



# CONSTITUTION *2021*

Incorporating amendments adopted at the 2010, 2015 and 2021 State Conventions

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## DEFINITIONS

In this Constitution, unless the context otherwise requires the following terms and derivatives of those terms have the meanings ascribed in this clause –

### **Active Policy Committee**

**Active Policy Committee** means a Policy Committee established under clause M.17 which is an Active Policy Committee within the meaning of a By-law relating to Policy Committees established by State Council.

### **Affiliation**

**Affiliation** means a formal relationship between the Party and another political Party involving an alliance to work together to achieve the objectives of the Party. A member of the Party shall be a member of the affiliated party only where the member was a member of the affiliate immediately before the commencement date of the Party, the member applies to the State Council in writing to maintain membership of the affiliate and the State Council agrees in writing to membership of the affiliate and the Party being maintained by that member. In so agreeing, the State Council may limit its agreement to a particular period of time, or a particular purpose, may attach any condition it considers appropriate and may terminate its agreement at any time. The State Council shall not be obliged to give reasons for any decision in respect of such affiliation.

The following are hereby deemed to have complied with the requirements of this provision: the sitting National Party of Australia members of the Australian Parliament and any members of the Party selected as Queensland delegates to the National Party of Australia's Federal Management Committee and/or Federal Council.

### **Australian Parliamentary Member**

**Australian Parliamentary Member** means a Member who is a member of the Australian Parliament.

### **Branch**

**Branch** means a Branch of the Party formed with the approval of State Executive under clauses F.1 or F.3.

### **By-law**

**By-law** means any By-law adopted by State Council pursuant to clause K.4(g).

### **Candidate**

**Candidate** means a candidate selected pursuant to Clause T of this Constitution.

### **Central Campaign Committee**

**Central Campaign Committee** means the committee appointed by the President pursuant to clause M.31 to co-ordinate, at a State level, an election campaign for any level of government, or in preparation for such an election campaign.

### **Constitution**

**Constitution** means this constitution, as amended from time to time according to its provisions.

### **Elected Representative**

**Elected Representative** means an Australian Parliamentary Member, a member of the State Parliamentary Party or a member of a Local Government Party Team as defined in this Constitution.

### **Federal Division**

**Federal Division** means a Federal Division for the purpose of electing members of the House of Representatives in the Australian Parliament.

<b>Federal Divisional Council</b>	<b>Federal Divisional Council</b> means a Federal Divisional Council as constituted under clause H.
<b>Headquarters Branch</b>	<b>Headquarters Branch</b> means the branch provided for in clause F.4.
<b>Honorary Life Member</b>	<b>Honorary Life Member</b> means an Honorary Life Member under clause D.19 or clause D.20 and a Member who was an Honorary Life Member of the Liberal Party of Australia (Queensland Division) or of the National Party of Australia – Queensland.
<b>Immediate Past President</b>	<b>Immediate Past President</b> means the immediate past president of the Liberal National Party of Queensland.
<b>Immediate Family Member</b>	<b>Immediate Family Member</b> means spouse, de facto partner (includes same sex partner), child, parent, grandparent, grandchild or sibling of the Manager/Employing Incumbent. or a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee. The term spouse includes a former spouse of the employee
<b>Liberal National Party Women (Queensland)</b>	<b>Liberal National Party Women (Queensland)</b> means the Party Unit referred to in clause R.1.
<b>Local Government Party Team</b>	<b>Local Government Party Team</b> means elected members of any local government as provided for in clause P1.
<b>Member</b>	<b>Member</b> means a financial member of the Party.
<b>Month</b>	<b>Month</b> means a calendar month.
<b>Notice or notify</b>	<b>Notice or notify</b> means the method of giving Notice as described in clause U.14.
<b>Party</b>	<b>Party</b> means the Liberal National Party of Queensland and includes to the extent necessary the Liberal Party of Australia (Queensland Division) and the National Party of Australia – Queensland.
<b>Party Secretary</b>	<b>Party Secretary</b> means the person employed as Party Secretary under clause U.28.
<b>Party Unit</b>	Party Unit includes the operational Party Units referred to in clause E.1, and any other committee or organ of the Party as constituted by or under this Constitution.
<b>Plebiscite</b>	<b>Plebiscite</b> means the method of voting provided for in clause T.23.
<b>Policy Standing Committee</b>	<b>Policy Standing Committee</b> means the Committee constituted under clauses M.15 and M.16.
<b>Region</b>	<b>Region</b> means a region as constituted under clause I.1.
<b>Regional Conference</b>	<b>Regional Conference</b> means a Regional Conference as constituted under clause I.2

<b>Relative</b>	<b>Relative</b> means a spouse or de facto spouse, a child, a grandchild, a parent, a grandparent, a sister, a brother, a nephew, a niece, an aunt, an uncle, a brother-in-law, a sister-a-law, a mother-in-law or a father-in-law.
<b>Selection Committee</b>	<b>Selection Committee</b> means a committee constituted under clause T.24.
<b>State</b>	<b>State</b> means the State of Queensland.
<b>State Convention</b>	<b>State Convention</b> means the governing body of the Party as constituted under clause J.3.
<b>State Council</b>	<b>State Council</b> means the State Council of the Party as constituted under clause K.
<b>State Director</b>	<b>State Director</b> means the person employed as State Director under clause U.28.
<b>State Electorate</b>	<b>State Electorate</b> means a State Electorate for the purposes of electing members of the Parliament of Queensland.
<b>State Electorate Council</b>	<b>State Electorate Council</b> means a State Electorate Council as constituted under clause G.
<b>State Executive</b>	<b>State Executive</b> means the State Executive of the Party as constituted under clause L.
<b>State Parliamentary Party</b>	<b>State Parliamentary Party</b> means the members of the Parliament of Queensland as provided for in clause N.1.
<b>Team Leader</b>	<b>Team Leader</b> means the leader of a Local Government Party Team appointed under clause P.2 or clause P.3.
<b>Young Liberal National Party of Queensland and Young Liberal Nationals</b>	<b>Young Liberal National Party of Queensland and Young Liberal Nationals</b> means the Party Unit constituted in clause Q.2.

## **A THE PARTY**

- A.1 The name of the Party shall be the Liberal National Party of Queensland and it is the successor of the Liberal Party of Australia (Queensland Division) and the National Party of Australia - Queensland.
- A.2 The Party shall be a voluntary organisation.
- A.3 The Party shall be a division of the Liberal Party of Australia and to remove any doubt it is the body referred to as Liberal Party of Australia (Queensland Division) in the Federal Constitution of the Liberal Party of Australia.
- A.4 The Party shall be affiliated with the National Party of Australia.

## **B VALUES**

These values provide an objective and timeless foundation for the Constitution. They complement statements around Party policy as pronounced from time to time, belief and philosophy and underpin these as the primary filter for Party decisions and behaviour.

The Party's values -

- (a) Freedom of conscience, freedom of religion, freedom of expression and freedom of association as the building blocks of a robust and fair society.
- (b) The family as the indispensable forum where children are raised and nurtured, and the foundation of resilient communities and a cohesive society.
- (c) Government with a sustainable level of debt which does not impose an unfair burden on future generations.
- (d) The worth and dignity of every individual, the priority of helping the marginalised, and public and personal integrity, in underpinning a society in which people of different beliefs and cultures live in peace and harmony with each other, contributing to the common good, respecting others and taking seriously their obligations as citizens of Australia.
- (e) Smaller government with its emphasis on facilitating the potential of people, catalysing their intuition to do good and encouraging rather than stifling initiative. This helps shape a community open to new ideas, supporting innovators and risk takers and valuing entrepreneurs – economic and social as fundamental to a vibrant and prosperous community.
- (f) The right to private property and the right to be rewarded for effort, recognising that in any exchange freely undertaken, both parties will benefit. The encouragement and facilitation of wealth flows through to people enjoying the highest possible standards of living, health and education and a society which provides opportunity for all and support for those in need.
- (g) A sustainable environment balancing the need to be productive while preserving our natural assets to be enjoyed by future generations.

## **C OBJECTS**

C.1 The objects of the Party shall be to have an Australian nation -

### **(a) Human Rights, Freedom and Values**

- (i) dedicated to political liberty and the freedom, welfare and dignity of its citizens and residents;
- (ii) which gives due recognition to the religious heritage that has led to a cohesive and compassionate nation as a basis for the advancement of those objectives into the future;

### **(b) Democratic Principles**

in which an intelligent and free Australian democracy shall be maintained by -

- (i) preservation of the Westminster system of Government;
- (ii) Parliament controlling the executive and the law controlling all;
- (iii) independence of the judiciary;
- (iv) recognition of federal, state and local government;
- (v) freedom of speech, religion, association and the media;
- (vi) freedom of citizens to choose their own way of living and of life, subject to the rights of others and the laws of the land and the protection of private property;



- (vii) equality of opportunity for all and protecting the people against exploitation;
- (viii) looking primarily to the encouragement of individual initiative and private enterprise as the dynamic force of progress; and
- (ix) developing to the fullest extent a national spirit in Australia;

**(c) National Security**

safe from external aggression by maintaining defence forces necessary to protect Australia's way of life and to permit Australia to contribute to world security by ensuring all nations comply with the rule of law internationally;

**(d) Defence**

in which the spirit of patriotism is fostered and all Australians united in the common defence of their country;

**(e) Veterans**

in which serving and ex-serving members of the Australian Defence Force and their dependants shall enjoy honour and security, and where preference and generous repatriation benefits are recognised;

**(f) Social Provision**

in which social provision is made for those who are unable to provide for themselves;

**(g) Medical Services**

in which adequate medical services are within the reach of all;

**(h) Industry and Trade**

(i) in which primary, secondary and tertiary industries are promoted, new and adequate markets developed, the lifestyle of country people improved, rural amenities increased and decentralisation of industries encouraged;

(ii) which breaks the welfare reliance of Aboriginal and Islander communities through improved education and the facilitation of enterprise;

**(i) Employment**

in which there shall be no nationalisation of any Australian industry without the approval of the people;

**(j) Workplace Relations**

(i) in which constant employment at good wages is available to all willing and able to work;

(ii) in which employer and employee have a sense of common interest and duty and share as co-operators in all advances of prosperity and in which living standards rise steadily as physical resources expand and ingenuity grows;

(iii) which ensures a right to freedom of association in the work place;

**(k) Education**

in which a comprehensive system of child and adult education is designed to develop the spirit of true citizenship and in which no consideration of wealth or privilege shall be a determining factor;

**(l) Youth**

in which the youth of the nation is given every encouragement to develop its talent to the full, recognising that from its ranks will come the leaders of tomorrow;

**(m) Family**

in which family life is seen as fundamental to the wellbeing of society and in which every family is enabled to live in and own a comfortable home at reasonable cost and with adequate community amenities;

**(n) Environment**

in which there is an ongoing commitment to the protection of the environment, the prudent management of our natural resources for all Australians, and a commitment to sustainable development;

**(o) Cultural Heritage**

which respects Australia's heritage, aboriginal and islander peoples and the multi-cultural character of Australian Society; and

**(p) Non-Discrimination**

in which there is no discrimination on grounds proscribed in Queensland and Australian legislation;

C.2 The Party shall formulate from time to time a platform which embodies these objects and seek to secure the election of Candidates selected by the Party to the Australian Parliament, the State Parliament and to such local governments as the Party shall from time to time determine and to be the successor of the Liberal Party of Australia (Queensland Division) and the National Party of Australia - Queensland.

**D MEMBERSHIP**

**Eligibility for Membership**

D.1 Any person 18 years or older who subscribes to the objects and platform of the Party may apply for ordinary membership of the Party. A person 16 years or older may apply to be a member of the Young Liberal Nationals.

D.2 Any person who -

- (a) is not enrolled on the Commonwealth electoral roll; and/or
- (b) whose residential address as provided to the Party Secretary is not as described in the Commonwealth electoral roll;

shall not be entitled to -

- become a member of the Party;
- vote at any meeting of the Party including pre-selection ballots of the Party; or
- seek or continue to hold office in the Party until such time as such discrepancy is rectified.

D.3 Any person who has been convicted of a disqualifying electoral offence within the last 10 years shall not be entitled to apply to become a Member.

**Classes of Membership**

- D.4 State Council may determine whether there shall be various classes of membership and the membership fee and entitlements of any such class or classes of membership.
- D.5 Membership shall be on an annual basis. State Executive shall determine renewal procedures.
- D.6 The annual membership fee shall be such amount as is determined by State Council.
- D.7 The Party may offer perpetual membership on the terms and conditions determined by State Council, upon the basis that a perpetual Member shall, upon payment of the prescribed fee, be entitled to the full rights of a Member but shall not be obliged to pay an annual membership subscription.

### **Becoming a Member**

- D.8 A person desiring to become a Member shall complete such form of application as is prescribed by State Executive and shall lodge such completed form of application together with the applicable membership fee or a direct debit for payment of such membership fee with the Party Secretary and subject to clause D.10 hereof, shall be a Member from the date of such lodgement but shall have no voting rights nor have such membership included for the calculation of any delegate voting entitlement for a period of one month from that date.
- D.9 A person who is a current member of either the Liberal Party or the National Party in another State or Territory shall, on moving to Queensland and on payment of the prescribed membership fee, be entitled to transfer their membership and shall have continuity of membership with voting and delegate rights determined by their date of joining the Liberal or National Party in the State or Territory in which they previously lived.
- D.10 The State Executive may reject any such application without assigning any reason.
- D.11 If any application for membership is rejected by the State Executive the membership fee paid, if any, shall be returned to the applicant.
- D.12 No payment for or on account of membership shall be paid by any person other than the person or a Relative of the person who has applied to become a Member or is renewing membership.
- D.13 For the avoidance of doubt no Party Unit shall accept membership subscriptions or renewals.
- D.14 No Member shall make any material offer or reward to any person as an inducement to any person to become a Member without the approval of the State Executive, and no person who has accepted such an offer or reward shall be accepted as a Member without the approval of the State Council.
- D.15 Membership fees shall be paid to the Party Secretary by way of a cheque, bank order or debit, credit card or such other means as is approved by State Executive.

### **Allocation to Branches**

- D.16 Upon becoming a Member, each applicant shall be included as a member of such Branch as the applicant requests, or as is determined by the State Executive.
- D.17
  - (a) A Member may elect to be a member at large rather than be allocated to a branch.
  - (b) A Member who is an employee of the Party must be a member at large.
  - (c) A Member who is a member at large is not a member of a State Electorate Council, Federal Divisional Council, Regional Conference or a Selection Committee, or of the Liberal National Party Women (Queensland) or the Young Liberal Nationals.
  - (d) A Member who is a member at large otherwise than because of paragraph (b) may elect by notice to the Party Secretary to cease to be a member at large, and to become a member of a nominated Branch.
  - (e) A Member who ceases to be a member at large under paragraph (d) will not be entitled to participate in proceedings for the selection of a Candidate for a period of 12 months thereafter.

