



NEW ZEALAND FIRST PARTY CONSTITUTION

2018

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PREAMBLE

- 1) New Zealand First recognises the right of all New Zealanders to a fulfilling and satisfying life and to participate fully in national life by the application of commonsense in all policies it brings to government.
- 2) New Zealand First is committed to ensuring the emotional and economic well-being of all New Zealanders, including securing their equal access to education, health, employment and to the law.
- 3) In the day to day running of the Party and in government, New Zealand First is guided by the principles of:
 - open and accountable government
 - consensus
 - mutual respect and co-operation, and
 - tolerance and understanding
- 4) New Zealand First, recognizing our cultural differences in New Zealand and understanding our common destiny, will promote and protect the customs, traditions and values of all New Zealanders.

The following provisions are the Constitution of New Zealand First

Interpretation

- 1) In this Constitution Unless the Context Otherwise Requires:
 - “Annual General Meeting” forms part of the Convention.
 - “Attend” includes presence of a person at the transaction of business by means of telephone or other electronic technology.
 - “Board” means the controlling body of the Party“
 - “Candidate” includes an Electorate candidate and a List candidate unless the context requires otherwise.
 - “Constitution” means this Constitution and includes the Preamble.
 - “Convention” includes the Annual General Meeting of the Party provided for under paragraph 14.
 - “Current year” means the year or part of a year between the Convention in any year and the Convention to follow in the subsequent year.
 - “Deputy Leader” means the Deputy Leader of the Party selected under paragraph 46.
 - “List Selection Supervisor” means the person appointed as the List Selection Supervisor by the Board. “Electorate” means a constituency as defined by the Representation Commission as an Electorate under

Paragraph 28(a) of this Constitution and does not include the Young New Zealand First Electorate except as provided for in Schedule 5.

“Electorate representation teams” the board shall create from time to time electorate groupings; initially they shall be North Electorates; Central Electorates”; Middle Electorates” and South Electorates. The North Electorates shall be all electorates entirely above the Bombay Hills, Central electorates shall be those electorates including those south of the Bombay Hills and above (but not including) Lake Taupo; Central electorates shall be those below including Lake Taupo and above Kaikoura (including the West Coast); and South electorates shall be all remaining electorates. The Board may at any time change which electorates are in a representative team.

“Electorate Committee” means an Electorate Committee established under paragraph 29.

“Electorate Representatives” means members selected as per paragraph 39.2

“Electorate Voting Delegate” means a person elected as an Electorate Voting Delegate under paragraph 30.8. “Financial Year” means the financial year of the Party that runs from 1 April to 31 March.

“Financial Member” means a full member who has paid their subscription for the current financial year.

“In writing” includes communication by email to the intended receiver’s last known email address to which the communication may be successfully sent.

“Judicial Officer” means the person appointed as Judicial Officer under paragraph 25.

“Leader” means the Leader of the Party selected under paragraph 46.

“List Ranking Committee” means the List Ranking Committee established under paragraph 39.

“Member” and “full member” and “financial member” mean a person who qualifies for and is a member under the paragraph 5 & 6.

“Month” means a calendar month.

“Parliamentary Division” means all of the New Zealand First members of Parliament as defined in paragraph 47.

“Party” means the New Zealand First Political Party.

“Party Member Active List” means the list of financial members of the Party kept by the

membership secretary who have not been removed from it under paragraph 7.

“Secretary General” means the Secretary General appointed by the Board. “Party Treasurer” means the Party Treasurer appointed by the Board.

“Permanently reside” and “permanent residence” mean the place at which the member is enrolled to vote according to the latest published official electoral role for parliamentary elections.

“President” means the President of the Party elected by the party convention.

“Selection Committee” means the committee provided for under the Constitution for the selection of candidates for any parliamentary general election or by-election.

“Voting Delegate” includes Electorate voting delegates and all Electorate Chairpersons and Deputy Chairpersons. “Working day” is any day not being a Saturday, Sunday or public holiday.

“Young New Zealand First Electorate” is provided for in Paragraph 29.5, and in Schedule 5.

“Young New Zealand First Electorate Committee” is the committee for the Young New Zealand First Electorate provided for in Schedule 5.

“Young New Zealand First Electorate Secretary” is the secretary of the Young New Zealand First Electorate provided for in Schedule 5.

“Young New Zealand First Electorate Treasurer” is the treasurer for the Young New Zealand First Electorate provided for in Schedule 5.

“Young New Zealand First Electorate Chair” is the chairperson for the Young New Zealand First Electorate provided for in Schedule 5.

2) Name and Colours

- a) The name of the Party is New Zealand First
- b) The Party colours are black and white.

3) Office

- a) The office of the Party is at such address as the Board shall determine from time to time.
- b) Any change to an official Party address or phone number must be reported to the President.

4) Objects

4.1) The objects and functions for which the Party is established are:

- a) To promote and manage the goals of New Zealand First, including selection and

- support of candidates for election to the New Zealand House of Representatives.
- b) To provide facilities, amenities and opportunities for the use and enjoyment of the members of the Party.
 - c) To purchase, take on lease, exchange, hire or otherwise acquire any real and/or personal property that may be necessary for the purposes of the Party, or used in connection with any of the objects of the Party.
 - d) To sell, manage, lease, mortgage, dispose of or otherwise deal with property both real and personal for the benefit of the Party.
 - e) To construct and maintain any Party rooms, offices, buildings or works necessary for the purposes and objects of the Party.
 - f) To take any gift of property (whether subject to any special trust or not) for any one or more of the objects of the Party.
 - g) To take any action, by personal or written appeals, public meetings or otherwise, as is necessary to secure contributions to the funds of the Party.
 - h) To print and publish any newspapers, periodicals, books, leaflets and any promotions by electronic means that the Party may think beneficial.
 - i) To borrow money (by way of overdraft or otherwise), and to give security over all or any of the property of the Party, in particular by mortgage, on all or any of the property of the Party.
 - j) To invest all moneys of the Party not immediately required for any of its objects in a manner to be determined by the Board.
 - k) To establish and support Branch and Electorate structures of the Party to promote the principles of the Party.
 - l) To acquire such rights, licenses, liberties, privileges, patents or other items as may be desirable for the promotion of the activities of the Party.
 - m) Either solely or in conjunction with other individuals or incorporated societies or other legal entities to pursue or carry out any of the above objects or functions, or any things incidental to the attainment of the objects of the Party.

Non-profit

- 4.2 The Party is a non-profit making body set up to undertake political activity.
- 4.3 Any income, benefit or advantage received by the party shall be applied towards the objectives and for the exclusive benefit of the Party.
- 4.4 No member shall derive any pecuniary gain from the property or operations of the Party unless as an employee under a contract of service, or as a contractor under a contract for services, or under a contract for the supply of goods and/or services, under and in accordance with normal commercial practice.
- 4.5 No member nor any person associated with a member shall participate in or materially influence any decision made by the Party in respect of the payment to or on behalf of that

member or associated person of any income, benefit, of advantage whatsoever.

