FEES (SECTION C)

All membership fees are inclusive of GST.

Concession rate includes full-time students, home duties, retired, unemployed and pensions.

#### MONTHLY MEMBERSHIP FEE - PAID BY RECURRING DEBIT

Annual Income	Monthly membership fee	Monthly membership fee for Members of Affiliated Unions
Concession, or up to \$25,000	\$2.13	\$2.13
\$25,001 - \$50,000	\$4.25	\$3.85
\$50,001 - \$75,000	\$6.38	\$5.78
\$75,001 - \$100,000	\$8.50	\$7.65
\$100,001 - \$150,000	\$12.75	\$11.48
\$150,001 or more	\$17.00	\$15.30

Note: These fees fall due on the first day of each calendar month.

#### UP FRONT MEMBERSHIP FEE

Annual Income	Annual Fee - Paid by 31 Jan	Annual Fee - Paid after 31 Jan	Annual Fee - Members of Affiliated Unions	Fee to pay for three years
Concession, or up to \$25,000	\$25	\$25	\$25	\$64
\$25,001 - \$50,000	\$45	\$50	\$45	\$128
\$50,001 - \$75,000	\$68	\$75	\$68	\$191
\$75,001 - \$100,000	\$90	\$100	\$90	\$255
\$100,001 - \$150,000	\$135	\$150	\$135	\$383
\$150,001 or more	\$180	\$200	\$180	\$510

Note: These fees fall due on the 1<sup>st</sup> of January each year unless the member has paid in advance for multiple years.

#### JOINING FEE

Joining by monthly recurring debit	Joining by up-front fee
\$2.13 for first twelve months of membership, then reverts to monthly membership fee as above	\$25 for membership until the end of the next calendar year

#### OTHER PARTY FEES

All fees are inclusive of GST unless otherwise specified.

Fee	Amount
Expression of Interest (L3.6)	\$397.00
Delegation Fee for State Conference (AR8)	\$110.00 per delegate
Disputes Tribunal Administration Fee (O7.5)	\$55.00
Union Capitation Fee (D3)	\$6.50 per member plus GST
Levy for Public Office Holders (K1.1)	7% of salary

## AR3 – FORMS

All forms are available on the Queensland Labor website at <https://queenslandlabor.org/members/party-unit-resources/official-forms-and-documents/>, or upon request to the General Returning Officer or Party Office.

Specific Forms include:

- Form A – Party Property and Funds
- Form B – Union Audit Certificate
- Form D – Meritorious Service Award
- Form E – Nomination for Candidate for Preselection for Public Office
- Form E-Fed – Nomination for Candidate for Preselection for Public Office
- Form F – Nomination for Candidate for Internal Plebiscite (Forms 1-8)
- Form G – Authority to Deduct Parliamentary Levy
- Form H – Petition for Nomination of Candidate
- Form I – Application for Establishment of Labor Association
- Form J – Signature Registration
- Form K – Residency Verification
- Form L – Application for Register of Postal Voters

## AR4 – PUBLIC OFFICE HOLDERS (SECTION K)

### MEMBERS' OFFICES AND RESIDENCES

1. Members in Parliament and members in the endorsed Local Government Labor Party will immediately after election establish an office at an appropriate site, able to service the electorate represented. Any Member proposing to establish or transfer an office will advise the State Secretary.
2. Following each Senate election, elected Senators will agree and advise the Administrative Committee on the location of a senate office in Central Queensland and a senate office in North or Far North Queensland. If agreement cannot be reached, the Administrative Committee will determine which Senator's offices will be located in the regions above.
3. Newly-elected senators must seek approval from the Administrative Committee on the location of their senate office prior to making a request to the Commonwealth Government.
4. Each Queensland Senator, Federal Member and State Member will reside in Queensland.

### DUTY ELECTORATES

5. A system of Federal and State Duty Electorates will be established under the control of the State Secretary to cover those electorates where there is no sitting Federal or State member. The allocation of Duty Electorate will be done in consultation with the appropriate Queensland Federal Members and Senators or State caucus.

### MEMBERS' PERSONAL STAFF

6. Each Queensland Senator, Federal Member, State Member and BCC Councillor will ensure that each person employed on the Member's personal staff is a financial member of a relevant Union.

## AR5 – PARTY OFFICE OPERATIONS

### PARTY FORUMS AND MEETINGS

1. Child-minding facilities will be provided as required at State Conference, Labor Women’s Conference, and be recommended for all other Party Units and forums.
2. Party Units should hold meetings in places where all members but especially women feel that they will be able to attend in safety.