D.18 State Executive may provide for the transfer of Members from one Branch to another Branch.

### **Honorary and Reciprocal Membership**

D.19 (a) Any Member who has rendered service that, in the opinion of the State Executive, warrants recognition, and for whom a nomination is received by the State Secretary in accordance with this clause, may be awarded by the State Executive an Honorary Life Membership, Certificate of Merit or other award. Any such Honorary Life Member shall thereafter be deemed to be a financial Member.

(b) No more than four Honorary Life Memberships may be awarded in any calendar year.

(c) All Members must be given 60 days notice of the deadline for submitting nominations to the State Secretary for the awarding of Honorary Life Memberships.

(d) A list of the names of all Honorary Life Members shall be maintained by the State Secretary and made available to all Members.

D.20 Reciprocal membership rights may be granted to an honorary life or perpetual member of the Liberal Party of Australia or a division of the Liberal Party of Australia or a party with which the Party shares an affiliation at national level where the member has become a resident of Queensland, provided that the same right is extended to Members by that party or division.

### **Obligations of Membership**

D.21 All Members are bound by -

(a) this Constitution including any By-laws made by State Council; and

(b) any code or procedure established or approved by State Council.

D.22 It shall be the responsibility of any individual applicant or Member to ensure that any membership application or renewal, and any payment, nomination, ballot or other communication, is received by the State Director or Party Secretary.

D.23 Members shall -

(a) not demean any person or group on the basis of ethnicity, nationality, race, gender, sexuality, religion, age, or physical or mental capacity;

(b) not engage in any conduct that is violent, threatening, disrespectful or manipulative;

(c) ensure that any confidential information they may gain as Members or officers of the Party will remain confidential;

(d) not misuse confidential information gained as a Member or officer of the Party;

(e) not publicly criticise the Party, its office-bearers, parliamentary representatives or Candidates but direct any criticism through the President, a Vice-President, Regional Chairs or the State Director to State Executive; and

(f) not make an electronic recording of any part of a meeting of a Party Unit without approval by way of a resolution of the meeting, or of a private conversation with a Member connected with the affairs of the Party, without the explicit consent of the Member.

- D.24 A Member shall not seek improperly to obtain, and shall not improperly accept, any pecuniary benefit arising by or in connection with membership of the Party or association with any officer or member of any government in which the Party participates.

### **Ceasing to be a Member**

- D.25 (a) Subject to paragraph (b), the membership of a Member whose fee is in arrears in excess of 60 days shall lapse and such person shall vacate any office which they hold. If the Member pays the fee within that period, their financial membership and any Party office will be taken to have continued uninterrupted.
- (b) On application to the Party Secretary before the due date for renewal, in a case of hardship State Executive may extend the period of 60 days by such period as it considers to be appropriate in the interests of the Party.
- D.26 Subject to the definitions set out above and to clause A.4, any Member who is a member of any other political party or any organisation that State Council determines to be opposed to the objects of the Party shall upon becoming such a member cease to be a Member and whilst being such a member shall not be eligible to become a Member.
- D.27 (a) Any Member who without the prior approval of State Executive nominates, or announces an intention to nominate, as a candidate in any election against a Candidate selected, or to be selected, by the Party shall, unless State Executive otherwise resolves, cease to be a Member upon submission of the nomination papers, or the making of the announcement.
- (b) Any Member who State Executive determines has actively assisted a candidate standing against an endorsed Candidate of the Party shall cease to be a Member. In that event such person may appeal such determination to the Disputes Committee within 28 days of notification of such determination.
- (c) Any Member, not being the endorsed Candidate of the Party, who signifies to the State Government that they are available to serve the remaining term of a Party Senator whose position becomes vacant shall by force of such signification cease to be a Member.
- (d) Any Member whose membership has ceased by operation of paragraphs (a), (b) or (c) above shall be prohibited from applying for membership of the Party for a period of three years or such other period as may be determined by State Council.
- D.28 Any Member -
- (a) convicted of a disqualifying electoral offence, as provided for in the *Electoral Act 1992* (Qld); or
- (b) convicted of an indictable offence against the law of Queensland, another State or Territory, or the Commonwealth; or
- (c) sentenced to a term of imprisonment of more than one year's duration;
- shall cease to be a Member upon such conviction being recorded or period of imprisonment being imposed and the State Director shall forthwith enter such details in the records of the Party.

### **Miscellaneous**

- D.29 The official record of membership of the Party kept by the Party Secretary shall be prima facie evidence of membership of the Party and of the date and circumstances of such membership.
- D.30 No person shall be provided with access to the membership records of the Party without the authority of the State Director in accordance with guidelines determined by State Executive.

## **E PARTY UNITS**

- E.1 The operational Party Units shall be the following -
- (a) Branches
  - (b) State Electorate Councils
  - (c) Federal Divisional Councils
  - (d) Regions
  - (e) State Convention
  - (f) State Council
  - (g) State Executive
  - (h) Committees of the Party
  - (i) State Parliamentary Party
  - (j) Australian Parliamentary Members
  - (k) Local Government Party Teams
  - (l) Young Liberal Nationals
  - (m) Liberal National Party Women (Queensland)
  - (n) any council, executive, committee or other body established under By-laws adopted by State Council.
- E.2 Party Units shall advance the interests of the Party in every way possible, consistently with the objects and platform.
- E.3 No Party Unit shall enter into any contract or take part in any legal proceedings on its own account.
- E.4 A Party Unit may not direct the vote of a member of Parliament or a Councillor.

## **F BRANCHES**

- F.1 Branches comprising not less than 25 Members may be established at any place within the State with the approval of the State Executive after consultation with the State Electorate Council and adjoining Branches and Federal, State and local government Members, where applicable provided that a Branch of the Liberal National Party Women (Queensland) or the Young Liberal Nationals shall comprise not less than 10 Members eligible to join such Branch.
- F.2 State Council may, at the request of Members in a State Electorate whose area exceeds 10,000 square kilometres, determine that a Branch may comprise not less than 10 members of the Party in that area.
- F.3 State Executive may establish a Branch based upon a factor other than locality, such as a professional Branch or an internet based Branch.
- F.4 There shall be a Headquarters Branch of which all members at large are hereby deemed to be members. Part F does not apply to the Headquarters Branch, and it will not have office bearers, hold meetings, or be entitled to delegate representation.
- F.5 Each Branch shall concern itself with the progress of the district in which its members reside and may co-operate with other Branches or non-political organisations in matters of mutual concern.
- F.6 (a) A Branch must meet at least twice in each calendar year.

- (b) One of the meetings must be an Annual General Meeting and it must be held no more than 15 months after the previous Annual General Meeting of the Branch.
  - (c) The Annual General Meeting and the other or one of the other meetings must be separated by a period of not less than two months.
  - (d) A copy of the draft minutes for each meeting (clearly marked as such) must be forwarded to the Party Secretary promptly after the meeting.
  - (e) If the minutes as subsequently adopted differ from the draft, a copy of the minutes must be forwarded to the Party Secretary promptly after adoption.
  - (f) If a Branch does not hold meetings in accordance with this clause it will not be entitled to send delegates to Convention. The restriction will continue to apply until, in a following year, the Branch has held meetings in accordance with the requirements of paragraphs (a), (b) and (c), except for the requirement that the Annual General Meeting be held no more than 15 months after the previous Annual General Meeting.
- F.7 A Branch meeting must be convened by written notice to members of the Branch within fourteen days of a request in writing by any five members of the Branch or by the Secretary of the State Electorate Council to which the Branch is attached being made to the Branch Secretary or, in their absence, the Chair or the next most senior Branch official available and if such meeting is not so called, such Secretary of the State Electorate Council or the Regional Chair may call it.
- F.8 The proceedings of the Branch shall be recorded in a minute book to be kept for that purpose and the minutes, including the minutes of Annual General Meetings or Special General Meetings, shall be confirmed at the following meeting of the Branch and signed by the Chair of the meeting.
- F.9 Each Branch shall elect at its Annual General Meeting an Executive consisting of a Chair, a Vice-Chair, a Secretary/Treasurer or a Secretary and a Treasurer and may from time to time elect such other officers and representatives as it considers necessary for its purposes it is entitled hereunder. Such Members must be in attendance at the meeting or have signified to the Chair or Secretary of the Branch that they are willing to accept a position for which they may be nominated.
- F.10 If both the Chair and the Vice-Chair are absent from a meeting of a Branch, it shall elect a temporary Chair.
- F.11 The committee of a Branch may in circumstances of urgency by resolution exercise any of the powers of the Branch between meetings of the Branch where it is not convenient to convene a meeting thereof, provided that any action taken by the committee shall be submitted for ratification to the next meeting of the Branch.
- F.12 A quorum of a Branch committee shall be not less than a majority thereof. A quorum of a Branch shall be not less than five members.
- F.13 The Branch Secretary shall keep a record of members of the Branch.
- F.14 No person shall be a member of more than one Branch or more than one Liberal National Party Women (Queensland) Branch or more than one Branch of the Young Liberal Nationals, but may belong to a Branch and a Liberal National Party Women (Queensland) Branch and/or a Young Liberal Nationals Branch.
- F.15 Branch funds shall be deposited in an account to be opened for that purpose which may be utilised only by resolution of an ordinary meeting of the Branch. All Branch accounts shall be operated in accordance with any relevant By-laws, and any relevant code or procedure established by State Council.
- F.16 The State Executive shall, upon the formation of a Branch, Liberal National Party Women (Queensland) Branch or Young Liberal Nationals Branch, and may from time to time thereafter, determine the State Electorate, the Federal Division and the Region within which such Branch is to operate.
- F.17 Upon the dissolution of any Branch, all of its books, documents, money, funds, securities and other property shall be handed over to State Council forthwith. In the event of the Branch being reformed, the books and money shall be returned to the Branch without delay.

## **G STATE ELECTORATE COUNCILS**

- G.1 A State Electorate Council shall be formed in each State Electorate.
- G.2 A State Electorate Council will consist of either -
- (a) all Members resident within its State Electorate, or
  - (b) if the area of the State Electorate exceeds 10,000 square kilometres, those Branch representatives and other Members as are prescribed in a By-law made applicable to the State Electorate Council at its request.
- G.3 Each State Electorate Council shall elect annually an Executive comprising a Chair, one Deputy Chair, a Secretary/Treasurer or a Secretary and a Treasurer and such other members as it considers necessary. Such members must attend the meeting or signify to the Chair or Secretary of the State Electorate Council, that they are willing to accept a position for which they may be nominated. It may also elect a committee consisting of the Executive officers and such other members of the State Electorate Council as it considers necessary. It may also appoint such other officers or committees as it considers necessary.
- G.4
- (a) A State Electorate Council must meet at least twice in each calendar year.
  - (b) One of the meetings must be an Annual General Meeting, and it must be held no more than 15 months after the previous Annual General Meeting of the State Electorate Council.
  - (c) The Annual General Meeting and the other or one of the other meetings must be separated by a period of not less than two months.
  - (d) A copy of the draft minutes for each meeting (clearly marked as such) must be forwarded to the Party Secretary promptly after the meeting.
  - (e) If the minutes as subsequently adopted differ from the draft, a copy of the minutes must be forwarded to the Party Secretary promptly after adoption.
  - (f) If a State Electorate Council does not hold meetings in accordance with this clause it will not be entitled to send delegates to Convention and its Chair will not be entitled to take their place as a member of State Council or State Convention. The restriction will continue to apply until, in a following year, the State Electorate Council has held meetings in accordance with the requirements of paragraphs (a), (b) and (c), except for the requirement that the Annual General Meeting be held no more than 15 months after the previous Annual General Meeting.
- G.5 A quorum of a State Electorate Council meeting shall be not less than 10 members or 50% of its total membership, whichever is the lesser.
- G.6 The duties of State Electorate Councils shall be to -
- (a) co-ordinate the work of the Branches in the State Electorate and generally to promote and stimulate the progress of the Party within the State Electorate;
  - (b) organise and, subject to the direction of State Council, conduct the campaign of the endorsed Candidate for the State Electorate in co-operation with that Candidate;
  - (c) provide assistance, subject to the direction of State Council, to any endorsed Candidate for any local government election within the area of such State Electorate;
  - (d) hold meetings as and when required;
  - (e) take part in the selection of a Candidate for the State Electorate concerned as herein provided;
  - (f) consider recommendations from Members within the State Electorate relating to matters of policy, or the Constitution or administration of the Party and upon adoption of any such recommendations to submit the same to State Council or State Convention;
  - (g) consider and act upon any other matters brought before them by the Chair;



- (h) open and maintain a bank account in accordance with the procedures determined by State Council;
- (i) deposit all funds received therein;
- (j) operate all accounts in accordance with any relevant By-laws, and any relevant code or procedure established by State Council;
- (k) either itself or by a duly appointed committee, authorise expenditure and be responsible for all money received; and
- (l) administer the finances provided to it from Branches within the State Electorate, whilst assisting Branches with their fundraising activities.

G.7 Unless State Council by a two-thirds majority otherwise resolves, a State Electorate Council shall be, for the purposes hereof, an accredited State Electorate Council only if the total number of financial members of the Party attached to Branches operating within the State Electorate is not less than 40. A State Electorate Council shall be given 60 days advance notice of its classification as a non-accredited State Electorate Council.

G.8 Where, in any State Electorate, there is only one Branch, the Branch and the State Electorate Council may resolve to form a consolidated unit to be known as an SEC/Branch. Upon such resolution being approved by State Executive, the SEC/Branch will perform all of the functions, and have all of the entitlements, of the former State Electorate Council and Branch and shall continue to do so until -

- (a) there is another Branch established in the State Electorate;
- (b) the approval of the State Executive is revoked; or
- (c) the SEC/Branch resolves to re-establish the Branch and the State Electorate Council.

Unless State Executive otherwise determines the provisions of Part G will apply to the SEC/Branch insofar as they can do so.

G.9 A State Electorate Council meeting must be convened by written notice to members of the Council within 14 days of a request in writing by so many members as would constitute a quorum at a meeting of the Council or by the Secretary of the Region to which the Council is attached being made to the State Electorate Council Secretary or, in their absence, the Chair or the next most senior Council officer available and if such meeting is not so called, the Regional Chair may call it.