5) Classification of Members

- 5.1) **FULL MEMBER** - Every member is a full member of the party once the member's application is accepted by the party and the members name recorded on the party membership list, and has paid the annual subscription
- 5.2) **LIFE MEMBER** - A life member is elected to membership for the remainder of their life in recognition of exceptionally distinguished service rendered to the party under paragraph 7, and is a full member to be known as a life member who shall be deemed to be a financial member without liability for payment of the annual subscription. There shall be no more than 20 life members at anytime.
- 5.3) **YOUNG NEW ZEALAND FIRST MEMBER** - is a member aged between 18 - 30.
- 5.4) **FINANCIAL MEMBER** is a full member who has paid the annual subscription for the current financial year.

6) Members

- 6.1) Any natural person may apply to be a member of the party.
- 6.2) The applicant for membership may complete the application process on the party's website, and pay the annual subscription set by the Board.
- 6.3) On completion of the process of the website the party Board shall consider the application and may accept or reject the same. Before deciding to accept or reject the application the Board may cause the Secretary General to make such enquires of the applicant and the local Electorate Committee, as the Board considers appropriate.
- 6.4) Alternatively; any person may apply in writing (including completing the application form on any electronic device set up by the Party for that purpose) to join the party, the applicant to provide:
 - a) Full name
 - b) Address
 - c) Email address
 - d) Phone number
 - e) Other electronic addresses (optional)
 - f) State if they are enrolled as an elector. (Note: not being enrolled or eligible to enroll, as an elector does not prohibit the person joining the Party).
 - g) Pay the annual subscription fee as set by the Board.
- 6.5) A written application may be accepted for consideration by the Board by the Secretary General, any member of the Board, applications posted to the party's postal address, any member of the Electorate committees and any persons authorized by the Board.
- 6.6) The Board may accept the application at its absolute discretion in any other manner it decides to approve.
- 6.7) The Secretary General shall on a member's application being accepted cause the

members name to be entered into the party's membership list and ensure the member is registered with the appropriate Electorate Committee who shall contact the new member and invite them to party meetings and functions. A member cannot be recorded as a member of more than one Electorate at any time, and a member cannot be recorded as a member of more than one Branch at any time.

- 6.8) A member may renew their membership online using the party's website or in writing provided they pay the annual membership fee.
- 6.9) Members are obliged to keep the record of their contact details current with the Party.
- 6.10) If a membership application is declined the Secretary General shall cause the membership fee to be refunded.
- 6.11) Only financial members who are eligible to enroll as an elector may participate and vote to select candidates who apply to stand for Parliament on the Party list.

Life Membership

- 6.12) Life Members shall be elected at the Convention. Only a full member may be nominated.
- 6.13) Nominations for Life Membership must be made in writing, signed by a proposer who is a full member and countersigned by a seconder who shall also be a full member, and shall be submitted to the Board not less than one month before the Convention.
- 6.14) Nominations for Life membership must be approved by a vote of more than 90 percent of the Board before being put before the Convention. Only upon receiving at least a three-fifths majority of the members voting at the Convention shall a nominated full member be elected a Life Member by the Party.

7) Subscription

- 7.1) The amount of the annual subscription payable by members is the sum set by the Board and ratified by the membership attending the Party at its Convention. Once ratified by the party at convention the annual subscription shall remain fixed until the Board recommends a new membership fee for ratification by the convention.
- 7.2) If the Party at Convention does not ratify the annual subscription initially recommended by the Board, it must instead refer the matter back to the Board for further consideration, following which the Board may make a second recommendation to the same Convention, or alternatively may defer the matter to the following year's Convention. In the case of the Convention not ratifying the Board's initial recommendation, the Board may delegate its power to reconsider and to make a second recommendation to the same Convention, to any three members of the Board present at the Convention. If the Convention does not ratify the second recommendation, then the annual subscription shall remain unchanged.
- 7.3) The annual subscription is payable on the first day of April (the renewal date) each year.

- 7.4) Renewal notices for every member, including both financial and non-financial members as at the renewal date, shall be sent to each member by the membership secretary during the four months following the renewal date, requiring payment by the end of the second month (the due date) following the month during which the renewal notice is sent.
- 7.5) Renewal notices may be sent by post or by email or both or given in person.
- 7.6) A member may pay the subscription whether they have received a renewal notice or not.
- 7.7) As an alternative to annual payment, the Board will offer every member the option of payment of the subscription by monthly or quarterly instalments and will seek to have as many subscriptions paid by instalments as possible. Payment by instalments will be for a minimum monthly or quarterly amount to be fixed from time to time by the Board. Provided that the annual total of payment by instalments must exceed the annual subscription by at least 100%; and the excess over the amount of the annual subscription will be a donation to the Party.
- 7.8) Where a member pays the subscription by instalments, the annual renewal notice will show that the annual subscription has been paid and will operate as a receipt.
- 7.9) Payment by instalments may be by any of the following methods, and the Board will provide all members with the necessary forms of authority for these purposes:
- a) Automatic bank transfer from a member's specified bank account
 - b) Automatic debit on the member's specified credit card
 - c) Direct credit to the appropriate party bank account
 - d) By cheque to the appropriate party official
- 7.10) If the annual subscription of any member of the Party is unpaid after the due date, then that member shall not be a financial member from the due date (unless the Board shall otherwise determine for any special circumstances it considers applying) and shall not be entitled to exercise or enjoy any right of membership during the period the annual subscription remains unpaid.
- 7.11) If the annual subscription of any member of the Party remains unpaid on the 31st day of March in the financial year following the renewal date, then the member will be removed from the Party Member Active List, until an annual subscription (without any prerequisite liability to pay any arrears of past unpaid subscriptions for previous financial years) is paid for the financial year during which payment is made

8) Political Affiliation

- 8.1) A member shall not stand as a candidate with the name New Zealand First in whole or in part as his/her party affiliation for any local government election.
- 8.2) The Board must take any action it thinks necessary (including legal action) to protect the name New Zealand First whenever it considers that the name has been, or is being, or is likely to be, or may be, misappropriated misused or misrepresented by any person.

9) Termination of Membership

- 9.1) A member may terminate membership by voluntary written resignation or by email addressed to the Party membership secretary.
- 9.2) Membership is ipso facto terminated by the death of a member or by his/her permanent incapacity.
- 9.3) Membership of NZF shall automatically terminate if a member seeks/obtains membership of another political party in New Zealand,
- 9.4) If it appears to the Board that the conduct of any member has been offensive, undesirable, inconsistent with the welfare and interests of the Party, or contrary to the Constitution, the Board shall, on receiving a written complaint, or on its own initiative, resolve to consider that member's continuing membership of the Party. A hearing shall be convened by the Board to consider the complaint.
- 9.5) Within 14 days of its resolution the Board shall notify the member concerned in writing by personal service or by mail or by email of:
 - a) The nature and details of the complaint;
 - b) The date, time and place for the of hearing; and
 - c) The member's right to be present and to be heard in person or at the member's option by telephone or audio-visual means.
- 9.6) The hearing must take place within 14 days of the date of the Board's notification under paragraph 9.5)
- 9.7) The member is not entitled to be represented at the hearing but may be supported there by a full member who shall not directly take part in the hearing.
- 9.8) Subject always to the provisions of this constitution, the hearing under paragraph 9.4 will be conducted in private and otherwise in accordance with the usually accepted rules of natural justice.
- 9.9) If the Board determines that the member's behaviour was so offensive, undesirable, inconsistent with the Party's welfare or interests, or contrary to the Constitution, that the reputation or good standing of the party or the best interests of the Party so requires, then the Board may, by a majority decision of the Board members present and voting at the meeting, resolve to impose any one or more of the following penalties on the member concerned:
 - a) Censure the member in writing;
 - b) Suspend the member from some or all the rights and privileges of membership, for such

a period as the Board shall think fit, to be specified in a notice sent to the member concerned in writing by personal service or by mail or by email. Should no date of commencement of suspension of membership be specified in the notice then the date of commencement shall be the date the notice was sent;

- c) Permanently terminate the member's membership of the Party as at the date (not being a retrospective date) to be specified in a notice sent to the member concerned in writing by personal service or by mail or by email. Should no such date be specified in the notice then the date of termination shall be the date the notice was sent.