### ONLINE OPERATIONS

3. Party Office will provide the following online tools:
  - a. membership application
  - b. membership renewal
  - c. member branch registration and branch transfer
  - d. a website with member access to the following:
    - i. current policy platform
    - ii. current rule book
    - iii. handbooks
    - iv. financial management resources
    - v. Party Unit information
    - vi. training resources
4. Party Office will maintain a range of online tools to engage with members and Party Units:
  - a. video link facilities and webinars
  - b. teleconferencing facilities
  - c. email bulletins
  - d. social media

### MEMBERSHIP RENEWALS

5. All membership fees are payable to the Party.
6. Party Members can choose to have Party membership automatically renewed by bank, credit card deduction or recurring direct debit. To do so, a member must be provided the appropriate permission using words determined by the State Secretary, with approval by the Administrative Committee and in line with legislative requirements.
7. The State Secretary will send a membership renewal notice to each member who is due for renewal as soon as possible after 1 November each year.
8. Party Office will issue annual membership cards to members upon renewal.
9. The State Secretary will in January and February each year send the current membership list to each Branch Secretary identifying members who are not yet renewed.
10. Branch Secretaries should notify all members who have not renewed by February that they must renew by 31 March otherwise their membership will lapse.
11. As soon as possible after 31 March, the State Secretary will provide each Branch Secretary a current membership list.

## STATE BRANCH MASTER LIST

12. The State Secretary will maintain a membership database of all members of the Party, including the following details for each member:
  - a. Name
  - b. Member Number
  - c. Date of Birth
  - d. Join Date
  - e. Enrolled Address
  - f. Mailing Address
  - g. Email
  - h. Financial Status
  - i. Other information as appropriate
13. Applications for membership, registration with Branches and transfer from Branches (intrastate and interstate) will be retained by Party Office.

## REGISTRATION OF MEMBER SIGNATURE

14. Each member of the Party is required to provide a signature for the purpose of:
  - a. verifying postal voting returns
  - b. verifying nomination petitions
  - c. other purposes as determined by the Administrative Committee from time to time.
15. A signature can be provided by:
  - a. signing a membership application form
  - b. signing a membership renewal form
  - c. signing a Branch registration/change of particulars form
  - d. completing the Signature Registration form (Form J).
16. A registered signature is required if a member is:
  - a. voting by postal vote, including national member ballots
  - b. signing a Petition for Nomination of Candidate (Form H).
17. Failure to provide a registered signature may mean a member's vote or petition may not be counted.

## LARGE BRANCH REVIEW

18. A Branch that reaches registration of 200 members will be assessed by the Administrative Committee to ensure that, due to the number of branch members, it remains an effective branch.
19. The Administrative Committee may resolve to form new Branches or make other changes to the administration of the Branch.

## AR6 – CONDUCT OF BALLOTS (SECTION M)

### FORMAT OF BALLOTS

1. The General Returning Officer must as soon as possible after the endorsement of candidates, prepare the ballot for the preselection or internal plebiscite, which must:
  - a. list the surname of each candidate for the preselection ballot followed by the candidate's other names
  - b. describe how a voter is to mark the ballot to indicate unequivocally for whom the voter intends to vote.
2. The instruction to voters to be included on all ballots is:
 

“For your vote to be valid you must indicate your first preference by placing the number (1) opposite the candidate of your first choice. You may then, if you so desire, show continuing preferences for some or all of the remaining candidates by placing the numbers 2, 3, 4, etc. opposite their names, in the order you desire them elected. Use each number only once.”

These instructions may be amended to allow for different modes of voting, provided that the instruction correctly advises the voter how to cast a valid vote.
3. The General Returning Officer must decide by lot, the order that the candidates names will appear on the ballot. The ballot draw will be open for any candidate and/or their appointed scrutineer to observe.
4. Ballot papers, including electronic ballot forms, must include instructions on the method of voting and the number of persons to be elected.
5. Physical ballot papers must be initialled by the returning officer or presiding officer in a colour different from that on which the ballot paper is printed.