G.10 The provisions of clauses F.8, F.10, F.11, F.13, F.15 and F.17 will apply to each State Electorate Council as if references to a Branch were taken to be to the State Electorate Council.

## **H FEDERAL DIVISIONAL COUNCILS**

H.1 A Federal Divisional Council shall be formed in each Federal Division in Queensland.

H.2 A Federal Divisional Council will consist of either -

- (a) all Members resident within its Federal Division, or
- (b) if the area of the Federal Division exceeds 10,000 square kilometres, those Branch and State Electorate Council representatives and other Members as are prescribed in a By-law made applicable to the Federal Divisional Council at its request.

H.3 (a) A Federal Divisional Council must meet at least twice in each calendar year.

(b) One of the meetings must be an Annual General Meeting, and it must be held no more than 15 months after the previous Annual General Meeting of the Federal Divisional Council.

(c) The Annual General Meeting and the other or one of the other meetings must be separated by a period of not less than two months.

(d) A copy of the draft minutes for each meeting (clearly marked as such) must be forwarded to the Party Secretary promptly after the meeting.

- (e) If the minutes as subsequently adopted differ from the draft, a copy of the minutes must be forwarded to the Party Secretary promptly after adoption.
  - (f) If a Federal Divisional Council does not hold meetings in accordance with this clause it will not be entitled to send delegates to Convention and its Chair will not be entitled to take their place as a member of State Council or State Convention. The restriction will continue to apply until, in a following year, the Federal Divisional Council has held meetings in accordance with the requirements of paragraphs (a), (b) and (c), except for the requirement that the Annual General Meeting be held no more than 15 months after the previous Annual General Meeting.
- H.4 Each Federal Divisional Council shall elect annually an Executive comprising a Chair, one Deputy Chair, a Secretary/Treasurer or a Secretary and a Treasurer and such other members as it considers necessary. Such members must be in attendance at the meeting or signify in writing or by telephone to the Chair or Secretary of the Federal Divisional Council that they are willing to accept a position for which they may be nominated. It may also elect a committee consisting of the executive officers and such other members of the Federal Divisional Council as it considers necessary. It may also appoint such other officers or committees as it considers necessary.
- H.5 A quorum of a Federal Divisional Council meeting shall be not less than 10 members, or 50% of its total membership, whichever is the lesser.
- H.6 The duties of Federal Divisional Councils shall be to -
- (a) organise and, subject to the direction of State Council, to conduct the campaign of the endorsed Candidate for the Federal Division in co-operation with such Candidate;
  - (b) hold meetings as and when required;
  - (c) take part in the selection of a Candidate for the Federal Division concerned as herein provided;
  - (d) consider recommendations from Members within the Federal Division relating to matters of policy, or the constitution or administration of the Party and upon adoption of any such recommendations to submit the same to State Council or State Convention;
  - (e) consider and act upon any other matters brought before them by the Chair;
  - (f) open and maintain a bank account in accordance with the procedures determined by State Council;
  - (g) deposit all funds received therein;
  - (h) operate all accounts in accordance with any relevant By-laws, and any relevant code or procedure established by State Council;
  - (i) either itself or by a duly appointed committee, authorise expenditure and be responsible for all money received; and
  - (j) administer the finances provided to it from Branches within the Federal Division, whilst assisting Branches with their fundraising activities.
- H.7 A Federal Divisional Council meeting must be convened by written notice to members of the Council within 14 days of a request in writing by so many members as would constitute a quorum at a meeting of the Council or by the Secretary of the Region to which the Council is attached being made to the Federal Divisional Council Secretary or, in their, the Chair or the next most senior Council officer available and if such meeting is not so called, the Regional Chair may call it.
- H.8 The provisions of clauses F.8, F.10, F.11, F.13, F.15 and F.17 will apply to each Federal Divisional Council as if references to a Branch were taken to be to the Federal Divisional Council.

## **I REGIONS**

- I.1 (a) State Council may from time to time by By-law -

- (i) establish a Region but so that there are no more than 12 Regions;
  - (ii) vary the boundaries of a Region;
  - (iii) conduct a review of Region boundaries after every ECQ redistribution;
  - (iv) request State Electoral Councils to submit proposed changes to Region boundaries;
  - (v) collect and consider submissions and propose Region boundary variations at State Council meetings;
  - (vi) dissolve a Region;
- and may make any consequential arrangements.
- (b) A Region must comprise whole State Electorates.
  - (c) Until State Council decides otherwise, the names and number of the Regions are to be listed in the ByLaws.

I.2 A Regional Conference will consist of either -

- (a) all Members resident within the Region, or
- (b) if the area of the Region exceeds 10,000 square kilometres, those Branch, State Electorate Council and Federal Divisional Council representatives and other Members as are prescribed in a By-law made applicable to the Regional Conference at its request.

I.3 (a) A Regional Conference must meet at least twice in each calendar year.

- (b) One of the meetings must be an Annual General Meeting, and it must be held no more than 15 months after the previous Annual General Meeting of the Regional Conference.
- (c) Another of the meetings must be a policy forum.
- (d) The Annual General Meeting and the other or one of the other meetings must be separated by a period of not less than two months.
- (e) The quorum for a Regional Conference meeting will be 30 Members.

- (f) Paragraphs (a), (b), (c), (d) and (e) do not apply to a Region whose area exceeds 10,000 square kilometres if, at the request of the Regional Chair, State Council has made By-laws applying to the Region, to the extent that those By-laws make different provision as to the requirements for holding meetings or as to the requirement for a quorum.
- (g) A copy of the draft minutes for each meeting (clearly marked as such) must be forwarded to the Party Secretary promptly after the meeting.
- (h) If the minutes as subsequently adopted differ from the draft, a copy of the minutes must be forwarded to the Party Secretary promptly after the adoption.
- (i) If a Regional Conference does not hold meetings in accordance with this clause its Chair and Vice-Chair will not be entitled to take their place as members of State Council or State Convention. The Restriction will continue to apply until, in a following year, the Regional Conference has held meetings in accordance with the requirements of paragraphs (a), (b), (c) and (d) except for the requirement in (b) that the Annual General Meeting be held no more than 15 months after the previous Annual General Meeting.

I.4 A meeting of a Regional Conference must be convened by written notice to members of the Conference within 14 days of a request in writing by so many members as would constitute a quorum at a meeting of the Conference being made to the Regional Council Secretary or, in their absence, the Chair or the next most senior Council officer available.

I.5 At the annual Regional Conference each Region shall elect an Executive comprising -

- (a) Chair;
- (b) Vice-Chair;
- (c) Secretary;
- (d) Treasurer;
- (e) and such other officers as it considers necessary.

Such Members must be in attendance at the meeting or have signified to the Chair or Secretary of the Region that they are willing to accept a position for which they may be nominated.

The Region may also elect a committee consisting of the Executive officers and such other members of the Region as it considers necessary. It may also appoint such other officers or committees as it considers necessary.

I.6 A Regional Chair -

- (a) shall take all necessary steps to be aware of the activities of the Party and, in particular, of the activities of Party Units within the Region;
- (b) shall be available for consultation by office bearers of Federal Divisional Councils and State Electorate Councils and Branch members on matters of Party policy and organisation;
- (c) may institute any other activities that will promote the objectives of the Party in the Region;
- (d) may form a Regional Council consisting of the officers elected under clause I.5, members of State Council resident within the Region and such number of delegates from each State Electorate Council and/or Federal Divisional Council within the Region as the Chair may determine;
- (e) shall act as Chair thereof; and
- (f) shall make such arrangements, and if necessary and in conjunction with the Chair of another Region, as are considered appropriate to establish the Party Units within the Region.

I.7 If the Chair forms a Regional Council, it will be responsible for -

- (a) developing and maintaining efficient communication and points of contact with the Executive of each of the State Electorate Councils, Federal Divisional Councils and Branches within the Region;
- (b) during any election campaign, assisting the Central Campaign Committee as required in co-ordinating resources within the Region for such election;
- (c) promoting the pragmatic allocation of human and financial resources across the Region to those areas where the maximum advantage for the Party may be obtained, even if such resources come from another area within the Region; and
- (d) promoting throughout the Region the Party and development of Branches in areas where the Party presently does not have adequate representation.

## **J STATE CONVENTION**

- J.1 A State Convention shall be convened once in each year at a place and time to be determined by State Council. At least 50 days notice of State Convention shall be given.
- J.2 A Special State Convention may be called by State Executive or State Council at any time and must be called upon the written request of not less than 25 Federal Divisional or State Electorate Councils. At least 30 days' notice of such Special State Convention shall be given.
- J.3 State Convention shall comprise -
- (a) all members of State Council;
  - (b) five delegates elected by each accredited State Electorate Council; or in the case of any State Electorate where no accredited State Electorate Council exists, one delegate for every 25 financial Branch members or part thereof, but not more than five delegates, such delegates to be appointed by the Members within the State Electorate in proportion, as far as is possible, to the membership of the respective Branches;
  - (c) one delegate from each Branch, each Liberal National Party Women (Queensland) Branch and each Young Liberal Nationals Branch for each 50 Members or part thereof;
  - (d) if there are fewer than five Branches in a State Electorate, additional delegates from Branches so that the total number of Branch delegates from the Electorate is five, such delegates to be elected by the State Electorate Council for the State Electorate provided that where no State Electorate Council is operative, the State Executive shall make such appointment.
- J.4 Registration of delegates to State Convention will close on the day nominated by the Party Secretary which is no more than seven days before the first day of the Convention.
- J.5 A Member not already in attendance as a delegate otherwise entitled, may be appointed to attend as an alternate delegate in place of any delegate. Such appointment shall be made by a Party Unit entitled hereunder to appoint a delegate or in the case of a member of State Council, by that member.
- J.6 In the event of any Party Unit not being fully represented at State Convention and being not less than 300 kilometres from the place of Convention the attending delegates may hold and exercise proxies for the absent delegates provided that -
- (a) such proxies are authorised in writing by the Party Unit constitutionally empowered to appoint delegates or, in the case of a member of State Council, by that member;
  - (b) delegates holding such proxies shall be formally certified to hold such proxies by the State Director;
  - (c) such proxies shall be used only by delegates eligible for appointment; and
  - (d) proxies shall be limited to two per voting delegate.
- J.7 Annual State Convention shall -
- (a) determine the general policy of the Party, and details thereof;

- (b) consider such motions as State Electorate Councils, Federal Divisional Councils, Regional Conferences, the Policy Standing Committee, the Liberal National Party Women (Queensland) and the Young Liberal Nationals may submit, by at least 30 days notice given to the Party Secretary;
- (c) consider such business as State Council and the State Executive may submit;
- (d) subject to clause U.35, in addition to any proposals for constitutional amendment submitted under another provision of this clause, consider such proposals for constitutional amendment as a special purpose committee appointed by the State Executive to review the Constitution may submit;
- (e) consider such further business as the President, or in the absence of the President, the presiding Vice-President may permit; and
- (f) consider such other business as State Convention may decide.

J.8 State Electorate Councils, Federal Divisional Councils, Regional Conferences, the Policy Standing Committee, the Liberal National Party Women (Queensland) and the Young Liberal Nationals shall consider proposed notices of motion to be submitted for the consideration of Annual State Convention. If any such notice of motion be approved, the Party Unit shall forward it to the Party Secretary not later than 30 days prior to Annual State Convention.

J.9 The Party Secretary shall give notice of the proposed motions to be considered by State Convention in open session to delegates no less than seven days before the commencement of State Convention, by posting them on the Party's website, or by other electronic means.

J.10 Each Annual State Convention shall elect from the Members the following office bearers -

- (a) a President; and
- (b) two Vice-Presidents, one of whom must be a Member ordinarily resident in, and the other of whom must be a Member not ordinarily resident in, rural, regional or remote Queensland.

The President and the Vice-Presidents will hold office until the conclusion of the next Annual State Convention.

The Party Secretary will call for nominations for those positions no fewer than 21 days before the first day of State Convention, to be open for at least 10 days and to close no fewer than seven days before the first day, with nominations to be lodged with the State Director.

For this clause -

- (c) a Member will be taken to be ordinarily resident in rural, regional or remote Queensland if they are not ordinarily resident in a place which is within the following State Electoral Councils: Currumbin; Mudgeeraba; Burleigh; Mermaid Beach; Surfers Paradise; Gaven; Southport; Bonney; Theodore; Broadwater; Scenic Rim; Lockyer; Ipswich; Ipswich West; Bundamba; Jordan; Logan; Coomera; Macalister; Redlands; Oodgeroo; Waterford; Woodridge; Algester; Stretton; Springwood; Inala; Moggill; Toohey; Mansfield; Capalaba; Chatsworth; Lytton; Cooper; Ferny Grove; Clayfield; Nudgee; Aspley; Everton; Pine Rivers; Sandgate; Murrumba; Redcliffe; Kurwongbah; Bancroft; Morayfield; Glasshouse; Pumicestone; Caloundra; Kawana; Buderim; Nicklin; Maroochydore; Ninderry; Noosa; Maiwar; McConnell; Bulimba; South Brisbane; Greenslopes; Miller; Mount Ommaney; Toowoomba North and Toowoomba South and Stafford
- (d) a Member will be taken to be not ordinarily resident in rural, regional or remote Queensland if they are ordinarily resident in one of those State Electoral Councils referred to in Clause J.10(c).
- (e) State Council shall have the ability to add or subtract a State Electoral Council listed in Clause J.10(c) by ByLaw as a result of redistributions.

## **K STATE COUNCIL**

K.1 State Council shall consist of -

- (a) all members of State Executive;
- (b) each Regional Vice- Chair ;
- (c) the Chair of each Federal Divisional Council;
- (d) the Chair of each accredited State Electorate Council;
- (e) all Members of the State Parliamentary Party;
- (f) all Australian Parliamentary Members;
- (g) all Members of any local government elected as an endorsed Party Candidate;
- (h) all Honorary Life Members;
- (i) the Chair of each Policy Committee which is an Active Policy Committee;
- (j) all members of the Young Liberal National Party of Queensland Executive Council constituted under the By-laws of the Young Liberal National Party of Queensland;
- (k) all members of the Executive and each Regional Chair and Vice-Chair of the Liberal National Party Women (Queensland); and
- (l) all Queensland non-parliamentary members of the Federal Executive of the Liberal Party of Australia and the Federal Management Committee of the National Party of Australia.

K.2 State Council shall in all matters subject to specific directions herein contained and to decisions of Annual or Special State Conventions exercise full control over the affairs of the Party and subject as aforesaid its decisions on all matters shall be final and binding on all Members and Party Units.