9.10) If a member of the Board makes a written complaint under paragraph 9.4, the complainant must be excluded from participation in the hearing and from voting on the issue.

9.11) If a member's membership is terminated in any way under this paragraph 9, and the member is a New Zealand First Member of Parliament, then the member will upon notification under this paragraph 9 ipso facto cease to be a member of the New Zealand First Parliamentary Division and caucus.

10) Management of the Party

10.1) Board

The governance and management oversight of all the Party's affairs (not including the affairs of the Parliamentary Division) shall be vested in the Board which shall have the power to do all acts and things consistent with this constitution that it considers proper or expedient for accomplishing the objects and carrying on the affairs of the Party including the Board the power to:

- a) Appoint the Secretary General (on the joint recommendation of the Leader and President).
- b) Appoint a Treasurer to the party on such terms as the Board directs (on the recommendation of the Secretary General).
- c) Appoint the List Selection Supervisor (on the recommendation of the Secretary General).
- d) Manage and expend the funds and property of the Party (including the power to invest) and incur such liabilities on behalf of the Party as it may think necessary or expedient to further the objects or purposes of the Party.
- e) Engage or appoint and remove employees and contractors, to define their duties and powers, and to fix and determine their salaries and emoluments;
- f)) To make, alter and repeal resolutions and rules consistent with this constitution, which are necessary for the well-being of the Party.
- g) To delegate its functions (without abdication of responsibility) as it thinks fit; including the engagement of out sourced providers

10.2) Proceedings of Board

- a) The Chair of the Board will be the President, (in the President's absence a member of the board elected to chair the meeting) and the President shall be the spokesperson for the Board

- b) The Board shall meet for the dispatch of business at times and places specified by the Secretary General but shall meet in conjunction with each annual Convention, and (including the meeting in conjunction with the Convention) at least twice in person or by telephone conference, in between each successive Convention.
- c) The President, Secretary General or the Leader may convene a meeting.
- d) A quorum of the Board shall be 50% of the Board but must include either the President or the Leader.
- e) Board meetings may be in person or by telephone conference or other electronic technology to constitute a quorum.
- f)) The Board shall otherwise regulate its own procedure.
- g) The Board may from time to time establish any committees that are required. The function of committees is to carry out the instructions of the Board.

10.3) Constitution of the

Board The Board

Directors shall be:

- a) The Leader;
- b) The Deputy Leader.
- c) The President - Chair.
- d) Eight elected members being two members from each of the Electorate Groups.
- e) The Secretary General.
- f) Both the Leader and the Deputy Leader may appoint a member of the Parliamentary team as an alternate board member to attend board meetings and cast their vote in their absence. It is permissible for any person appointed as an alternative to attend all board meetings (but not vote unless the member they are alternative for is absent).

10.4) A Board member may resign by notice in writing to the Secretary General; and the office of a board member shall be deemed to be vacated permanently if the holder:

- a) Ceases to be a member;
- b) Dies;
- c) Is permanently incapacitated, or (unless the Board resolves to waive this provision) is temporarily incapacitated for an extended period of longer than 3 months;
- d) Resides overseas for an extended period of longer than 3 months (unless the Board resolves to waive this provision);
- e) Is absent from three consecutive Board meetings without the Board's prior written approval;
- f) Registers to be a candidate in a pending election as a member of parliament (this does not apply to the Leader or the Deputy Leader or to a Board member who requests in writing to be listed in the lower half of the list, such written request is binding on the ranking committee).

10.5) If an elected director's position is vacated it, then the Board may appoint any full member who is qualified to be nominated for election to the position for the remainder of the vacating Board members term.

11) Officers of the Board Elected by the Members

11.1) President

- a) The President shall be elected annually at the Convention and shall be eligible for re-election at each Convention thereafter.
- b) The President, or in the President's absence The Leader shall preside at the Convention and any Special Meetings of the Party.
- c) The President (or in the President's absence a person appointed by the Board shall furnish at each Convention a full report on the operation of the Party during the 12 months to the 31 March each year.
- d) The President shall, ex-officio, be a member of all electorate committees of the Party.
- e) The President has the right to attend any Party meeting.

11.2) Board Members

- a) Subject to paragraph 50 (transition provisions) Eight board members (as per paragraph 10 (3) (d) shall be elected for two years at the Convention, provided that half the elected Board members shall stand for re-election each year.
- b) Each Electorate shall be entitled to nominate one person, but not more than one person, for election as President and one person for one of the two Board members in there electorate group.
- c) A Board approved notice calling for nominations for the Board approved nomination forms and Board approved candidate declaration forms shall be circulated to the Party branches and electorates at least 50 days before the annual Convention.
- d) Nominations must be delivered to the Secretary General no later than 28 days before the first day of the annual Convention.
- e) To be eligible to be nominated for election to the Board, a candidate must have been a full Member of the Party at the date of nomination for at least six months, and not be a member of parliament.
- f) Nominations shall be in writing, signed by not less than two full members of the electorate making the nomination.
- g) The nomination form must bear the full name current address and signature of the candidate as evidence of consent to the nomination and must be accompanied by a completed declaration form.
- h) Election shall be by secret ballot if there is more than one nomination for any Board position.
- i) Every voting delegate (or substitute) shall have one vote.
- j) The candidate receiving the highest number of votes shall be elected to the office.
- k) An elected Board Member shall serve from the day after the end of the Convention at which the officer is elected, until the Party at Convention replaces the member.
- l) All elected Board members whose term is ending at the annual Convention shall be eligible for re-election at that Convention for another term.
- m) Only voting members at the Convention representing Electorates in the North, Central

and South electorates respectively are entitled to vote for the North, Central and South Electorates Board members;

- n) An annual honorarium may be paid to each of the Party President, and the Party Treasurer. The amount of each honorarium will be set from time to time by the Board; and the amount set may be any sum the Board thinks fit. The Board members will not discuss either their deliberations, or the Board's decision made under this paragraph, with any member or other person; and the Party President and the Party Treasurer may not take part in either the Board's deliberations or in the voting on the amounts of the honoraria to be set.