### VOTING

6. A person may assist an eligible voter who is unable to vote without the help of another person, where that person does not themselves attempt to improperly influence the preselection voter in the casting of their vote.
7. Where in any ballot the number of impounded votes could affect the result the General Returning Officer will make a determination in respect of each impounded vote. Any information or documents required by the GRO will be forwarded by registered mail or email. Should an unsuccessful candidate dispute the decision all relevant material will be placed before the Disputes Tribunal for a decision.
8. Following the count of votes a marked register identifying ordinary, electronic and postal voters will be made available to candidates and scrutineers for examination.
9. Each returning officer will, at the earliest opportunity, report to the General Returning Officer any irregularity or breach of Rules or any complaint in connection with a plebiscite or preselection ballot, so that the matter may be determined by the GRO. If that determination results in further complaint or protest, the matter will be placed before the Disputes Tribunal for decision.
10. Candidates in any Plebiscite or Preselection ballot will be supplied with regular updates from the GRO during the ballot process, which may include:
  - a. lists of eligible voters who have not yet voted
  - b. changes to voter contact details
  - c. new applications for postal votes.

### COUNTING THE VOTE

11. No counting of any votes in any ballot will be commenced until such time as the returning officer has given reasonable written notice to each candidate of the time and location where the ballot will be counted. Under no circumstances will the returning officer release votes (online), break or interfere with the seal or cover on any packet of ballot papers or ballot boxes until the time so notified for the count.
12. The returning officer will, at the appointed time and in the presence of scrutineers, count the votes received.
13. If the ballot includes postal voting, the returning officer:
  - a. must open each returned envelope
  - b. ensure:
    - i. the declaration on the declaration envelope is signed

- ii. that the returning officer is satisfied as to the identity of the signatory
  - iii. the preselection or plebiscite roll does not indicate that the voter mentioned on the declaration envelope has previously voted
- c. beside the voter’s name, mark the voting roll with a notation to indicate a declaration envelope has been received from the voter, which the candidates or their scrutineers may request to review
  - d. tear off the declaration stub and separate from the envelope containing the ballot paper
  - e. take the ballot out of the declaration envelope in a manner that preserves the secrecy of the ballot
  - f. for electronic ballots, register the postal voter and add the postal vote to the voting platform prior to releasing the results
  - g. may, at the discretion of the General Returning Officer, undertake the above steps before or after the closing time for the postal ballot, and once the above process has been completed for all postal votes, enter the ballots into the electronic ballot platform.
14. After the completion of the count all ballots and ballot material relating to that ballot will be placed into a sealed envelope and will be delivered to the General Returning Officer immediately after the count.

### PRESELECTION BALLOT REPORT

15. At the conclusion of the count of a Local Preselection ballot, the General Returning Officer must certify the result and prepare a written report and forward that to the Administrative Committee.
16. The report on the conduct of the preselection ballot must:
- a. include a reconciliation of the preselection ballot papers as at the time the preselection ballot closes
  - b. be included in the Minutes of the next meeting of the Administrative Committee.
17. The reconciliation of preselection ballots must show the aggregate of:
- a. the number of ballots issued (including duplicate ballots issued at the request of eligible postal voters and replacement ballots issued at the request of stand up/attendance voters when previously issued ballots are spoiled)
  - b. the number of ballots unused equals the number of preselection ballots printed.

### RETENTION OF DOCUMENTS

18. For each preselection ballot for public office, the General Returning Officer must forward each of the following documents to the Party’s registered officer:
- a. a copy of the notice calling for nominations
  - b. all nominations of candidates for the preselection ballots, including nominations that were withdrawn or not accepted
  - c. any notice of withdrawal of nominations
  - d. a copy of the notice given to candidates detailing the preselection ballot process
  - e. a copy of the preselection roll
  - f. all ballots that were issued in duplicate or not issued but printed
  - g. where the preselection ballot included postal voting, any return declaration envelopes received by the returning officer
  - h. for each scrutineer for the preselection ballot appointed to act for a candidate, a copy of their written appointment letter
  - i. a document indicating the total number of formal votes and the number recorded for each candidate and the number of informal votes
  - j. the certification and report mentioned in clause 12 above
  - k. a copy of any minutes of any Party Unit or organisation for which the preselection ballot was conducted.
19. The Party’s registered officer will retain these documents:
- a. for a preselection ballot for an election, until the day the writ is issued for the next General Election after that Election

- b. for a preselection ballot for an election for a Local Government, until the cut off day for the voter's roll for the next quadrennial election of a Local Government after that Election.