K.3 State Council shall -

- (a) determine the general policy of the Party between meetings of State Convention, and details thereof;
- (b) consider such motions as State Electorate Councils, Federal Divisional Councils, Regional Conferences, the Policy Standing Committee, the Liberal National Party Women (Queensland) and the Young Liberal Nationals may submit, by at least 30 days notice given to the Party Secretary;
- (c) consider such business as the State Executive may submit;
- (d) consider such further business as the President, or in the absence of the President, the presiding Vice-President may permit; and
- (e) consider such other business as State Council may decide.

K.4 State Council -

- (a) shall not incur any liability other than that for which funds are available;
- (b) shall direct and supervise organisational and promotional activity;
- (c) shall have charge of all matters whatsoever relating to Federal and State elections and referenda;
- (d) shall control and supervise collection and disbursement of funds subject to the provisions hereof;
- (e) may delegate any matter to a committee of members selected by it;
- (f) may co-operate as it considers best in the interests of the Party with kindred organisations or with any Federal or State parliamentary party provided that at all times and under all circumstances the entity and independence of the Party shall be preserved; and
- (g) may adopt By-laws not inconsistent with the provisions hereof relating to the affairs or operations of the Party or a Party Unit and repeal or amend such By-laws and such By-laws shall have effect as if they were provisions hereof.

K.5 Notwithstanding anything to the contrary contained herein, should the foregoing powers conferred on State Council be insufficient to deal with any exigency that may arise, authority is vested in it to take such action as it considers to be appropriate in the interests of the Party, provided that no such action shall contravene the spirit hereof. Every such action of State Council shall be recorded in its minutes and be reported for ratification to the next following State Convention and up to that date any action so taken shall be valid whether or not State Convention ratifies the action.

K.6 State Council shall, as far as is possible, meet at least twice in each year in addition to the meeting held in conjunction with the Annual State Convention.

K.7 State Council shall meet at such date, time and place as decided by the President or, in the absence of the President, the Vice-Presidents. Registration of delegates for a meeting of State Council will close on the day nominated by the Party Secretary which is no more than seven days before the first day of the meeting.

K.8 The Party Secretary shall give notice of the proposed motions to be considered by State Council in open session no less than seven days before the commencement of State Council, by posting them on the Party's website, or by other electronic means.

K.9 A special meeting of State Council must be convened on the receipt of a request in writing by any 50 members of State Council. The Party Secretary shall call the special meeting of State Council within 30 days giving 14 days notice in writing, and such notice shall specify the reasons for such special meeting. Only business set out in the notice convening such special meeting of State Council shall be dealt with there at.

K.10 Every person elected or appointed to State Council shall retain that office until a successor has been appointed, unless the Member shall die, resign or cease to be a Member.

K.11 A quorum for State Council shall be 40.

K.12 The proceedings of each meeting of State Council shall be recorded in a minute book to be kept for that purpose and signed by the chair of the meeting.

K.13 State Council may at any meeting consider a complaint by any Member concerning the political credentials or activities of any Member/s or any Party Unit/s including on grounds in clause M.11 and may take the following action –

- (a) where a Member is concerned, upon State Council determining that the complaint ought be allowed to proceed, State Council must then refer the complaint to the Disputes Committee and the complaint shall be dealt with as follows;
  - (i) the Member shall be invited to meet with the Disputes Committee in order that the complaint/s may be properly investigated and so that the Member has a reasonable



opportunity to hear and defend the complaint; and

- (ii) the Member shall be provided with no less than 14 days written notice of both the complaint/s and the time, date and place of the meeting with the Disputes Committee to which they are asked to attend; and
  - (iii) the Member shall have and be informed of an entitlement to have either a legal representative present at any meeting with the Disputes Committee or alternatively they may have a support person present provided the support person signs a non-disclosure agreement provided to the support person no less than 72 hours from the meeting date; and
  - (iv) the Disputes Committee shall, upon having met with the Member and the Member being given a reasonable opportunity to be heard and to defend themselves, form a decision and report that decision to State Council for consideration; and
  - (v) should the Member wish to appeal the decision of the Disputes Committee they shall be entitled to present a report at a meeting of State Council defending themselves. State Council shall then vote to either uphold or dismiss the decision of the Disputes Committee and the outcome of that vote shall be final and binding on the Member and the Party.
- (b) where a Party Unit is concerned, upon State Council determining that the complaint ought be allowed to proceed State Council must then refer the complaint to the Disputes Committee and the complaint shall be dealt with as follows;
- (i) the Executive members of the Party Unit shall be invited to meet with the Disputes Committee in order that the complaint/s may be properly investigated and so that the Party Unit has a reasonable opportunity to hear and defend the complaint; and
  - (ii) the Executive members of the Party Unit shall be provided with no less than 14 days written notice of both the complaint/s and the date of the meeting with the Disputes Committee to which they are asked to attend; and
  - (iii) the Disputes Committee shall, upon having met with the Executive members of the Party Unit and the Executive members of the Party Unit being given a reasonable opportunity to be heard and to defend themselves, form a decision and report that decision to State Council for consideration; and
  - (iv) should the Party Unit or Executive members of that Party Unit wish to appeal the decision of the Disputes Committee they shall be entitled to present a report at a meeting of State Council defending themselves. State Council shall then vote to either uphold or dismiss the decision of the Disputes Committee and the outcome of that vote shall be final and binding on the Member/s and the Party; and
  - (v) the decision and penalties which may be recommended by the Disputes Committee for consideration by State Council against a Party Unit may include;
    1. that the Party Unit be prohibited from exercising a voting power for no more than 6 months; and
    2. that all or some of the Party Unit's Executive positions be declared vacant and State Council make arrangements for the future conduct of the Party Unit's affairs; and
    3. that a Branch be abolished; and
    4. that a Party Unit's Candidate or Elected Representative be disendorsed; and
    5. that the Party Unit's selection of any Candidate or Elected Representative or the Party Unit's election of any delegate or office bearer be nullified.

K.14 Notwithstanding clause K.13 where a complaint/s has been made or a matter arises for consideration by State Council and that complaint:

- (a) concerns a Member and is serious, urgent or inconsistent with the values of the Party, State Council may immediately suspend the person's membership for a period of no more than 6 months pending the complaint/s being referred to the Disputes Committee and being dealt with as follows;
- i. the Member shall be invited to meet with the Disputes Committee in order that the complaint/s may be properly investigated and so that the Member has a reasonable opportunity to hear and defend the complaint; and
  - ii. the Member shall be provided with no less than 14 days written notice of both the complaint/s and the time, date and place of the meeting with the Disputes Committee to which they are asked to attend; and
  - iii. the Member shall have and be informed of an entitlement to have a legal representative present at any meeting with the Disputes Committee or alternatively they may have a support person present provided the support person signs a non-disclosure agreement provided to the support person no less than 72 hours from the meeting date; and
  - iv. the Disputes Committee shall, upon having met with the Member and the Member being given a reasonable opportunity to be heard and to defend themselves, form a decision and report that decision to State Council for consideration; and
  - v. should the Member wish to appeal the decision of the Disputes Committee they shall be entitled to appeal the decision to State Council. The appellant Member may at the meeting of State Council in which the appeal is to be heard present a report defending against the Disputes Committee's decision. State Council shall then vote to either uphold or dismiss the decision of the Disputes Committee and the outcome of that vote shall be final and binding on the Member and the Party.
- (b) concerns a Party Unit, Candidate, delegate, Elected Representative or an office bearer during an election period at either the Federal, State or Council level in which the Party is running a Candidate/s and is serious, urgent or inconsistent with the values of the Party, State Council may immediately and without referral to the Disputes Committee;
- i. suspend some or all of rights and functions of the Party Unit including voting power for a period of no more than 6 months; and
  - ii. declare that all or some of the Party Unit's Executive positions be declared vacant. State Council may then make arrangements for the future conduct of the Party Unit's affairs; and
  - iii. disendorse the Candidate or Elected Representative; and
  - iv. nullify the Party Unit's election of a delegate or office bearer or the Party Unit's selection of any Candidate or Elected Representative.

K.15 Upon any such action being taken by State Council, it may, at its absolute discretion, direct the refund of all or any part of the fees paid by any such person to the person it considers entitled to receive such refund.

K.16 No written alliances with any other political party may be made by any local government or Elected Representative or Member without the prior consent of State Council.

K.17 Alternates -

- (a) If the Chair of a Federal Divisional Council or an accredited State Electorate Council satisfies any of the criteria in paragraph (e) for a meeting of State Council, the Deputy Chair will be entitled to take the place of the Chair at the meeting as their alternate.
- (b) If a Deputy Chair otherwise entitled under paragraph (a) satisfies any of the criteria in paragraph (e) for the meeting, the Chair may appoint a member of the Federal Divisional Council or State Electorate Council to take the place of the Chair as their alternate.
- (c) Paragraphs (a) and (b) do not apply for a Federal Divisional Council or an accredited State Electorate Council to which clause G.4(f) or H.3(f) applies.

- (d) If the Chair of an Active Policy Committee satisfies any of the criteria in paragraph (e) for a meeting of State Council, the Chair may appoint a member of the Committee who has been a member of the Committee for not less than six months to attend the meeting in the place of the Chair as their alternate.
- (e) For paragraphs (a), (b) and (d) the criteria are -
  - (i) they are unable to attend the meeting,
  - (ii) they are registered as a delegate to the meeting otherwise than as the Chair of the Federal Divisional Council, the accredited State Electorate Council, or the Policy Committee, or, in the case of a Deputy Chair, in the place of the Chair, or
  - (iii) if the selection of a Candidate is to be conducted at the meeting, they are not entitled to participate in the selection because of clause T.19 or clause T.21.

**K.18 Proxies -**

- (a) In the event of any State Councillor (other than a State Councillor whose membership arises under paragraphs (c), (d) or (i) of clause K.1) who ordinarily resides not less than 300 kilometres from the place of State Council being absent, then any Member residing within the same Federal Division may hold and exercise a proxy for the absent State Councillor provided that -
  - (i) such proxy is authorised in writing by the State Councillor concerned;
  - (ii) State Councillors holding such proxies shall be formally certified to hold such proxies by the State Director; and
  - (iii) proxies shall be limited to two per State Councillor.

**L STATE EXECUTIVE**

**L.1 The State Executive shall consist of -**

- (a) the President;
- (b) the Vice-Presidents;
- (c) all Regional Chairs;
- (d) the Leader of the State Parliamentary Party or their representative;
- (e) the Parliamentary Leader of the Liberal Party of Australia or their representative;
- (f) the Parliamentary Leader of the National Party of Australia, or their representative;
- (g) the Leader of a Local Government Party Team or their representative;
- (h) the Treasurer;
- (i) the Trustees;
- (j) the Honorary Legal Advisor;
- (k) the Chair of the Policy Standing Committee;
- (l) the Federal President of the Liberal Party of Australia;
- (m) the Federal President of the National Party of Australia;
- (n) the President of the Liberal National Party Women (Queensland);
- (o) the President of the Young Liberal Nationals; and

(p) the Immediate Past President.

L.2 State Executive shall appoint the Treasurer and the Honorary Legal Advisor subject to ratification by State Council at its first meeting following the Annual State Convention.

L.3 The State Executive shall, subject to the provisions hereof, have power to manage all the affairs of the Party. It shall not have power to alter the provisions hereof or the platform and policy of the Party. In particular, subject as aforesaid -

(a) it may summon special meetings of State Council when deemed necessary;

(b) it shall exercise full control over all Members and Party Units, receive financial statements and reports from Party Units and hear and determine disputes;

(c) it shall have power to decide all matters not expressly vested in some other Party Unit;

(d) it may make recommendations to State Council affecting this Constitution or the platform and policy of the Party; and

(e) it may exercise the powers vested in State Council when it deems necessary and any such actions shall be submitted to the next meeting of State Council for ratification and up to that date any action so taken shall be valid whether or not State Council ratifies the actions.

L.4 The State Executive shall meet at least six times per year at such times and places as are determined by the President.

L.5 A special meeting of State Executive shall be convened by the State Director within seven days giving at least two days notice on receipt of a request in writing signed by 15 members of State Executive. Such notice shall specify the reasons for such special meeting.

L.6 A quorum for meetings of the State Executive shall be 10.

## **M COMMITTEES OF THE PARTY**

### **Party Development**

M.1 There shall be a Party Development Committee comprising the Regional Chairs and other members appointed by State Executive that shall -

(a) promote Party development throughout the State; and

(b) assist Party Units throughout the State in conducting their affairs.

## **Agenda**

- M.2 The State Executive shall, from amongst the members of State Council, appoint an Agenda Committee which -
- (a) shall determine -
    - (i) the order of business to be submitted to each meeting of State Convention and State Council;
    - (ii) the phrasing of notices of motion to be submitted to each meeting of State Convention and State Council; and
    - (iii) the consolidation of such notices of motion which are similar in interest or intent; and
  - (b) may recommend to the State Executive additional urgent notices of motion for any meeting of State Convention or State Council.

## **Disputes**

- M.3 There shall be a Disputes Committee to hear and determine –
- (a) any appeals arising out of the conduct or result of any pre-selection proceedings, and
  - (b) disciplinary proceedings referred to it by State Executive or State Council, and
  - (c) any other investigation, complaint or dispute referred to it by virtue of this Constitution or otherwise by State Executive, State Council or the State Director.
- M.4 State Council may by By-law determine the procedures by which the Disputes Committee shall operate however without limiting the operation of section M.9(a) minimum requirements shall include –
- (a) the Member shall be invited to meet with the Disputes Committee in order that the matter may be properly investigated and so that the Member has a reasonable opportunity to hear and defend the complaint/s; and
  - (b) the Member shall be provided with no less than 14 days written notice of both the complaint/s and the time, date and place of the meeting with the Disputes Committee to which they are asked to attend; and
  - (c) the Member shall have and be informed of an entitlement to have either a legal representative present at any meeting with the Disputes Committee or alternatively they may have a support person present provided the support person signs a non-disclosure agreement provided to the support person no less than 72 hours from the meeting date.
  - (d) A Member may elect to appeal a decision of the Disputes Committee to a meeting of State Council as follows -
    - i. the Disputes Committee shall provide a written report on their determination of the complaint or matter to State Council. A copy of that report shall be supplied to both State Council and the appellant Member no less than 14 days before the meeting of State Council in which the appeal is to be heard; and
    - ii. the appellant Member shall be entitled to provide a written report to State Council defending against the decision of the Disputes Committee. That report shall be submitted no less than 72 hours before the meeting of the State Council in which the appeal is to be heard and shall be supplied to State Council at the soonest reasonable opportunity after its submission by the appellant Member; and
    - iii. at the meeting of State Council in which the appeal is being heard a member of the Disputes Committee may for not more than 15 minutes speak to the committee's report; and
    - iv. at the meeting of State Council in which the appeal is being heard the appellant Member may for not more than 15 minutes speak to their report or otherwise to their defence against the decision of the Disputes Committee; and

- v. upon receiving reports from both the Disputes Committee and the appellant Member State Council shall then vote by secret ballot to uphold or dismiss the decision of the Disputes Committee. The outcome of the vote by State Council shall be final and binding on the Party and all Members.