12) Officers of the Party appointed by the Board

12.1) Secretary General

- a) The Secretary General may be appointed by the Board on the joint recommendation of the Leader and the President.
- b) The Secretary General shall be responsible for the orderly management of the party including those roles in Schedule 1, 2 and 3.
- c) The Secretary General is a fully participating member of the Board.
- d) The Secretary General may with the agreement of the Board delegate to a suitable person or entity the duties and responsibilities in Schedule 1, 2 and 3, but shall remain responsible to ensure such delegations are carried out effectively
- e) The Secretary General must be a full Party Members and will be engaged on a contract for services or on a contract of service upon such terms and conditions the Board shall think fit.
- f) A member of parliament shall not be appointed, as the Secretary General
- g) The Secretary General shall see that the Party Treasurer properly accounts for the funds of the Party and that proper books of account are kept. In the case of default in the duties of the Party Treasurer it shall be the obligation of the Secretary General to bring the matter to the attention of the President.
- h) The Secretary General shall maintain the Party's relationship with the Electoral Commission and hold responsibility for the required filing of all legal returns and declarations and all other obligations on behalf of the Party under the Electoral Act 1993 and other applicable electoral legislation and Regulations.

12.2) Party Treasurer

- a) The appointment of the Party Treasurer may be ratified by the board on the recommendation of the Secretary General.
- b) The Party Treasurer shall collect and account for all electorate levies and other moneys payable to the Party, bank the same to the credit of the Party's banking accounts, disburse the moneys of the Party under the Party's authority and keep proper accounts of the financial affairs of the Party.
- c) The Party Treasurer shall submit accounts payable by the Party for approval of the Finance Committee before payment and report to the Finance Committee, prior to each meeting of the Board, on the state of the Party's finances.
- d) The Party Treasurer shall immediately after the close of each financial year, prepare and submit to audit a Statement of Accounts and Balance Sheet for the year and present a budget of estimated Receipts and Expenditure for the ensuring year, to the Convention.
- e) The Party Treasurer shall sign all cheques and withdrawal slips and financial documents, which must also be countersigned by either the President or the Secretary General.

12.3) List Selection Supervisor

- a) The appointment of the List Selection Supervisor may be ratified by the board on the recommendation of the Secretary General.
- b) The List Selection Supervisor must be a full member of the Party and not a member of parliament.
- c) The List Selection Supervisor's principal role is to be responsible for all administration functions in relation to the selection of parliamentary candidates, and if selected as an Electorate and/or List candidate, his/her appointment as List Selection Supervisor shall thereupon be deemed to have been vacated.
- e) The List Selection Supervisor shall always respect the confidentiality of all party information and shall take all practical actions to ensure the maintenance of the security of all confidential party information.
- f) The List Selection Supervisor shall perform the functions and duties of their office as specified in Schedule 4.

12.4) Auditor

- a) A professional Auditor (who must not be a Board Member or a Party member) shall be appointed by the Annual General Meeting of the Party.
- b) If an Auditor is not for any reason appointed by the Annual General Meeting, then the Board must within one month thereafter appoint a professional Auditor (who must be neither a Board Member nor a Party member).
- c) The Board will approve the reasonable costs of the Auditor's audit.
- d) The Auditor shall examine and report on the Annual Statement of accounts and Balance Sheet and shall at all reasonable times have access to the Party's books and accounts and shall be entitled to any information necessary and desirable for audit purposes.

13) Constitutional Amendments

- 13.1) The Party shall have a Constitution Committee comprising the judicial officer and two Members appointed by the Board from time to time. The judicial officer shall chair the Constitution Committee.
- 13.2) The Constitution Committee shall on the written request of the Board, any Party member, branch, electorate, or the Convention, give advice on all issues concerning the interpretation and operation of the Constitution. All such advice shall be final unless the Board resolves otherwise, giving reasons for so doing.
- 13.3) Any proposed amendment to the Constitution must be submitted to the Constitutional committee or may be initiated by the Constitutional Committee. To preserve the role and intent of the Party, no changes shall be made to the non-profit nature of the organization.
- 13.4) The Constitutional Committee shall submit a recommendation on any amendment that it considers desirable, to the Board. The Board may adopt or refer to the Constitutional Committee amendments recommended.
- 13.5) Where the Board resolves to adopt an amendment, it shall normally be referred to the Convention held next after the last general election for approval, provided however that the

Board may refer any amendment it has adopted to any Convention for approval if it considers that it is in the best interests of the Party to do so.

- 13.6) The Constitution shall not be amended unless the amendment is approved by a resolution passed by a two-thirds majority of the full members who are present and who vote either at the Convention or at a Special General Meeting convened for that specific purpose.
- 13.7) Every Member shall be deemed to have notice of and be bound by this Constitution and its amendments.

14) The Convention

- 14.1) The Annual General Meeting of the Party and the Convention will be held on the same dates and at the same place and will normally be held by 30 September in each year unless the Board decides otherwise. The Board shall determine the date, time and place.
- 14.2) The Convention shall firstly conduct the Annual General Meeting at which it shall:
- a) Receive and discuss the Annual Report of the President.
 - b) Receive and discuss the report of the Secretary General on the state of the party.
 - c) Elect and appoint the President and Nine Board Members for the current year;
 - d) Fix the subscription for the following year.
- 14.3) Following the Annual General Meeting the Convention may:
- a) Hear addresses by the Leader, and by invitation, by other members and guests.
 - b) Consider and deal with notices of motion, remits and policy proposal (the Convention will normally only consider proposed amendments to the Constitution in the year following a parliamentary general election, will normally only consider proposed policy remits in the second year following the last parliamentary general election, and will normally only consider proposed campaigning issues in the year in which a parliamentary general election is to be held).
 - c) Conduct such other business that has been placed on the agenda by the board or electorate committees no later than 28 days prior to the meeting.
 - d) Members of the party who reside in an electorate with no functioning electorate committee may apply to the board for approval to be a voting delegate for that electorate.
- 14.4) All Annual General Meetings of branches and Electorates shall as far as practicable be held before the Convention.
- 14.5) The Secretary General shall give at least 50 days' notice to members, branches and electorates
as to the date time and place of the Convention.
- 14.6) Board members and members of the Parliamentary Division shall be entitled to exercise one vote each at the Convention, provided that none of them shall exercise more than one vote.

15) Remits

- 15.1) Remits for the Convention must be submitted through and approved by Electorate Committees.
- 15.2) Any remits approved for the Convention by an Electorate Committee must reach the Secretary General not later than 28 calendar days prior to the first day of the Convention, provided however that the Remit Committee may in its discretion admit late remits if it finds good reason for doing so.
- 15.3) Remits must be provided on the approved remit form and must be concise and clearly state whether they are proposals for amendment of the Constitution, or are policy proposals, or are notices of motion on other matters.
- 15.4) The Board will appoint a Remit Committee which shall evaluate and decide on remits to appear at the next Convention or at a subsequent Convention, and may rule any remit out may redraft any remit to assist with its relevance or suitability for the Convention at which it is to be considered and to assist with its understand- ability; and the Remit Committee may consolidate remits on the same or similar subjects or present remits in the alternative, and may group them into subject areas, and may list them in order of priority for consideration.

16 Special General Meetings

- 16.1) A Special General Meeting is a meeting of delegates summoned by the Board at which only the business for which the meeting was convened can be dealt with.
- 16.2) A Special General Meeting will be convened:
 - a). At any time upon the order of the Board; or
 - b). If at least 25 percent of all full and financial members sign a written request for a Special General Meeting, addressed to the Secretary General, setting out the object or objects for the proposed meeting.
- 16.3) A Special General Meeting must be convened within 60 days of the Secretary General receiving the order of the Board or the written request of members.