20. The General Returning Officer will retain all relevant documents for all other Party ballots.

## POSTAL BALLOTS

21. Each candidate may send a scrutineer to be present when ballot papers are prepared for posting. Such scrutineers may examine the voting roll and may accompany the local returning officer to the letter receiver where the voting material is posted. Where no scrutineer is available the local returning officer will arrange for a witness.
22. The returning officer will cause to be sent to each person on the voting roll:
  - a. an initialled ballot
  - b. an instruction sheet
  - c. a declaration envelope
  - d. a tamper proof return envelope addressed to the returning officer for the purpose of returning the ballot.
23. The returning officer must post the voting material to each eligible postal voter in sufficient time for that voter to receive the voting material and to return the ballot to the returning officer before the closing time for postal voting.
24. If at the voter's request, the returning officer gives the voter duplicate voting material, the returning officer must beside the voter's name mark the voting roll with a notation to this effect.
25. The returning officer must give the voting material to an eligible postal voter in a sealed envelope.
26. If the voter has given the returning officer written notice of an address for that voter other than the address that is shown on the preselection roll, then the voting material must be posted to the alternative address, otherwise, the voting material must be posted to the voter's address as is shown on the preselection roll.

## DECLARATION ENVELOPE FOR POSTAL VOTING

27. A declaration envelope for a postal vote will include:
  - a. the voter's name
  - b. the following statement: "I certify that I am the person whose name appears on this envelope and I have voted on the enclosed ballot"
  - c. a space for the voter's signature below the statement mentioned above.
28. To make a postal vote in a preselection ballot, an eligible postal voter must:
  - a. complete the ballot
  - b. put the completed ballot inside the declaration envelope described above
  - c. complete the declaration envelope
  - d. place the declaration envelope inside the return envelope
  - e. return the return envelope to the returning officer so that it is received by the closing time for postal voting.
29. The General Returning Officer may determine the validity of a postal vote where *28(b)* and *28(d)* above are not complied with, provided the secrecy of the vote is maintained.

## SCRUTINEERING

30. Each candidate may appoint in writing one scrutineer to be present at the clearance of the Post Office Box, the opening of the ballot box, release of electronic votes and for subsequent counts relating to each relevant preselection or plebiscite.
31. Where a ballot closes the ballot box must be opened or electronic votes released by the General Returning Officer only in the presence of an Assistant Returning Officer or Party Official and scrutineers where available.
32. Before clearance of the Post Office Box, opening the ballot box, release of electronic votes and before counting the votes on any occasion, the returning officer will give reasonable notice to each scrutineer or candidate of where and when the votes will be counted.

33. Under no circumstances may the returning officer or an assistant or any other person open the ballot boxes, release electronic votes or open the outer envelope containing the ballot papers until the time appointed for the count.

#### **HANDLING OF POSTAL VOTES – ONLINE BALLOTS**

34. Postal Votes may be issued in conjunction with electronic ballots.
35. The General Returning Officer must maintain a Register of Postal Voters.
36. A member may apply using Form L to be included on the Register of Postal Voters in accordance with Rule M3.14.
37. If an electronic voting process is to be used for conducting a ballot for a position under these Rules, the GRO must review the Register to determine if any members on the Register are on the Voting Roll and eligible to vote in the ballot. If there are such members, the GRO must conduct a postal ballot of those members.
38. A postal ballot of members on the Register must be conducted in the manner provided for in these Rules for the conduct of a postal ballot.
39. The GRO may determine a date after which the GRO will cease to assess requests to be enrolled on the Register in relation to a particular ballot, to enable the GRO to comply with this regulation.
40. A member must be removed from the Register who, to the reasonable satisfaction of the GRO, no longer meets the requirements of the Register.

#### **AUTHORISATION OF SHARED EMAILS**

41. The General Returning Officer may authorise the use of shared emails in circumstances where spouses living in the same household and close family members have arrangements to share an email. Members may apply to the GRO to use a shared email. Misuse or abuse of this authority will result in a referral to the Disputes Tribunal.