- (e) Upon a complaint or other matter in M.3 being properly investigated should the Disputes Committee find that the complaint or other matter in M.3 has been made vexatiously the Disputes Committee may make a recommendation to the referrer that disciplinary action be taken against the complainant/s.

M.5 State Executive may establish the following panels -

- (a) a panel of legal members, who shall be legal practitioners of not less than fifteen years standing;
- (b) a panel of non-legal members comprised of all Honorary Life Members, former Trustees of the Party, former Presidents, former Vice-Presidents and Members who are former members of the Australian or Queensland Parliaments or the Local Government Party Team; and
- (c) a panel of mediator members, who shall hold qualifications in mediation recognised by a legal professional body or the Department of Justice for the State.

M.6 For any appeal or reference the Disputes Committee will comprise such persons selected from the panels established under clause M.5 as State Executive may determine.

M.7 Where either a matter arises concerning a Member or a complaint is made against a Member for conduct of a kind described in clause M.11, State Executive must refer the complaint to the Disputes Committee so that the complaint can first be dealt with and properly investigated by the Disputes Committee and the Member can be given a reasonable opportunity to defend themselves before a penalty is imposed except in the following circumstances -

- (a) where a complaint is serious or urgent State Executive may immediately suspend a Member for a period of no more than 6 months pending the complaint being dealt with through referral to the Disputes Committee and in accordance with the principles of natural justice including minimum requirements as follows;
  - i. the Member shall be invited to meet with the Disputes Committee in order that the matter may be properly investigated and so that the Member has a reasonable opportunity to hear and defend the complaint; and
  - ii. the Member shall be provided with no less than 14 days written notice of both the complaint/s and the time, date and place of the meeting with the Disputes Committee to which they are asked to attend; and
  - iii. the Member shall have and be informed of an entitlement to have either a legal representative present at any meeting with the Disputes Committee or alternatively they may have a support person present provided the support person signs a non-disclosure agreement provided to the support person no less than 72 hours from the meeting date; and
  - iv. where the complaint has not been resolved through the Disputes Committee after a period of 6 months the suspension shall expire and the Member shall have their Membership fully reinstated.
- (b) where either a matter arises or a complaint is made of a serious and urgent nature relating to a Candidate or Elected Representative, State Executive may immediately take any action in relation to that Candidate or Elected Representative including being disendorsed by the Party and expelled from the Party without referral to the Disputes Committee where the Member has engaged in;
  - i. unlawful conduct; or
  - ii. conduct inconsistent with the Party's code of conduct.

M.8 It is the duty of a Member to co-operate with the State Executive or a Disputes Committee in relation to the investigation and consideration of a complaint. In particular a Member must provide such documents and information and do or refrain from doing such things, and within such timeframes, as

State Executive or a Disputes Committee, or the State Director or Party Secretary or the Chair of a Disputes Committee may reasonably require.

M.9 If State Executive refers a complaint to the Disputes Committee the following procedure shall be followed -

- (a) The Disputes Committee shall investigate the complaint in accordance with the principles of natural justice and any By-laws adopted by State Council and report its findings to State Executive.
- (b) If the Disputes Committee finds a complaint proved in whole or in part, it must in its report make a recommendation as to a penalty to be imposed, or recommend that no penalty be imposed.
- (c) Where the Disputes Committee finds that the complaint has not been proved, State Executive shall take no further action.
- (d) Where the Disputes Committee finds that a complaint has been proved, State Executive may impose a penalty no greater than that recommended by the Disputes Committee, or it may decide not to impose a penalty.

M.10 The penalties which may be recommended by the Disputes Committee and imposed by State Executive are -

- (a) to expel the Member;
- (b) to suspend the Member for a period of time; and/or
- (c) to censure the Member; and/or
- (d) to suspend some of the Member's membership rights and privileges for a period of time, no greater than 6 months; and/or
- (e) to disendorse the Candidate of Elected Representative.

M.11 The types of conduct that may be made the subject of disciplinary action are -

- (a) gross disloyalty to the Party;
- (b) breach of confidentiality;
- (c) bringing the Party into disrepute;
- (d) engaging in conduct substantially harmful to the best interests of the Party;
- (e) deliberately infringing this Constitution or By-laws made in accordance with this Constitution;
- (f) wilfully disobeying or failing to comply with a reasonable decision of the State Executive, State Council or State Convention;
- (g) wilfully disobeying or failing to comply with a reasonable directive of the State Director or the Party Secretary in connection with the affairs of the Party; or
- (h) substantiated instances of sexual harassment, bullying or intimidation toward another Member.

## **Audit**

- M.12 There shall be an Audit Committee comprising, unless State Executive decides otherwise, the Trustees and such other persons (if any) as State Executive may decide.
- M.13 The role of the Audit Committee is to assist State Executive and the Finance Committee (“oversight bodies”) in the discharge of their responsibilities as to the oversight of the Party’s financial affairs.
- M.14 The functions of the Audit Committee are -
- (a) to evaluate and report to the oversight bodies in relation to -
    - (i) the appropriateness of, and of any changes to, the Party’s accounting and financial management policies;
    - (ii) the reports of the Party’s external auditors;
    - (iii) the Party’s internal control, probity and other risk management arrangements;
    - (iv) the effectiveness of any code of conduct established by the Party relevant to the Party’s financial affairs and those engaged in them; and
    - (v) the Party’s compliance with electoral and other laws applicable to it;
  - (b) to make recommendations to the oversight bodies as to the appointment and terms of engagement of the Party’s external auditors;
  - (c) to liaise with and between the Party’s external auditors and management, and review and monitor the implementation of the Party’s external audit plan; and
  - (d) to address such other matters connected with the Party’s governance and financial affairs as the State Executive may refer to it.

## **Policy Committees**

- M.15 There shall be a Policy Standing Committee which shall -
- (i) co-ordinate the activities of the respective Policy Committees so as to ensure that the policies of the Party are consistent with one another; and
  - (ii) monitor the development of policy and philosophy generally.
- M.16 The Policy Standing Committee shall comprise -
- (i) a Chair , elected in accordance with clause M.19;
  - (ii) the State Parliamentary Leader and Deputy State Parliamentary Leader;
  - (iii) two members of the State Parliamentary Party who are not Party spokespersons;
  - (iv) a representative elected by the Australian Parliamentary Members;
  - (v) a representative of the Members who are members of Local Government Party Teams;
  - (vi) the President and Vice-Presidents;
  - (vii) one representative of each Region;
  - (viii) the Chair of each Policy Committee;
  - (ix) one representative of the Liberal National Party Women (Queensland);
  - (x) one representative of the Young Liberal Nationals; and



- (xi) not more than four other members elected by State Council at its meeting immediately following Annual State Convention.
- M.17 State Council may determine to establish Policy Committees as follows:
- (i) In such areas of policy as it thinks fit and which aligns with Ministerial portfolios as reasonably practicable
  - (ii) In consultation with the Party's State and Federal elected representatives
- M.18 Each Policy Committee shall conduct its affairs so as to provide to the Party, in respect of its area of policy -
- (i) continuing review of existing Party policy to ensure it remains adapted to changing circumstances;
  - (ii) development and evaluation of initiatives for consideration by the State and Australian Parliamentary Leaders for inclusion in election policies;
  - (iii) studies of any proposed legislation or contemplated policy initiative to establish whether it is consistent with Party philosophy and briefings to Parliamentary Members as to technical deficiencies and possible amendments;
  - (iv) a forewarning system with respect to emerging problems; and
  - (v) reports upon matters referred to it by State Executive, State Council, State Convention, the President or a Federal Divisional Council or State Electorate Council.
- M.19 The Chair of the Policy Standing Committee and the Chairs of the Policy Committees shall be elected annually at the State Council meeting immediately following each Annual State Convention in accordance with By-laws established by State Council. The By-laws must provide for nominations to be called in the notice of the meeting of State Council.
- M.20 Each Policy Committee shall elect from amongst its members a Deputy Chair who shall in the absence of the Chair exercise their authority.
- M.21 The membership of each Policy Committee shall include –
- (i) the State Parliamentary spokesperson responsible for Party policy in its area;
  - (ii) if possible at least one member of the State Parliamentary Party other than the Party spokesperson, ideally being a member of the appropriate Committee of the Parliamentary Party or Ministerial Committee;
  - (iii) if possible, at least one member of the Australian Parliament;
  - (iv) Members (including if available, at least one member of the Liberal National Party Women (Queensland) nominated by the Executive of the Liberal National Party Women (Queensland) after consultation with the Chair of the Policy Committee) and at least one member of the Young Liberal National Party of Queensland nominated by the Executive of the Young Liberal National Party of Queensland after consultation with the Chair of the Policy Committee, having, in the opinion of State Executive, expertise in the relevant policy area; and
  - (v) consultant members who, whilst not being members of the Party, have particular expertise in the relevant policy area which, in the opinion of the State Executive, it is desirable to have made available to the Policy Committee.
- M.22 Any such member may be a correspondent member. Each Policy Committee Chair shall as far as possible encourage correspondent members to join their Committee to enable Members throughout the State to participate in the activities of the Committee.
- M.23 Members of each Committee shall be appointed by its Chair subject to By-laws established by State Council relating to Policy Committees, and to ratification of State Executive.

- M.24 The position of a member of a Policy Committee other than a correspondent member shall become vacant if the member is absent from two consecutive meetings without leave of the Policy Committee. All positions shall become vacant at the conclusion of the Annual State Convention.
- M.25 A Regional Policy Committee may be established by a Regional Conference. Where a Regional Policy Committee has been established, its Chair is ex officio a member of the Policy Committee covering the areas of interest of the Regional Policy Committee as either a full or a correspondent member.
- M.26 Each Policy Committee shall communicate or meet at least once in each three month period. Should the Committee not so communicate or meet, the office of the Chair and all members of the Committee shall be liable to be vacated upon a resolution of the State Executive.
- M.27 A quorum for meetings shall be a majority of but not less than three Policy Committee members.
- M.28 Each Policy Committee Chair shall submit a written report to the Party Secretary 45 days before the commencement of each Annual State Convention for inclusion in the State Convention papers.
- M.29 Each such report shall be presented to and considered by the State Council meeting immediately preceding the Annual State Convention.

#### **Other Committees**

- M.30 Annual State Convention, State Council and State Executive may appoint Standing Committees.
- M.31 A special purpose committee may be appointed at any time by the President, or in the absence of the President, the Vice-Presidents or by the State Executive, State Council or Annual State Convention. A special purpose committee shall report back to the person or body that appointed it.
- M.32 The Party Unit or officer appointing a committee shall designate one of its members as Chair of the committee.
- M.33 At a meeting of any committee which is not expressly otherwise provided for herein, a majority of its members shall be a quorum except that a quorum for Standing Committees appointed by State Council shall be a majority of the Committee or seven, whichever is the lesser.

## **N STATE PARLIAMENTARY PARTY**

- N.1 The State Parliamentary Party shall consist of Members elected to the Queensland State Parliament as Candidates endorsed by the Party and such other Members who are elected to the State Parliament as the Party shall determine.
- N.2 The State Parliamentary Party shall appoint a Leader, Deputy Leader and such other officers as it may decide and shall govern its affairs according to its own rules.
- N.3 The State Parliamentary Party shall be responsible for the implementation of the Party platform in the State sphere as far as is possible.
- N.4 The State Parliamentary Party shall consider policy decisions of State Council and State Convention forwarded to it and shall communicate its decision in respect of such decisions and the reasons therefore to the State Executive within a reasonable time of the State Parliamentary Party's receipt of the same and in any event before the next meeting of State Council or Annual State Convention.

## **O AUSTRALIAN PARLIAMENTARY MEMBERS**

- O.1 Members elected to the Australian Parliament shall govern their affairs in accordance with the rules of the parliamentary parties of which they are respectively members in accordance with the provisions hereof.
- O.2 It shall be the responsibility of members of the Party in the Australian Parliament to implement the Party platform as far as is possible.
- O.3 The members of the Party in the Australian Parliament shall advise the State Executive of action taken and proposed to be taken by them in respect of policy decisions of State Council or State Convention forwarded to them within a reasonable time of their receipt of such decisions, and in any event before the next meeting of State Council or State Convention.

## **P LOCAL GOVERNMENT PARTY TEAMS**

- P.1 In every local government in which the Party is officially represented, the Local Government Party Team shall consist of Members elected to that local government as Candidates endorsed by the Party and such other Members who are elected to that local government as the Party shall determine.
- P.2 Each Local Government Party Team shall appoint a Team Leader who, (if the Lord Mayor, Mayor or Chair of the local government is a Member, shall be such Team Leader), a Deputy Team Leader and such other officers as it may decide and shall govern its affairs according to its own rules.
- P.3 Where it is necessary to appoint a Team Leader and it is not possible to do so in accordance with clause P.2, the State Executive shall appoint the Team Leader.
- P.4 Each Local Government Party Team shall be responsible for the implementation of the Party platform in the sphere of its local government as far as is possible.
- P.5 Each Local Government Party Team shall consider policy decisions of Party Units within its area, and of State Council and State Convention forwarded to it, and shall communicate its decision in respect of such decisions and the reasons therefor to the State Executive within a reasonable time of the Local Government Party Team's receipt of the same and in any event before the next meeting of State Council or State Convention.
- P.6 State Executive shall determine which Party Units shall be responsible for the conduct of the campaign in each local government area in which the Party endorses a team.

## **Q YOUNG LIBERAL NATIONAL PARTY OF QUEENSLAND**

- Q.1 For the purposes of this section of the Constitution and any By-laws made thereunder, the following definitions shall apply, unless the context otherwise requires -

Convention:                      The Convention of the Young Liberal National Party of Queensland.

Executive:	The Executive of the Young Liberal National Party of Queensland.
Executive Council:	The Executive Council of the Young Liberal National Party of Queensland.
Council:	The Council of the Young Liberal National Party of Queensland.
By-laws:	The By-laws of the Young Liberal National Party of Queensland as adopted in accordance with this Constitution.