17) Rules for Party Annual General Meetings, the Convention, and Party Special General Meetings

- 17.1) At least 100 voting delegates and their substitute delegates must be present to constitute a quorum before a Special General Meeting (Secretary General), or the Annual General Meeting (AGM), or the Convention, can transact any business.
- 17.2) If a quorum is not present within an hour after the time appointed for an Secretary General, AGM, and/or the Convention meetings, they will either:
 - a) Be dissolved if the members present decide; or
 - b) Stand adjourned until the time and place fixed by the Chairperson of the adjourned meeting.
- 17.3) At all such meetings every voting delegate (or their substitute delegate), every member of the Board, and every member of the Parliamentary Division shall on each question have one vote, provided that none of them shall have more than one vote.
- 17.4) In the case of an equality of votes, the Chairperson shall have a casting vote.

- 17.5) Except for contested elections of office holders or as otherwise provided by the Constitution, voting shall be on voices or a showoff hands, or if the Chairperson and any two members present and entitled to vote shall so require, by secret ballot.
- 17.6) Any declaration by the Chairperson as to the result of the voting and its entry into the Minutes of the meeting shall be conclusive evidence of the issue being passed or rejected.
- 17.7) The results of an election of National Officers, Directors, and other positions shall not be released or otherwise be made known to the meeting, however if an unsuccessful candidate specifically requests that the information be released, and the meeting by resolution approves this, then the information will be released to that unsuccessful candidate only.
- 17.8) The Minutes of each meeting shall be kept and distributed to branches and electorates prior to the next meeting.

18) Common Seal

- 18.1) The Common Seal of the Party shall bear the name of the Party and shall be kept in the custody of the Secretary General.
- 18.2) If the Board so resolves, the seal shall be affixed to any instrument, deed or document in the presence of two Board members as witnesses, including either the President or the Secretary General.
- 18.3) The witnesses must subscribe their signatures and their names and offices on the instrument, deed or document as witnesses.

19) Finances

- 19.1) The Board shall decide the Bank and Branches at which to keep any bank account in the Party's name, provided that while Kiwi Bank continues in business in New Zealand as a fully New Zealand owned bank, it shall be the bank at which the Party and its Electorates and Branches will have their bank accounts.
- 19.2) The Secretary General and the Party Treasurer shall be the signatories on all party accounts. However, the Board may at any time authorise additional Board members to be signatories.
- 19.3) Funds of the Party which are not immediately required for the due administration of the Party, may be invested in any lawful trustee investment, including:
- a) A mortgage or mortgages of real estate in New Zealand
 - b) A fixed deposit in the bank authorised under paragraph 26 (a).
 - c) Government securities in New Zealand.
- 19.4) The whole of the subscription raised from members under Paragraph 7 shall be payable to the electorate committee of the member paying the subscription.
- 19.5) All funds raised by Electorates and Branches including any funds raised from members under Paragraph 7, and from donors may be retained by them or may at their option be paid to the Party Treasurer as Party funds.

20) Power to Sell Property and Borrow

- 20.1) The Party may borrow money for the purposes of the Party and give security for the borrowed sum by issuing bonds, debentures or by mortgage or charge on all or any part of the property of the Party.
- 20.2) The Party may also sell, lease or otherwise dispose of any of the real property of the Party. 20.3) The power to dispose of or give charges over the Party's property may only be used if:
- a) It is agreed upon by way of resolution of two-thirds of the members of the Board at a Board meeting convened to raising money or selling Party property;
 - b) In using these powers, the Party acts upon the advice of either the Party's Solicitor or other professional adviser or both; and
 - c) The sale is made, or the money is raised, solely for the purposes of the Party.

21) Winding Up

In the event of the winding up of the Party, the funds and assets of the Party remaining after payment and satisfaction of all its debts and liabilities and the costs and expense of winding up shall not be paid to or distributed among members. Instead all surplus funds and assets shall be donated to a charity of the Board's choice or given to an organization with similar objects to the Party provided it also has tax-exempt status.

22) Matters Not Provided For

22.1) If any issue arises which is not provided for by this Constitution, the Board shall determine it.

22.2) Any determination made by the Board is binding on the Party and its members unless and until set aside by a resolution of the Convention.

23) Eligibility for Office

23.1) Unless allowed under any specific provision in the Constitution, a person who is not a full and financial member of the Party shall be ineligible to hold any office or serve on any committee or as a delegate to any Party meeting. In addition, every member of the Electorate Selection Committee (paragraph 46) must be:

a) A member of the electorate concerned; and

b) A full and financial member of the Party of at least six months standing.

23.2) The Board may in its discretion waive any of the requirements in the Constitution as to length of time of membership of the Party for any purpose in relation to eligibility for office.

23.3) A member may only be elected to office in the branch and in the electorate in which he/she has his/her permanent or principal place of residence, provided that the Board may authorise a member to serve as an office holder in a branch or electorate other than where he/she has his/her permanent or principal place of residence if the branches or electorates as the case may be covering both the place where he/she has his/her permanent or principal place of residence and the place where the member wishes to serve agree.

23.4) No member may hold office in more than one branch and one electorate, provided however that in special circumstances the Board may authorise a member to do so for specified branch or electorate positions and for no longer than one year.

24) Indemnity and Party Property

24.1) Members of the Board may apply to the Board for reimbursement by the Party of reasonable disbursements, expenses, liabilities and losses incurred by them in or about the discharge of their duties in good faith. The Board may in its discretion authorise payment of all or any part of all or any such applications or may decline payment of all or any part of all or any of them.

24.2) No member of the Board shall have any personal liability for any of the debts of the Party nor for any claims expenses disbursements damages engagements or other liabilities or losses of any kind whatsoever which are incurred by the Party provided that such member has not negligently improperly or dishonestly caused or contributed directly or indirectly to any such

debt or any such liability or loss. Board members may request insurance cover at any time to cover any future period during which a member will serve as a Board member in respect of any such debts or any such liabilities or losses, however the Board has no duty to provide any such insurance cover and may in its sole discretion decline to obtain it.

- 24.3) All property (including money) accruing from any activity undertaken in the name of or on behalf of the Party, or by any member (including a parliamentary candidate or member of the Parliamentary Division) belongs to the Party, must be immediately transferred to the Party Treasurer on demand, and is always subject to the control of the Board.

25) Judicial Officer

- 25.1) The Board shall appoint a person, who may be a Party member or not, and who is a lawyer or who has been a lawyer as the Judicial Officer of the Party. "Lawyer" has the meaning specified in section 6 of the Lawyers and Conveyancers Act 2006.
- 25.2) The Judicial Officer shall hold office at the pleasure of the Board but is independent of the Board and shall serve on a pro bono basis.
- 25.3) The Judicial Officer shall give legal advice as required by the Board but may refer any issue with the approval of the Board to any lawyer or firm of lawyers for additional advice or to provide legal services.
- 25.4) The judicial officer shall serve as a member of the Constitution Committee and shall also chair the Disputes Committee.