## AR7 – VERIFICATION PROCESS (RULE M3.2)

1. On or immediately after the 31 January (cut-off day) or 31 July (cut-off day) in each year the State Secretary will acquire an electronic electoral roll for the entire State from the Commonwealth or State Electoral Commissions and the place at which each Branch member is enrolled will be deemed their enrolment address regardless of their alteration of enrolment until the next cut-off day.
2. The Credentiaing Committee, appointed by the Administrative Committee in December each previous year, will verify each member based on the electronic roll obtained taking into account any alterations required.
3. The verification process will determine the following:
  - a. all members who are currently eligible or will become eligible in the 6 month period from the cut-off day, whose enrolment is verified at the cut-off day (verified)
  - b. all members who are currently eligible or will become eligible in the 6 month period from the cut-off day, whose enrolment is not verified at the cut-off day (unverified)
  - c. all other members who will not qualify in the 6-month period from the cut-off day.
4. The Credentiaing Committee will maintain a list of members under 18 years of age and permanent residents, who have been verified in accordance with (1) above provided they have completed a residency verification form and provided proof of residency documents.
5. A member must submit a combination of documents for verification. A total of three verification documents are required. These include:
  - a. Current driver license issued by an Australian State or Territory Proof of age card or Photo Card issued by an Australian state or territory or an Australian education institution.
  - b. Medicare Statement
  - c. Centrelink Statement
  - d. Motor vehicle registration or insurance papers
  - e. Property rates notice
  - f. Property lease agreement
  - g. Home insurance papers
  - h. Utilities bills
  - i. Bank or credit card statements
  - j. Statement from an educational institution which confirms residence (school report card, enrolment form, school fees invoice)
  - k. A Statutory Declaration or any documentation as approved by the Credentiaing Committee, from time to time in consultation with the General Returning Officer.
6. Members may use pre-enrolment on the Electoral roll to establish residency for verification purposes
7. Eligible permanent residents are also required to provide proof of their permanent resident status.
8. Any member who fails to submit a residency verification form and corresponding verification documentation will not be verified.
9. The Credentiaing Committee will report to the first Administrative Committee meeting following the end of February and August.
10. The Credentiaing Committee will be advised throughout the year of those members who have 6 months continuous financial membership in a Branch and who obtain a transfer from interstate, or who obtain Australian Citizenship or turn 18, and subsequently enrol. The Credentiaing Committee should satisfy itself that the member is then eligible to participate in a plebiscite and agree to verify the member's enrolment and eligibility. Members who complete a residency verification will be added to the list of verified members for plebiscites only.
11. As soon as the Credentiaing Committee is satisfied that the process of verifying members is complete, each member identified in *AR7.3b* will be sent a letter advising them of their verification status.
12. Any member can appeal the verification status of any member by submitting a written appeal to the subcommittee and is entitled to submit an objection to the Disputes Tribunal if the member is not satisfied with the response of the Credentiaing Committee.

## AR8 - FINANCE

### STATE CONFERENCE DELEGATION FEES AND TRAVEL LEVIES

1. Each constituent unit represented at State Conference will pay a delegation fee. The delegation fee is per delegate, or in the case of a Union, per vote exercised by that Union. The delegation fees are payable by:
  - a. for Branch delegates, the relevant Electorate Organising Council for each federal division
  - b. for Union delegates, the relevant affiliated Union
  - c. for parliamentary delegates, the relevant parliamentary levy fund
  - d. for Equity Group delegates, the relevant Equity Group.
2. The Administrative Committee will also raise a travel levy on each relevant federal Electorate Organising Council for the purposes of reimbursing some travel expenses to Branch delegates.

### ELECTORATE ORGANISING COUNCIL LEVIES

3. Electorate Organising Councils may raise funds by placing a levy on affiliated Branches.
4. The procedure for applying levies to Branches is:
  - a. A notice of motion of the levy will be given at a meeting of the Electorate Organising Council (EOC)
  - b. The notice will be sent to each affiliated Branch
  - c. Branches may indicate their support or opposition to the levy in writing to the EOC Secretary
  - d. Branches that do not indicate support or opposition to the levy will be taken to be in support of the levy
  - e. If the majority of affiliated Branches are in favour of the levy or an amended levy then the EOC will agree to the levy, and seek final approval from the Administrative Committee on the levy, providing the Administrative Committee with:
    - i. the levy amount
    - ii. details of which Branches were in favour and opposed to the levy, including those that did not indicate support or opposition.
  - f. The State Secretary will inform the EOC following the Administrative Committee making a decision on the proposed levy.
5. Levies may only be paid into the EOC Administrative Account.
6. The amount levied on each Branch may be:
  - a. the same for all Branches
  - b. based on the number of members registered to each Branch
7. Where a Branch is affiliated to more than one EOC, the levy on the Branch will be one half of the previously calculated levy amount.
8. Levies are due within six months of being approved by the Administrative Committee. Where a Branch fails to pay the required levy, the Administrative Committee may instruct the State Secretary to transfer funds from the Branch to the EOC.

### CAMPAIGN COMMITTEE FUNDRAISING

9. Campaign Committees may raise funds by any means provided fundraising complies with:
  - a. the Code of Conduct - Fundraising
  - b. relevant electoral fundraising legislation.