- Q.2 There shall be a Young Liberal National Party of Queensland, also known as the Young Liberal Nationals, comprising, subject to clause Q.10, such members between the ages of sixteen and thirty years inclusive as elect to join.
- Q.3 There shall be a Convention of the Young Liberal National Party of Queensland, which shall be the supreme body thereof. The Convention shall be held and constituted in accordance with the By-laws.
- Q.4 There shall be an Executive of the Young Liberal National Party of Queensland which shall, subject to the rights of Council under the By-laws manage the affairs of the Young Liberal National Party of Queensland between Conventions. The Executive shall be constituted in accordance with the By-laws.
- Q.5 There shall be an Executive Council of the Young Liberal National Party of Queensland, which shall have the rights specified in this Constitution and the By-laws. The Executive Council shall be constituted in accordance with the By-laws.
- Q.6 There shall be a Council of the Young Liberal National Party of Queensland, which shall be the supreme body thereof between Conventions. The Council shall be held and constituted in accordance with the By-laws.
- Q.7 There shall be By-laws of the Young Liberal National Party of Queensland, which shall be approved by the Convention of the Young Liberal National Party of Queensland and ratified by the State Council of the Party. The By-laws shall, subject to this Constitution, govern the affairs of the Young Liberal National Party of Queensland. The By-laws shall provide for, amongst other things, the operation of all party units of the Young Liberal National Party of Queensland including any party units thereof established under the By-laws.
- Q.8 The By-laws may be amended by the Convention, and such amendments shall come into effect upon ratification by the State Council of the Party.
- Q.9 Subject to this Constitution, all records, property, funds and assets of any branch or unit of the Young Liberal National Party of Queensland shall be the records, property, funds and assets of the Party and the Young Liberal National Party of Queensland, and the Executive may by resolution require any person or any body, whether corporate or unincorporated, to deliver to such person as may be nominated any records, property, funds and assets.
- Q.10 Convention, on the recommendation of the Executive, may by secret ballot award Honorary Life Membership of the Young Liberal National Party of Queensland.

## **R LIBERAL NATIONAL PARTY WOMEN (QUEENSLAND)**

- R.1 All women members of the Party shall be entitled to participate in the Liberal National Party Women (Queensland).
- R.2 The Liberal National Party Women (Queensland) shall operate under By-laws approved from time to time by State Council.
- R.3 By-laws made for the purposes of clause R.2 shall provide, amongst other things, for -
- (a) the holding of an annual meeting;
  - (b) the election of an Executive, including a President;
  - (c) the establishment within each Region of a Women's Regional Council;

- (d) the holding of an annual meeting of each Women's Regional Council;
- (e) the election of a committee of each Women's Regional Council, including a Regional Chair and a Vice-Chair ;
- (f) the establishment and operation of Liberal National Party Women (Queensland) Branches, to the extent that is not otherwise dealt with in this Constitution;
- (g) the appointment of the representatives of Liberal National Party Women (Queensland) provided for elsewhere in this Constitution;
- (h) the doing of all other things required or permitted to be done by the Liberal National Party Women (Queensland) or its constituent parts by this Constitution; and
- (i) the operation of all Party Units within the Liberal National Party Women (Queensland).

## **S FINANCE AND PROPERTY**

- S.1 The property and assets of the Party shall be vested on behalf of the Party in three Trustees who shall be appointed annually by the State Executive at its first meeting after each Annual State Convention and the Trustees shall at all times deal with the same in accordance with the directions or resolutions of the State Council or the State Executive.
- S.2 All books, records, documents, funds and property held by any Party Unit shall be deemed to be the property of the Party and under the day to day control of the State Director and Party Secretary on behalf of the Party and the Trustees.  
The State Director or any of their delegated officers shall not authorise, direct or execute any expenditure from funds held in a party unit bank account without the written approval of the Chair and/or Treasurer and/or Campaign Manager of the said party unit or campaign, for which approval shall not be unreasonably withheld.
- S.3 No Party Unit, and to remove any doubt, nor any campaign committee, member of Parliament, Senator, member of a Local Government Party Team or Candidate, shall open or maintain a bank account or any other financial facility without the written authority of the State Director or the Party Secretary who shall at all times ensure that the financial affairs of the Party are conducted in accordance with best practice and in accordance with -
- (a) this Constitution or By-laws made in accordance with this Constitution;
  - (b) any Fundraising or Expenditure Code approved by State Council;
  - (c) any funding or disclosure legislation applicable to any Member, the Party or any Party Unit;
  - (d) any requirement of the Party's auditor or as recommended by the Audit Committee; and
  - (e) any other applicable legislative or accounting requirement.
- S.4 State Executive may appoint a Member as Assistant Treasurer.
- S.5 There shall be a Finance Committee to undertake the work of raising funds and to attend to the financial business of the Party that shall consist of -
- (a) the Trustees;
  - (b) the President;
  - (c) the Vice-Presidents;
  - (d) the Treasurer and, if an Assistant Treasurer has been appointed, the Assistant Treasurer; and
  - (e) two members elected by the State Executive.

- S.6 All moneys received by the Party shall be banked as soon as possible after receipt into an account authorised by the State Director or Party Secretary.
- S.7 Party Units have the power to collect and administer funds within their respective areas, but, unless exempted from doing so by State Executive, must provide an annual report of their respective Party Unit to the Party Secretary not more than three months after the end of the financial year.
- S.8 The President shall retain all funds (whether they be income or corpus) paid to the President by any Trustee for the members (or a class or classes of members) of the Party in respect of each period of 12 calendar months ending on 30 June in each year in respect of any such Trust for the members, for 12 months following such period. Any member requiring any such funds held by the President on behalf of such member to be forwarded to such member, shall during the period from 1 July to 30 June in each year give notice in writing to the President requiring that such funds received by the President in respect of the year ending on the preceding 30 June in respect of such Trust from the Trustee thereof be forwarded to such member. Any member failing to give such notice shall be deemed to have donated such funds to the Party and after the said 12 months the President shall transfer the funds so donated as aforesaid to the Treasurer of the Party for use on behalf of the Party and the receipt of the Treasurer for such funds shall be a full and sufficient discharge to the President.
- S.9 The President shall retain all funds (whether they be income or corpus) paid to them by any Trustee for the members or Honorary Life Members of the Party, in respect of any period other than a period of twelve months ending on 30 June in each year in respect of any Trust for the members for a period of three calendar months from the end of any such other period and the provisions of clause S.8 hereof shall otherwise, with all necessary adaptations, apply to all funds paid to the President in respect of any such other period.
- S.10 All Party Units shall furnish to the State Director, the Party Secretary and State Executive whenever requested such financial statements or documentation as may be required.
- S.11 On 30 June each year, a statement of income and expenditure for the preceding year and a balance sheet, containing a summary of property, assets and liabilities of the Party as at that date shall be prepared and audited and presented to the State Executive and the Audit Committee.
- S.12 State Council shall at its first meeting appoint an auditor.
- S.13 State Executive may, by resolution, remove an auditor from office provided that notice of the proposed removal is given in the notice convening the meeting and a copy of such notice is provided to the auditor not less than 21 days prior to the date of the meeting at which the proposed removal is to be discussed.
- S.14 Subject to clauses F.17, G.10 and H.8, upon the dissolution of any Party Unit, all books, documents, money, funds, securities and other property belonging to it shall be handed over to the Party Secretary.
- S.15 All income and property of the Party shall be applied towards the objects of the Party and no distribution whether in money, property or otherwise shall be made to Members.

- S.16 All Party Units including any member of Parliament, Senator or member of a Local Government Party Team shall keep all necessary records to enable the State Director and the Party Secretary to accurately complete all documents and returns the Party is required to keep, maintain or lodge in accordance with the law including Queensland and Australian electoral acts or the Income Tax Assessment Act.
- S.17 The Chair, Secretary and Treasurer of every Party Unit, every member of Parliament, Senator or member of a Local Government Party Team and every Candidate shall keep such records as may be required by the State Director or the Party Secretary, or as is required by any relevant law.
- S.18 In particular, every Chair, Secretary and Treasurer of every Party Unit, and member of Parliament, Senator, member of a Local Government Party Team and Candidate shall provide the Party, the State Director or the Party Secretary or their nominees -
- (a) a record of the true names and addresses of all donors to the Party whether for a purpose related to an election or otherwise; and
  - (b) a record of expenditure incurred in relation to any election (whether or not incurred during the election period) on -
    - (i) the broadcasting, during the election period, of advertisements relating to the election;
    - (ii) the publishing in journals, during the election period, of advertisements relating to the election;
    - (iii) the display, during the election period, at theatres or other places of entertainment, of advertisements relating to the election;
    - (iv) the production of advertisements relating to the election, being advertisements that are broadcast, published or displayed as mentioned in paragraphs (i), (ii) or (iii);
    - (v) the production of any materials (not referred to in paragraphs (i), (ii) or (iii)) that are required in accordance with any law including any relevant electoral law to include the name and or address of the author or the person authorising the material used during the election period;
    - (vi) services provided during the election period, being services relating to the election;
    - (vii) material relating to the election;
    - (viii) material relating to the election that is used during the election;
    - (ix) the carrying out, during the election period of opinion polls, or other research, relating to the election; and
    - (x) the making of a gift by any person or organisation to a Party Unit or any Elected Representative or any Candidate.
- S.19 All Party Units shall provide the Party Secretary with details of all gifts and donations received from any source, including the name of the donor, the amount of the donation and such other information as the Party Secretary may request to facilitate compliance with electoral laws.
- S.20 (a) To ensure compliance with the law the President, the State Director and the Party Secretary are empowered to direct any Member and any Party Unit to provide such information and such documents as any of them deem to be necessary to comply with this Constitution or the law.
- (a) To remove any doubt the powers vested in the President, the State Director and the Party Secretary in order to ensure compliance with the law shall override any other provision of the Constitution.

- S.21 No member of Parliament, Senator, member of a Local Government Party Team or Candidate shall operate, be a signatory to, nor accept the benefit for campaign purposes of any account with a financial institution other than an account operated by the Party and disclosed to and authorised by the State Director and the Party Secretary.
- S.22 Further, and to remove any doubt and in order to enable the Party to comply with the law including any taxation law and to enable the completion of such income tax returns and business activity statements as the law may require –
- (a) The Party and every Member shall comply with the Party's Fundraising Code and Expenditure Code as adopted and modified by State Executive or State Council.
  - (b) State Executive shall nominate a financial institution as the banker for the Party.
  - (c) All funds of the Party are to be held with such banker in the name of the Liberal National Party of Queensland.
  - (d) Notwithstanding any other person or persons being purportedly authorised to operate any account containing the funds of the Party the State Director and the Party Secretary shall have the absolute authority to operate such accounts.
  - (e) The State Director and the Party Secretary shall be authorising persons for each and every account containing funds of the Party.
  - (f) All Members are to ensure that any account held otherwise than in accordance with these provisions is immediately disclosed to the State Director and the Party Secretary.
  - (g) All Members shall comply with any reasonable instruction of the State Director or the Party Secretary in respect of any account containing any funds of the Party.

## **T SELECTION OF CANDIDATES**

### **Applications**

- T.1 Candidates shall be endorsed where possible or desirable in the opinion of the State Executive in consultation with the relevant Federal Divisional Chair or State Electorate Council Chair as early as practicable before an election is held.
- T.2 Except for a local government area which does not have wards or divisions, subject to clause T.33 there will be only one endorsed Candidate for each State Electorate, Federal Division or local government area contested by the Party.
- T.3 With a view to affording the widest possible choice of applicants for selection, the Party may –
- (a) call for applications by public advertisement or media announcement;
  - (b) invite Federal Divisional Councils or State Electorate Councils and any other Party Unit to submit names of possible applicants;
  - (c) invite individuals to submit their names; and
  - (d) take such other steps as may be considered appropriate to bring the name of any possible applicant for selection before State Council.



- T.4 Applications for endorsement as a Candidate shall be accepted only from persons who are financial members of the Party.
- T.5 An applicant for selection must be nominated by Members in accordance with the requirements of such application form as is prescribed by the State Director and the applicant and the nominators must complete and sign the application form. In the case of a selection for a Federal Division, a State Electorate or a local government area the nominators must reside in the Division, Electorate or local government area.
- T.6 All applications for endorsement as a Candidate shall be accompanied by an application fee in such amount as may be prescribed by State Executive.
- T.7 (a) If, following an invitation for applications for endorsement, an elected representative –
- (i) does not apply for endorsement as the Party's Candidate for election to the position which they hold, and had not made it generally known for a reasonable period before the closing time for applications that they did not propose to apply, or
  - (ii) is disallowed from proceeding to endorsement as a result of a decision of State Executive under clause T.14,
- unless the State Executive decides that it would not be in the interests of the Party to do so, the time for applications for the position must be extended for a period which, in the opinion of the State Executive, is reasonable.
- (b) In this clause, an elected representative is a Member who is a member of the Australian or Queensland Parliament or of a Local Government Party Team at the closing time for applications for endorsement for the elected representative's position.
- T.8 (a) If, without the prior approval of the President or State Director, a Member or a person who at the time is not a Member makes a statement or comment, either on or off the record, to a journalist or media organisation –
- (i) concerning an applicant or potential applicant for endorsement for a particular candidacy, or
  - (ii) in relation to the selection process for a particular candidacy,
- and subsequently applies for endorsement for that candidacy, the applicant will not be allowed to proceed to a selection except with the approval of the State Executive.
- (b) If an applicant for endorsement makes a statement or comment, either on or off the record, to a journalist or media organisation concerning –
- (i) their application,
  - (ii) another applicant or potential applicant for the endorsement, or
  - (iii) in relation to the selection process,
- the applicant will not be allowed to proceed to a selection except with the approval of the State Executive.

- (c) As a condition of its approval under paragraph (a) or (b) State Executive may impose such conditions as it considers appropriate in the interests of the Party, including, in the case of a selection by a Selection Committee or by State Council, a condition limiting the time to be available to the applicant under clause T.25(j) in which to address the Selection Committee or State Council and/or to take questions.

T.9 If an applicant for endorsement is indebted to the Party on any account at the time at which they apply for endorsement, the application will be of no effect.

### **Applicant Review**

T.10 There shall be an Applicant Review Committee which shall review all applications for endorsement and conduct such inquiries into any particular applicant as it considers to be appropriate.

T.11 (a) State Executive may appoint Members to a panel from which members of the Applicant Review Committee will be appointed.

(b) The panel must include two members who are resident outside of South-East Queensland.

(c) The State Director will appoint members drawn from the panel to form an Applicant Review Committee of not less than three members for an application for endorsement.