26) Disputes

- 26.1) Any dispute arising within the Party including disputes over the selection process for parliamentary candidates or the operation or interpretation of the Constitution or rules of the Party shall be determined by the Board sitting with the Judicial Officer. The Judicial Officer shall determine any issues of interpretation.
- 26.2) After receiving a letter of complaint raising a dispute, or a written request for determination of a dispute by any member, branch, electorate, the Board, or the Convention, the Secretary General shall
- a) Notify all parties directly involved in the complaint that the resolution process has been initiated, and giving notice of the procedure to be followed, and the dates places and means to be employed for the resolution of the dispute;
 - b) Determine with the Judicial Officer the procedure best suited to resolve the dispute;
 - c) Resolve the dispute by conciliation if possible and in a way, that is consistent with the principles of natural justice and the Constitution; and
 - d) If the dispute cannot be resolved by conciliation, investigate the dispute and make a recommendation to the Board and the parties directly involved.
- 26.3) The Board shall rule on the dispute as per (a).

26.4) The decision of the Board and Judicial Officer shall be communicated in writing to the parties directly involved, is final and binding on all the parties to the dispute.

27) Mediation

The Judicial Officer may, on receipt of notice of a dispute, request the President to appoint a mediator. If mediation fails within the time to be set by the Judicial Officer, then the appointed mediator shall advise the Judicial Officer who shall then proceed with the disputes resolution process.

28) Every constituency as defined by the Representation Commission shall constitute an electorate for the purposes of this constitution.

29) The Board shall be responsible to establish a democratically run Electorate Committee of 5 members in each electorate provided that:

29.1) The Board may decide an electorate should have an electorate committee of 7.

29.2) If the Secretary General decides and the Board approves that an electorate is not able to establish a democratically elected committee then the Board shall authorize a neighbouring electorate committee to administer that electorate in consultation with the Secretary General.

29.3) It shall be the Secretary General's duty to work to establish a democratic electorate committee in such electorate.

29.4) The board may authorize electorate committees to undertake any activities the Board determines including establishing Branches in electorates, joint operation of electorates and overseas Branches.

29.5) The Board shall establish a Young New Zealand First Electorate covering all of New Zealand for the youth members of the party. The rules governing the Young New Zealand First are as per schedule 5.

30) All Electorates shall have a Charter

30.1) The electorate committee shall be a democratic organization, where all members in the electorate shall elect a Committee consisting of a Chair, Secretary, Treasurer and two (or 4 if the Board has determined the committee should consist of 7 members) committee members.

30.2) Electorate Charter

Electorates shall put New Zealanders First by:

- a) Selecting and supporting New Zealand First candidates in all elections / by-elections
- c) Support Electorate candidates in all general elections
- d) Support List candidates in all general elections
- e) Support Electorate candidates in all by-elections

30.3) Build Membership. The role of the Committee is:

- a) To seek voters enrolled in the electorate to become members of New Zealand First.

- b) To provide support to the Member of Parliament and/or candidate assigned by the Leader to work with the Electorate ensure that New Zealand First MP's are engaged with the persons residing in the electorate.
- c) To hold public meetings, distribute party policy by delivery of party material to voters in the Electorate.

30.4) Assist MP's to serve all Residents in the Electorate. The role of the Committee is:

- a) To establish contact (and where possible electronic addresses) with every person residing in the electorate whether a member of New Zealand First or not irrespective of race, creed, colour or political affiliation

30.5) To identify for the assigned MP persons residing in the electorate that need the assistance of an MP and ensure the Party delivers such help. Raise Funding for the Party. The role of the Committee is to raise funds for:

- a) The running expenses of the electorate.
- b) A fund to support any local candidate standing in general election.
- c) To contribute funding to the nationwide campaign of the party in a general election.

30.6) Develop Future Members of Parliament. The role of the Committee is to identify suitable persons in the Electorate for development to be future MP's to participate in such training programs as the Board shall establish.

30.7) Good Administration. The role of the Committee is to:

- a) Prepare regular reports on the electorate activities for the board
- b) Adopt such administration systems as provided by the Board, provided that the Secretary General shall assist the electorate committee with the operation of such administration systems. The aim to have consistent electorate administration systems throughout NZ.
- c) Ensure that Electorate and Branch meetings are conducted in accordance with The Electorate / Branch Operating Manual.

30.8) Election of Electorate Committees:

- a) The Electorate Committee shall comprise the Branch members elected at the annual general meeting of the electorate in accordance with this paragraph.
- b) The Annual Meeting of an Electorate Committee shall be held at place and on a date fixed by the Board.
- c) The Board shall give at least ten days' notice to Party members permanently resident in the Electorate of the meeting to elect the officers of the Electorate.
- d) The Electorate Annual General Meeting shall elect an Executive Committee for the Electorate each of whom shall be full and financial members of the party. The Executive Committee shall comprise a Chair, Electorate Secretary, and Treasurer. The Electorate Secretary and Treasurer positions may be filled by one member; alternatively, the Chair may also be elected to be the Electorate Secretary or Treasurer (but not both);

- e) The Electorate Annual General Meeting shall also elect up to four voting delegates, who shall be full and financial members as at 31st July each year and are permanently resident in the Electorate, to represent the Electorate at the Convention. In addition, the Chairperson and Electorate Secretary are also voting delegates for that purpose.
- f) In addition, where an Electorate is recorded by the Secretary General as having more than 20 full members (the first 20), as at the 31st July each year, it shall have an additional voting delegate, permanently resident in the Electorate, for every 20 full members over and above the first 20, to represent the Electorate at the Convention.
- g) Any member, who is a full and financial member permanently resident in the Electorate, may be appointed to be a substitute delegate for any Convention, by the Electorate Committee, to replace any elected voting delegate who will not be attending the Convention, provided that the Secretary General has been notified in writing or by email by the Electorate of the substitution at any time up to 7 working days before the first day of the Convention.
- h) The procedure for the election of the voting delegates shall be determined by the Board.
- i) The members of the Electorate Committee hold office from the end of the Annual Meeting at which they are elected until the end of the next Annual Meeting at which their successors are elected or at which they are re-elected.
- j) The Electorate Committee shall be responsible for the management of the Electorate as directed by the Board and always in accordance with the Constitution.
- k) The Electorate Committee may appoint any member who is qualified to be elected to the Executive Committee, as a substitute to fill the office or offices of Chairperson, Deputy Chairperson, Secretary, and Treasurer in the event of a member elected to any such office(s) being unable to carry out the role, until the following Annual General Meeting.
- l) The Electorate Treasurer shall be responsible for the Electorate finances as directed by the Board Treasurer and/ or the Secretary General of the Party and shall be responsible to the Auditor of the party.
- m) Each Executive Committee shall keep a roll of members within its Electorate utilizing the administrative system provided by the Board
- n) Electorate Committee meetings and Electorate Committee meetings shall, as far as is practicable, follow the procedure for Annual General Meetings.

31) Branches

- 31.1) The Electorate Committee will establish and support Branches within its Electorate subject to the approval of the Board.
- 31.2) The objective of the Party is to have at least four Branches operating in each Electorate.
- 31.3) A Branch must be established with at least six members who shall be full members permanently resident in the Electorate and must fulfil all the requirements in paragraph 42.

Branches may be continued on a temporary, basis where there are a smaller number of members.

32) Branch Operation

- 32.1) A Branch shall normally meet not less than once every two months.
- 32.2) The members of a Branch shall hold an Annual Branch Meeting at a date in each year fixed by the Electorate Committee to elect a Chairperson, Deputy Chairperson, Secretary and Treasurer (the Branch Officers) and two Branch Committee members. The Branch Officers and Branch Committee members must be full and financial members. A member of parliament is not eligible for election as a Branch Officer or Branch Committee member.
- 32.3) The Annual Branch Meeting must be held before the Electorate Annual General Meeting and the Convention.
- 32.4) The Branch officers hold office from the end of the Annual Branch Meeting at which they are elected until the end of the next Annual Branch Meeting at which their successors are elected or at which they are re-elected.
- 32.5) Each Branch shall be entitled to elect at least two Branch Delegates to represent them on the Electorate Committee.
- 32.6) A member shall not exercise any of the rights of a member (including voting rights) in more than one Branch. A
member must do so only in one branch within the Electorate and Branch area in which they permanently reside, except where the Board and the Branches concerned have given prior approval for good reason for the member to exercise his/her rights in a different Branch within the same or a different Electorate.
- 32.7) Branch meetings shall, as far as is practicable follow the procedure for Annual General Meetings.
- 32.8) Subject to the Constitution, the Board may issue directions as to the structure, management and the powers of any Branch committee(s).

33) Selection of Candidates to Stand for Parliament

- 33.1) The party shall select and support both Electorate and list candidates in Bi-Elections and General Elections as determined by the board.
- 33.2) The Electorate and List candidates shall be selected in accordance with these rules.
- 33.3) Electorate Candidates
The party shall select and support Electorate candidates in all general elections in electorates that the Board approves. The Board approval shall be based on the electorate reaching targets set by the Board as to membership, financial viability and organisational structure.
- 33.4) Approval as a Candidate
 - a) A member nominated as an Electorate candidate must have been a full and financial member for at least six months as at the date of nomination; and a member shall not be

- eligible for selection as a List candidate unless the member has been a full and financial member for at least six months.
- b) The Board may in its discretion waive any of the requirements in the preceding paragraph 33.1 herein.
 - c) The Board shall consider and at its discretion approve or decline to approve, every nomination for candidacy as an Electorate candidate before each nomination shall become thereby validated, and before the candidate shall be eligible for consideration and selection at the Electorate Selection Meeting. The Board has an absolute discretion to approve or disapprove any person before they can be selected to be an Electorate or List Candidate eligible for selection under these rules to be a candidate for New Zealand First.
 - d) Any person seeking to be nominated as a candidate to be an Electorate or List Candidate eligible for selection under these rules to be a candidate for New Zealand First must complete the application form provided from time to time by the Board. The Board in its absolute discretion may approve the applicant to stand for selection as a candidate for New Zealand First.
 - e) Alternatively; a member may complete an Expression of Interest application form prescribed by the Board and attend a course at the prospective Candidates College determined by the Board.
 - f) After the completion of the course at the Candidates College the Board may approve the Candidate as a candidate to stand as Electorate and List Members of Parliament.
 - g) The approval shall endure until the Board at its absolute discretion decides to revoke the same.

34) Nomination of Electorate Candidates

- 34.1) Nominations may be called by the Electorate Committee if approved by the Board.
- 34.2) Nominations shall (unless the Board decides otherwise) be open for at least 21 days and all full and financial members must be notified by the Secretary, by circular, of the timetable for nominations.
- 34.3) Nominations shall be by two full financial members permanently resident in the electorate concerned and shall be in writing form specified by the Board and shall have annexed to it the completed and signed candidate application form and such other documents as shall be specified for the purpose by the Board.
- 34.4) The Electorate Chair shall forward the completed nomination to the Secretary General for approval of the board after the electorate committee has given approval.

35) Selection of Electorate Candidate

- 35.1) The List Selection Supervisor shall in consultation with the Secretary General and the electorate secretaries issue a timetable for the calling of nominations and selection of candidates for each general election or bi-election.
- 35.2) Nominations shall be by two financial members resident in the Electorate on the form

specified by the Board and shall be signed by the nominee. The form shall be completed in full and a copy shall be forwarded to the Secretary General.

- 35.3) If the Electorate Committee receives two or more nominations then the Electorate Chair shall call a meeting (the Electorate Selection Meeting) of all members in the Electorate to selecting the Electorates Candidate.
- 35.4) All Electorate members shall be notified by the Electorate Secretary (who may delegate the giving of notice to the Secretary General) of the Electorate Selection Meeting.
- 35.5) The Electorate Selection Committee shall constitute the three members selected at the Electorate Selection Meeting and 2 members appointed by the Board.
- 35.6) The first order of business of the Electorate Selection Meeting is to elect 3 Electorate members to the Electorate Selection Committee.
- 35.7) Once the Electorate Selection Committee is selected it shall hear a selection speech by every candidate whose nomination has been approved and validated by the Board and in accordance with a programme and agenda (including the specification of candidate speech duration and order of speaking).
- 35.8) Following completion of the candidate selection speeches the Electorate Selection Committee shall then vote by secret ballot to determine which candidate shall be selected. If a candidate does not achieve greater than 50 percent on the first poll, than the lowest polling candidate shall be dropped, and a new poll taken until one candidate achieves more than 50 percent of the vote.
- 35.9) The successful candidate shall then be announced at the meeting by the Electorate Chair
- 35.10) The selected candidate unless removed by the Electorate Selection Committee under clause 37.4 shall be the party's candidate in the electorate.

36) Conduct of Election by Electorate Candidate

- 36.1) The selected candidate shall appoint, in consultation with the Electorate Committee, a Campaign Committee, which shall ex- officio, include the Electorate Chair.
- 36.2) The selected candidate shall appoint a campaign manager and campaign treasurer onto the Campaign Committee. The Campaign Committee shall establish a campaign account in the name of the Party and shall raise funds for the election campaign, expend funds for the payment of election and campaign purposes, comply with all directions of the Board, and keep the Electorate Committee fully informed of the development and progress of the campaign.
- 36.3) The Electorate Committee shall assist the candidate and the Campaign Committee as far as possible to provide funds and other resources for the campaign.
- 36.4) The electorate Chair shall be entitled to attend any and every meeting of the Campaign Committee and of other meetings that a candidate may convene with any member(s) of it.

37) Revocation or Withdrawal of Electorate Candidate

- 37.1) Where it the Board or the relevant Electorate Committee resolves that revocation of the

candidacy of a selected Electorate candidate is necessary in the interests of the Party, and the candidate is unwilling to withdraw his/her candidacy at the Board's or the Electorate Committee's request, then the Board at the request of the Electorate Committee, or the Board on its own initiative, may resolve to direct of the Electorate Selection Committee to reconvene to discuss revocation of the candidate's candidacy. The members of the Electorate Selection Committee shall be the same as those who selected the candidate, provided that the Electorate Committee or the Board as the case may be shall appoint substitute qualified members where any are unable or unwilling to serve.

37.2) If approval is given by the Board then at least four days' notice of the meeting shall be given to the Electorate Committee and to the candidate who shall be invited to attend the meeting.

37.3) At the meeting the candidate shall:

- a) Be informed of the reasons for dissatisfaction with the candidacy.
- b) Be given a reasonable opportunity to be heard.