T.12 The Applicant Review Committee must make such recommendations to State Executive as it considers necessary concerning any particular applicant for selection, including, in an appropriate case, a recommendation that the application not be allowed to proceed.

T.13 The Applicant Review Committee may recommend to an applicant that their application for endorsement be withdrawn. If the applicant accepts the recommendation and withdraws the application, the application fee or so much of it as the Committee determines will be refunded.

T.14 Having given the applicant an opportunity to be heard, State Executive may make such decision in relation to the application as it considers is in the best interests of the Party, including that the application will not be allowed to proceed.

### **Selection Methods**

T.15 (a) If more than one application is received in respect of a Federal Division, a State Electorate or a local government area in which there is operating a Federal Divisional Council or a State Electorate Council the Candidate shall be selected by a Selection Committee provided that if State Council considers at any time that the interests of the Party will be best served by so doing it may resolve by a majority of those present –

(i) that it will select the Candidate; or

(ii) that the Candidate will be selected by a Plebiscite.

(b) If only one application is received in respect of a Federal Division, a State Electorate or a local government area, State Council shall determine which of the procedures contained in paragraph (a) (if any) shall be adopted in relation to the selection of a Candidate.

(c) Upon closing of applications, State Council may decide –

(i) that the time for closing of applications be extended; or

(ii) that no Candidate will be endorsed.

T.16 The selection of Candidates for election to the Senate shall be made by State Council, subject to clause T.17, in such a manner as State Council may determine.

T.17 (a) For the selection of a Candidate by State Council, by a Selection Committee or by Plebiscite –

- (i) only Members who are electors may vote;
- (ii) only Members who are eligible to vote in the ballot under the Constitution may vote;
- (iii) each Member has only one vote;
- (iv) voting must be exhaustive secret ballot;
- (v) a Member must not be improperly influenced in voting;
- (vi) a Member's ballot paper must be counted if the Member's intention is clear;
- (vii) Members' votes must be accurately counted;
- (viii) each applicant may be represented by another person at the ballot and for the scrutiny and counting of votes.

(b) Notwithstanding any other provision of the Constitution, a pre-selection ballot, as that term is defined in the *Electoral Act 1992* (Qld), must satisfy the general principles of free and democratic elections, within the meaning of that Act.

T.18 Any member of State Executive, State Council, a Federal Divisional Council or a State Electorate Council who has applied for selection as a Candidate shall withdraw from meetings of such Party Unit while any business affecting such selection is under consideration and shall take no part as a member of such Party Unit in arriving at any decision thereon.

T.19 Unless State Council for special reasons allows otherwise, to be eligible to participate in a selection or plebiscite a Member –

- (a) must be over the age of 18 years, in the case of a Plebiscite, on the day on which the ballots are posted, and otherwise, on the day of the selection;
- (b) must have been financial throughout the period of 12 months ending on the day prior to the closing date for applications; and
- (c) must have been financial throughout the period commencing on the closing date for applications and ending –
  - (i) in the case of a Plebiscite, on the day on which the ballot closes; or
  - (ii) in the case of a selection by State Council or a Selection Committee, the day of the selection.

T.20 Where there is no Federal Divisional Council operating in a Federal Division, or no State Electorate Council operating in a State Electorate or local government area, State Council shall, as far as practicable, ascertain the views of any existing Branches and persons or bodies interested in the welfare of the Party and shall take such action to select a Candidate for such Federal Division, State Electorate or local government area as it considers will best serve the interests of the Party.

T.21 For the avoidance of doubt, a person who would otherwise be eligible to vote in a Plebiscite or Selection Committee shall not be entitled to vote if they are an applicant for selection in that Plebiscite or Selection Committee.

T.22 Notwithstanding any other provision of this Constitution no person shall be eligible to participate in a Plebiscite or Selection Committee unless they are enrolled to vote in State or Federal elections in Queensland.

#### **Selection by Plebiscite**

T.23 A Plebiscite shall be conducted by preferential postal ballot with the applicants who receive the lowest votes being eliminated in turn and their preference votes being allocated until one applicant has received an absolute majority and otherwise in accordance with this Constitution and any relevant By-laws.

#### **Selection by Selection Committee**

- T.24
- (a) For a Federal Division or a State Electorate, a Selection Committee will consist of the Members residing in the Federal Division or State Electorate together with the members of State Executive, provided that the Members who are resident in the Federal Division or State Electorate are in the majority.
  - (b) For a local government division or ward, a Selection Committee will consist of the Members residing in the local government division or ward, together with the members of State Executive provided that the Members who are resident in the local government division or ward are in the majority.
  - (c) For the selection of a Candidate for Lord Mayor or Mayor or for a local government that does not have divisions or wards, a Selection Committee will consist of the Members residing in the local government area, together with the members of State Executive provided that the Members who are resident in the local government area, are in the majority.
  - (d) If the number of non-resident members of State Executive is more than is allowable under paragraph (a), (b) or (c), the members who will participate in the selection will be the President and the Vice- Presidents, if they are present, and such others as are chosen by lot.
  - (e) State Executive will determine any issues as to residence and any other matters and all arrangements concerning the selection of the Candidate by a Selection Committee.
  - (f) A Selection Committee will select a Candidate by secret exhaustive ballot.
- T.25 A Selection Committee must be conducted in the following manner –
- (a) The Selection Committee must be chaired by the President, a Vice-President or a member of State Executive nominated by the President or, in the absence of the President, the Vice-Presidents and in the absence of the President or Vice-Presidents' nominee, an eligible selector appointed by the State Director or Party Secretary.
  - (b) The State Director, Party Secretary or their nominee shall act as returning officer to ensure the selection ballot is conducted according to law.
  - (c) A statement of the particulars of each applicant in a form approved by the State Director must be distributed to each eligible selector at the commencement of each Selection Committee.
  - (d) The Selection Committee may allow an applicant not in attendance to participate in the ballot, and to address the Selection Committee for up to eight minutes by video, tape recording, telephone, letter or such other medium as the Selection Committee allows. Another person who is an eligible selector must represent such applicant.
  - (e) At the commencement of the Selection Committee, the Chair must –
    - (i) introduce each applicant for selection; and
    - (ii) ask all eligible selectors and each applicant whether they are satisfied with the constitution of the Selection Committee.
  - (f) If an objection is made to the constitution of the Selection Committee the Chair must either –
    - (i) determine the objection; or

- (ii) allow the Selection Committee to consider the objection and to determine it; or
  - (iii) adjourn the Selection Committee and refer the objection to the Honorary Legal Advisor for advice and then to State Executive for decision.
- (g) If an applicant does not make an objection to the constitution of the Selection Committee, that applicant shall be deemed to have waived any right they might otherwise have had to object to the constitution of the Selection Committee at a later time.
- (h) Following the introduction and a decision on the constitution of a Selection Committee, the applicants, except for the applicant to first address the Selection Committee, will withdraw from the room where the Selection Committee is held.
- (i) After the remaining applicants withdraw, no person shall be entitled to remain in the room where the Selection Committee is held other than –
- (i) all eligible selectors;
  - (ii) the applicant currently addressing the Selection Committee;
  - (iii) all Members who are members of a Branch of the Federal Division, State Electorate or local government ward or division for which the Selection Committee is being held, but who are not otherwise eligible selectors;
  - (iv) all Members of State Council; and
  - (v) officials employed by the Party.
- (j) Subject to clause T.8 each applicant is entitled to address the Selection Committee for up to eight minutes and is entitled to take questions for a further seven minutes.
- (k) After all applicants have addressed the Selection Committee, the Chair or any five eligible selectors may require –
- (i) a period of discussion providing this period is not used for lobbying or campaigning on behalf of any candidate; and/or
  - (ii) that one or more of the applicants be requested to return to the Selection Committee for such further period of questions as the Selection Committee determines.
- (l) After the conclusion of all business provided for by paragraphs © to (k), the Selection Committee must proceed to a ballot. The ballot shall be conducted by exhaustive secret ballot provided that if any one applicant has an absolute majority on the first or any subsequent count no further ballot shall be taken. If the total combined vote of any two or more applicants does not equal or exceed the vote of the next applicant for selection, those two or more applicants shall be eliminated from subsequent ballots.
- (m) Instead of casting a vote for an applicant, a selector may cast a “No Candidate” vote, signifying that the selector prefers to have none of the applicants as the Candidate. For paragraphs (l) and (n) the No Candidate vote will be counted as if it were a vote for another applicant, and references to applicants include No Candidate as an applicant.
- (n) If two or more applicants receive an equal number of votes and three attempts to break the tie have failed to eliminate an applicant, the Returning Officer must write the name of each such applicant on a ballot paper and place those ballot papers into a container. The Chair of the Selection Committee will then withdraw one of the ballot papers at random, and the applicant whose name is withdrawn will be declared the winning applicant.
- (o) At the conclusion of the balloting, the Chair must invite all applicants to appear before the Selection Committee and announce the name of the winning applicant, or that no applicant has been chosen.

- (p) At the conclusion of the proceedings of the Selection Committee, the Chair must cause all copies of the statements of the applicants' particulars and ballot papers to be held by the State Director who shall retain the papers in accordance with the *Electoral Act 1992* (Qld), as amended.
- (q) No tape recording, filming or video recording of the proceedings of a Selection Committee shall be permitted without a resolution by the Selection Committee or the prior written consent of the State Director.
- (r) A quorum for a Selection Committee held under this provision consists of 15 people entitled to attend and vote at the Selection Committee.
- (s) If a quorum cannot be formed as required by this rule then the Selection Committee cannot select a Candidate but may only make a recommendation to State Executive. State Executive must then select the Candidate by exhaustive secret ballot.

T.26 State Council shall have the right to endorse or refuse to endorse any applicant selected by a Selection Committee, after consultation with the Federal Divisional Council or State Electorate Council concerned.

### **Complaints and Appeals**

- T.27 (a) Any Member may complain to the State Director in writing if they believe that -
- (i) an applicant for selection; or
  - (ii) any person acting with the express or implied concurrence of such applicant for selection; or
  - (iii) an eligible selector to such selection;
- has been guilty of conduct gravely detrimental to the Party and which is calculated to affect the outcome of the selection.
- (b) Upon receipt of such document, the State Director shall investigate the complaint and shall report to the State Executive the results of such investigation.
  - (c) Upon receipt of the State Director's report, if the State Executive is satisfied that there has been conduct which is gravely detrimental to the Party and which is calculated or likely to affect the outcome of the selection, by any applicant for selection, or any person acting with the express or implied concurrence of an applicant for selection, then the State Executive shall have the power to exclude such applicant from the selection and from any other selection.
  - (d) If the applicant has already been endorsed then the State Executive may set aside such endorsement.
  - (e) Upon receipt of the State Director's report, if the State Executive is satisfied that an eligible selector has engaged in conduct which is gravely detrimental to the Party and which is calculated or likely to affect the outcome of such selection then the State Executive shall have the power to disqualify that selector from such selection and from any other selection.
  - (f) Prior to taking any decisions pursuant to this clause, the State Director shall give any Member against whom the State Executive is considering exercising its power under this clause the right to be heard.
  - (g) The State Executive shall not exercise any of the powers given to it pursuant to this clause, save and except by a motion carried by two thirds of those members of State Executive present and voting.
- T.28 Any applicant may appeal to the Disputes Committee against the conduct or result of any selection proceedings on the ground of unfair treatment or grave irregularity. Such applicant shall prepare a written statement, stating concisely their ground of appeal and prior to the selection or within three days thereafter, shall send copies of such statement to the State Director and the Chair of the Federal Divisional Council or State Electorate Council concerned and such appeal shall be accompanied by an appeal lodgement fee in

the sum of \$1,000.00 or such other sum as is fixed by By-law. On receipt of such statement, the Disputes Committee shall call for a report from the Federal Divisional Council or State Electorate Council concerned and the matter shall be considered at a meeting of the Committee called for that purpose. The Disputes Committee subject to the directions of State Council may decide -

- (a) to confirm the selection; or
- (b) to declare the selection void and to give directions for the making of a fresh selection, provided that should a fresh selection not be able to be made within a reasonable time before the nomination day, State Council shall select the applicant. In such a case the Disputes Committee may determine that part or all of the appeal lodgement fee be refunded to the appellant.

T.29 Notice of the decision of the Disputes Committee shall be forwarded by registered mail to the appellant as soon as the matter has been finally determined and such notice shall be deemed to have been received by the person to whom it is addressed at the time when in the ordinary course of posting it would have been delivered. Nothing in this clause shall prevent the communication of the result of the appeal to the appellant or to another person by the Disputes Committee in some other manner.

### **Conditions of Endorsement**

T.30 All endorsements shall be subject to the conditions that -

- (a) the Candidate must continue as a financial member of the Party, and that membership must not be suspended;
- (b) the Candidate will abide by the decisions of the State Executive, the Central Campaign Committee and the State Director in respect of the campaign;
- (c) the Candidate will abide by any decision by the State Executive, the State Director or the Party Secretary in relation to the provisions of the relevant electoral legislation;
- (d) the Candidate will sign such forms as may be required to be signed by the Candidate personally pursuant to such legislation, and authorise the State Director and the Party Secretary to sign any other such forms which are not required to be signed by the Candidate personally;
- (e) the Candidate will campaign in accordance with such financial limits as may be approved for the campaign by the Central Campaign Committee or the State Director;
- (f) the Candidate will be personally liable for any campaign expenditure in excess of that approved; and
- (g) the Candidate will refrain from accepting any donation from any person or organisation which imposes on the Candidate any guarantee or pledge and/or undertaking;

and such further conditions as State Executive may impose either generally or in a particular case.

T.31 Any endorsed Candidate who breaches a condition of endorsement shall be liable to have that endorsement cancelled, to be expelled from the Party, and to be personally liable for any expenses incurred by any Party Unit in the promotion of the campaign for such Candidate.

T.32 State Executive shall determine any violation of any undertaking and take appropriate action.

## **Provisions applicable to all Selections**

T.33 State Council may resolve that any endorsement be cancelled or that a further Candidate be endorsed if in the opinion of State Council such cancellation or further endorsement is desirable in the interests of the Party. In either case a new selection must be made in accordance with the provisions of this Part.

## **U MISCELLANEOUS**

U.1 The President, or in the absence of the President, a Vice-President shall preside at meetings of the State Executive, State Council and Annual State Convention.

U.2 Any member of a Party Unit other than a Regional Conference, Federal Divisional Council, State Electorate Council or SEC/Branch, or officer of a Party Unit who is absent without leave from two consecutive meetings of the Party Unit concerned shall be liable to have such position vacated by resolution of the body concerned which shall fill such vacancy as soon as practicable thereafter.

U.3 State Council shall be empowered to fill a vacancy in the office of President or Vice-President or in the place of another member of the State Executive for which provision is not otherwise made herein. In the event of a vacancy in the role of President or Vice-President, State Executive shall convene within a one (1) month period to fill that position. During which period, State Executive may appoint a member to act in that capacity. This appointment should be ratified at the next State Council meeting. In the event of a vacancy occurring in any other office of a Party Unit such vacancy shall be filled by the Party Unit that made the original appointment.

U.4 The President, the Vice-Presidents, the State Director, the Party Secretary, Parliamentary members and the Chair of Federal Divisional Councils and State Electorate Councils shall be non-voting ex officio members of Party Units as follows

- (a) Each of the President, the Vice-Presidents, the State Director and the Party Secretary shall be a member of all Party Units and committees of the Party;
- (b) Each Regional Chair and Liberal National Party Women (Queensland) Regional Chair shall be a member of all Branches and State Electorate Councils in the Region and of all Federal Divisional Councils in which such State Electorates are situated, or if any such State Electorate is situated in more than one Federal Division, of all such Federal Divisional Councils;
- (c) A member of the House of Representatives shall be a member of the corresponding Federal Divisional Council and of all State Electorate Councils and Branches within their Federal Division and a member of the Senate shall be a member of all Federal Divisional Councils, Regional Conferences, State Electorate Councils and Branches;
- (d) A member of the Legislative Assembly shall be a member of the corresponding State Electorate Council, of each Branch within their State electorate and of the Federal Divisional Council for the Division in which that electorate is situated and if situated in more than one Federal Division, of all the Federal Divisional Councils;
- (e) The Chair of a Federal Divisional Council and the Chair of a State Electorate Council shall be a member of each Branch that operates within such Federal Division or State Electorate and the Chair of a Federal Divisional Council shall be a member of each State Electorate Council of a State Electorate wholly or partly within such Federal Division.

U.5 It shall be competent for -

- (a) Regional Conferences;
- (b) State Electorate Councils;
- (c) Federal Divisional Councils;
- (d) State Council;
- (e) the State Executive; and



(f) Committees established under a provision of the Constitution

to co-opt one or more Members if they consider that it is in the best interests of the Party Unit to do so, subject to the following -

- (i) no more than 10% of the members of a Party Unit may be co-opted members;
- (ii) the resolution for the co-option of a Member must specify a date or event upon which the co-option will end;
- (iii) if it does not end sooner under paragraph (ii), the co-option of a Member will end 15 months after the date of the resolution for co-option;
- (iv) a co-opted Member will not have voting rights as a member of the Party Unit to which they are co-opted, but otherwise will have all the rights of a member of the Party Unit including to hold office and to be a delegate or representative of the Party Unit; and
- (v) a co-opted Member who is a delegate or representative of the Party Unit or who holds an ex officio appointment in consequence of an office held in the Party Unit, will have all the rights (including voting rights) of a delegate or representative or attaching to the appointed office.

- U.6 A Standing Committee shall report back to the body that appointed it except where that body determines that the report be made elsewhere. A Standing Committee may also report to a body other than the one that appointed it unless that body shall otherwise determine. The Chair of a Standing Committee shall be a member of State Council unless the body appointing the Committee otherwise determines.
- U.7 The expenses of any Member attending a meeting of any Party Unit shall be the responsibility of such Member unless the Member attends such meeting in a representative capacity and the Party Unit represented determines to contribute to such expenses, in which case only that Party Unit will be responsible for such expenses but only to the extent so determined.
- U.8 Any person who incurs expenses without authority from a Party Unit empowered to give such authority shall be liable for such expenditure.
- U.9 The Trustees, members of the State Executive and other officers for the time being of the Party acting in relation to any of the affairs of the Party and every one of them and every one of their heirs, executors and administrators are hereby indemnified and saved harmless out of the funds and the profits of the Party from and against all actions, costs, charges, losses, damages and expenses, which they or any of them, or any of their heirs, executors and administrators shall or may incur or sustain by or by reason of any act done, concurred in, or omitted in or about the execution of their duty or supposed duty in their respective offices, except such (if any) as they shall incur and sustain by or through their own wilful neglect or wilful default and none of them shall be answerable for the acts or defaults of the other or others of them or for joining in any receipt for the sake of conformity, or for the default of any bankers or other persons with whom any moneys or effects belonging to the Party shall or may be lodged or deposited for safe custody or for the insufficiency or deficiency of any security upon which any moneys of or belonging to the Party shall be placed or invested, or for any other loss, misfortune or damage which may happen in the execution of their respective offices or trusts or in relation thereto except where the same shall happen by or through their own wilful neglect or wilful default respectively.
- U.10 The Regional Chair, President or the Vice-Presidents may convene such meetings of members or representatives of Branches, Federal Divisional Councils or State Electorate Councils or any combination of the foregoing within the Chair Region (or, in the case of the President or the Vice-Presidents, within any Region) as necessary to transact such business as the convenor thinks fit.
- U.11 In the event of a redistribution of Federal Divisions or State Electorates, State Council shall -
- (a) fix a date after which this Constitution shall have effect on the basis of the altered Federal Divisions or State Electorates;
  - (b) determine which Party Units are to continue in existence in relation to the altered Federal Divisions or State Electorates, and which are to be dissolved; and

- (c) apply the funds and property of any dissolved Party Unit amongst new or continuing Party Units in such manner as it deems appropriate;

and this Constitution shall have effect in the manner provided by such determination.

U.12 No communication within the Party or otherwise may be made in the name of a Party Unit unless authorised by a properly constituted meeting of the Party Unit, provided always that the President or State Director may make such communications as they may deem necessary on behalf of the Party.

U.13 (a) Public statements on behalf of the Party may be made only by the President or the State Director.

(b) No Member shall make any statement or comment, either on or off the record, to any journalist or media organisation about the affairs of the Party without the prior approval of the President or State Director.

(c) To avoid any doubt, paragraph U.13(b) does not override or prohibit a Member's right to free speech on matters of policy.

U.14 Where this Constitution or the By-laws provide for the giving of Notice to Members of any meeting -

(a) The Notice shall be in writing and shall include the time and place of the meeting.

(b) The Notice may be given -

(i) by hand;

(ii) by post;

(iii) where the Member has recorded a facsimile number with the Party, by facsimile transmission;

(iv) where the Member has recorded an e-mail address with the Party, by e-mail transmission; or

(v) where the Member has no recorded facsimile number or e-mail address with the Party, the member can be contacted by telephone initially to determine their interest in receiving the required meeting notices.

(c) Party Units shall ensure that any time requirement for the giving of such Notice is complied with.

(d) Any failure to comply with any time requirement for the giving of such Notice shall not of itself invalidate any act or resolution of a Party Unit.

U.15 The powers of State Council or the State Director to fix any times for the doing of any act or delivery of any notice or document under this Constitution shall be deemed to include a power to fix or delimit any time on any such day for that purpose.

U.16 There shall be not less than 30 days Notice (including the day of sending the notice and the actual day of the meeting) of any Annual General Meeting of Party Units and not less than 14 days Notice (including the day of sending the notice and the actual day of the meeting) of any other meeting of any Regional Conference and not less than 7 days Notice (including the day of sending the notice and the actual day of the meeting) of any other meeting of Federal Divisional Council, State Electorate Council or Branch.

U.17 Notice of any annual General Meeting shall provide for -

(a) nominations in writing for any position provided for in this Constitution to be elected at such meeting;

(b) a closing date for such written nomination to be not less than seven days before the date set for the holding of such meeting;

(c) nominations for positions on any Federal Divisional Council, State Electorate Council, or Regional Conference to be made returnable to the State Director; and

(d) nominations for Branch positions to be made returnable to the Branch Secretary.

- U.18 Where there is only one nominee for any such position the State Director or Branch Secretary shall declare such nominee duly elected.
- U.19 Where there is more than one nominee for any such position a ballot shall be held at the meeting.
- U.20 Only where there are no nominees for any such position will it be permissible for nominations from the floor to be called at any such meeting.
- U.21 Other than for the selection of Candidates which is covered in Part T of this Constitution, ballots required under this Constitution shall be conducted by secret, optional preferential voting.
- U.22 Notice of any annual meeting of any Regional Conference, State Electorate Council or Federal Divisional Council or Branch shall be given to all members of such Party Unit entitled to attend the meeting.
- U.23 State Executive may cancel or postpone a meeting of a Party Unit if it considers it would be in the best interests of the Party to do so, provided such cancellation or postponement will not prevent the Party Unit from electing delegates.
- U.24 State Executive shall, subject to direction or ratification by State Council, determine all questions relating to the meaning and effect of the Constitution.
- U.25 Where a redistribution occurs and the Party already has a member of Parliament or a Candidate for an electorate which is wholly or partly within a new or altered Electorate, the State Executive may declare the member of Parliament or the Candidate to be the member of Parliament or the Candidate for the new or altered electorate. If there are a number of such members of Parliament or Candidates, the State Executive may declare which of them is to be the appropriate member or Candidate.
- U.26 There may be admitted to affiliation with the Party such kindred organisations as State Council shall admit on terms and subject to such conditions as State Council shall determine.
- U.27 (a) If in the opinion of State Council or State Executive any relevant circumstances are such that it would be in the best interests of the Party for it to do so State Council or State Executive may take a decision affecting a Member, including a decision to suspend the membership of the Member, or to restrict the Member's rights as a Member, without first giving the Member an opportunity to be heard.
- (b) If State Council, State Executive or the exercises a power under paragraph (a), it must ensure that the Member is given an opportunity to be heard as soon as it is reasonably practicable to do so.
- (c) For paragraph (b), it will not be necessary for a meeting of State Council, State Executive to be convened at a date earlier than it otherwise would have been convened if, in the opinion of the State Executive, it would not be in the best interests of the Party to do so.
- U.28 The Party shall employ a State Director and a Party Secretary, and may employ a Deputy State Director, as salaried officers of the Party engaged on such terms as may be approved by the State Executive.
- U.29 The State Director shall be the Chief Executive Officer of the Party and will be responsible to the State Executive for the proper and efficient administration of the Party. With the approval of the State Executive the State Director may delegate powers and functions to the Deputy State Director and or to the Party Secretary either absolutely or on such terms as may be specified in the delegation.
- U.30 The Party Secretary shall be the Chief Financial Officer of the Party and is responsible to the State Director for the proper and efficient administration of the Party.
- U.31 Members of State Executive may participate in meetings of State Executive by contemporaneous linking together in oral communication by telephone or other electronic means and where there is to be a vote on any motion by secret ballot shall be entitled to cast their vote by nominating a person present or the President as an amanuensis.
- U.32 (a) No paid employee of the Party shall be a direct report of an Immediate Family Member.
- (b) No representative of the Party shall be involved in the hiring decision making process where a member of their immediate family is an applicant.

- U.33 A Contact Directory shall be published and accessible to all members of the Party of all members of the State Executive, Applicant Review Committee Chair, and the Disputes Review Committee Chair, including all appointed members, co-opted members and Trustees. This Directory shall be updated as soon as practicable to reflect any changes made to these memberships.
- U.34 No alteration or amendment of this Constitution shall be made except in the following manner -
- (a) a proposal for an amendment or alteration must be given in writing signed by the mover and must be in the hands of the Party Secretary at least 50 days before the date of the meeting at which it is first considered.
  - (b) subject to clause U.35, no constitutional amendment shall be considered at any State Convention other than the convention to be held in 2021 and every fifth convention held thereafter; and
  - (c) the proposed alteration or amendment shall be carried only when and if the votes recorded in its favour total two thirds or more of the votes cast on the question.
- U.35 If State Council resolves by not less than a three fourths majority that a State Convention may consider a proposed amendment identified in the resolution, that convention may do so.
- U.36 Despite any other provision in this Constitution:
- (a) Members of a Branch, State Electorate Council or Federal Divisional Council or Regional Council/Conference, or State Executive may meet in person, by video conference, teleconference or similar means or by a combination of those forms, with circumstances and operations determined by By-Laws; and
  - (b) This clause does not apply to a Selection Committee for the purposes of Clause T.
- U.37 Where clause U.36 applies:
- (a) The member or members of the Branch, State Electorate Council , Federal Divisional Council or Regional Council/Conference in attendance at the place appointed for the meeting; and
  - (b) The member or members absent from that place but who can hear and be heard as described in that clause are deemed to be assembled together at that meeting held at that place for the purposes of quorum.

## **V A ZERO TOLERANCE FOR RISKS TO PERSONAL SAFETY**

- V.1
- (a) The Party has a zero tolerance policy for criminal activity and sexual harassment.
  - (b) It is the Party's policy that all credible complaints of conduct with the potential to constitute a criminal offence, should, with the complainant's consent, be referred to the police for investigation, no matter the membership status or position held by the person involved.
  - (c) The President will appoint a male and a female person of good repute and high trust and relevant qualification within the Party to hold the role of Personal Safety Officer, with that person's name and contact information to be made available on the Party website as a point of contact for people wishing to make a complaint of sexual harassment or alleged criminal activity.
  - (d) The Personal Safety Officers' role is to confidentially and sensitively receive approaches from people who have experienced alleged sexual harassment and/or alleged criminal activity (a 'Complainant'), and to provide them with support and advice about their options for seeking justice.
    - i. The Personal Safety Officer will put in place appropriate mechanisms to ensure confidentiality for the Complainant and the Accused.
  - (e) A Personal Safety Officer must not be a member of State Executive and must act at all times in the best interests of a Complainant.

- (f) A Personal Safety Officer approached by a Complainant must advise a Complainant of the options available for them to resolve the matter to their satisfaction, whether by assisting them to make a complaint to the police, assisting them to prepare a formal complaint to State Executive for disciplinary action, or negotiating an outcome satisfactory to the Complainant, as is appropriate in the circumstances.
- (g) The Party will have a clear, publicly available policy about what constitutes sexual harassment, sexual assault and sexually inappropriate conduct. That policy will at all times include the names and contact information for the Personal Safety Officers.
- (h) The Party encourages all members to take seriously any matters of alleged sexual harassment and/or alleged criminal conduct, and to foster a continually improving culture of safety for all by supporting potential Complainants to come forward.”

**W      TRANSITIONAL PROVISIONS**

- W.1      The amendments made to this Constitution at the July 2021 State Convention will take effect on and from 31 October 2021. These amendments will not be retrospective except the change to Clause V.34 (b) which applies from the start of the 2021 State Convention.