37.4) Following the hearing of the candidate, and at the completion of consideration of all the issues by the Electorate Committee (during which the candidate shall not be present) the Electorate Committee shall decide whether to revoke or confirm the candidate's candidacy by special resolution, which shall as soon as practicable be communicated in writing to the Board and to the candidate. If confirmed the candidate shall continue as the candidate for the Electorate. If revoked the candidate's candidacy shall be revoked as from the date and time of notification in writing.

37.5) The members of the Electorate shall also be informed as soon as practicable.

37.6) In the event of a withdrawal or revocation of a candidate's candidacy the Board shall determine a new timetable for the selection of another candidate in accordance with the procedure set out for doing so in the Constitution, provided however if the Board determines that there is insufficient time for the prescribed process for the selection of a new candidate under the Constitution and/or insufficient time to campaign, then the Board may instead direct that the member who was second in the ballot at the Candidate Selection Meeting shall be declared to be the new successful candidate for the election.

38) List Candidates

38.1) The Electorate Secretary shall advise the Board of the name of the selected candidate in the Electorate.

38.2) Each candidate shall supply the Board with a curriculum vitae including a photograph.

38.3) The Board shall list the candidates in alphabetical order and distribute that list and curricula vitae to The List Ranking Committee.

39) List Ranking Committee

39.1) The List Ranking Committee shall comprise:

- a) The Leader.

- b) The Deputy Leader.
- c) The President.
- d) The List Selection Supervisor.
- e) Nine Electorate Representatives selected as per paragraph 39.2 - 39.5.
- f)) The Secretary General who shall ensure the proper conduct of the meeting and the preparation of an accurate record of the LRC decision.

- 39.2) Each Electorate committee when requested by the Secretary General may nominate one member (with minimum six years membership) who they consider can participate in the List Ranking Committee working in the best interests of the party, the Electorate nominee.
- 39.3) The electorate nominee may not be a candidate, related or otherwise associated with a candidate , as they cannot be seen as impartial. The decision if a nominee is not seen to be impartial shall be at the sole discretion of the Secretary General.
- 39.4) The Secretary General shall compile a list of the Electorate Nominees and together with the List Ranking Committee members in paragraph 39 (1) shall select two nominees from the Electorate groups.
- 39.5) The electorate nominees so selected shall for the pending election be members of the List Ranking Committee.
- 39.6) All of the members of the List Ranking Committee shall meet in person in one place, at a venue to be decided by the Secretary General in consultation with the President.
- 39.7) The purpose of the List Ranking meeting is to rank the candidates for the Party List.
- 39.8) Any of the members of the List Ranking Committee (other than the President and the Leader and the Deputy Leader) who is unable to attend the List Ranking Committee meeting may be replaced by a substitute member appointed by the Secretary General after consultation with the Leader and President.

40) List Ranking

- 40.1) The List Ranking Committee shall, at its complete discretion, and by a procedure that it collectively decides, determine the order of the candidates (other than the Leader and the Deputy Leader if they respectively are standing in the election) to be placed on the Party List.
- 40.2) In ranking the candidates, the List Ranking Committee shall take into account:
 - a) The ability, expertise and experience of the candidates generally, and of the particular qualities that a candidate may contribute to the House of Representatives;
 - b) The need for different genders, social groups, ages and ethnic groups to be represented.
- 40.3) Position number one is allocated to the Leader if he/she is standing in the election.
- 40.4) Position number two is allocated to the Deputy Leader if he/she is standing in the election.

41) Guidance to List Ranking Committee

The Board may issue a report for the information of the List Ranking Committee giving guidance

on policy and other political matters to be considered when ranking the candidates for the Party List.

42) Final Party List

42.1) The Party List decided in accordance with the foregoing provisions of the Constitution shall be final and binding on all candidates and Party members and shall remain the Party List until and unless the Board determines that the process will be repeated for a new Party List. The Board shall ensure that the Party List process is repeated, and a new party List is decided prior to every general election.

40.2) The convention of collective responsibility shall apply to the List Ranking Committee, and none of its members shall comment individually at any time concerning the decisions of the Committee.

43) Withdrawal of List Candidate

43.1) Where the Board resolves that revocation of a List candidate's candidacy is necessary in the interests of the Party, whether or not the candidate is an Electorate candidate, and whether or not the candidate has withdrawn his/her candidacy as an Electorate candidate, and whether or not the process for revocation of the candidate's candidacy as an Electorate candidate has been commenced or completed, and whether or not the candidate is willing to withdraw their candidacy at the Board's request, the Board may convene a special meeting of the List Ranking Committee to discuss revocation of the candidate's Party List candidacy.

43.2) The Board shall give four days' notice to the candidate, who must be invited to attend the meeting. 43.3) At the meeting the candidate shall:

- a) Be informed of the reasons for dissatisfaction with the candidacy;
- b) Be given an opportunity to be heard.

43.4) Following the hearing of the candidate, and at the completion of consideration of all the issues by the List Ranking Committee (during which the candidate shall not be present) the List Ranking Committee shall decide whether to revoke or confirm the candidate's List candidacy by special resolution, which shall as soon as practicable be communicated in writing to the Board and to the candidate. If confirmed the candidate shall continue as a Party List candidate but the List Ranking Committee may if it thinks fit for any reason change the candidate's rank on the Party List. If revoked the candidate's candidacy shall be revoked as from the date and time of notification in writing.

43.5) If the revocation occurs after the Party List candidates have been chosen the total number of List candidates shall be reduced and the final ranking of the candidates on the Party List shall automatically be amended, unless the Board decides otherwise.

44) Canvassing for Votes Prohibited

44.1) No member (whether they are a candidate or not) shall be entitled to canvass for, or by any

means to attempt to influence, the votes of the List Ranking Committee. All candidates must be informed of this rule.

44.2) Any candidate who in the sole assessment of the List Selection Supervisor canvasses for, or by any means to at- tempts to influence, the votes of the List Ranking Committee, shall be removed from the Party List by the Director-General whose decision shall be final and binding upon all candidates and members and upon the Board.

44.3) If a member is or becomes aware that a Party List candidate is canvassing for votes, the member may make a com- plaint to the List Selection Supervisor.

45) Obligations on Candidates

45.1) All candidates must always comply strictly with the Constitution and conduct themselves with proper regard for their status as representatives of the Party.

45.2) E ach candidate must ensure that he/she:

- a) is not a member of any other political party or other organization the objects of which are incompatible with the membership of the Party; and
- b) will support the selected candidates of the Party; and
- c) will not withdraw without consent of the Board.

46) Leader and Deputy Leader

46.1) The Party shall have a Leader and a Deputy Leader selected by the Parliamentary Division.

46.2) The Leader shall exercise all authority necessary for the effective organization of the Party's activities in Parliament. 46.3) The Leader is also responsible for:

- a) Allocating portfolios, spokesperson's roles, whips' roles, and other functions among the Parliamentary Division;
- b) Establishing committees of Parliamentary Members as necessary to support the Parliamentary Division;
- c) Promoting, publicizing and implementing Party policy in Parliament.

46.4) The Leader and Deputy Leader are ex-officio Members of the Board and all committees of the Party.

46.5) The Leader has the right to attend any meeting of the Party.

46.6) The Deputy Leader will exercise the authorities and responsibilities of the Leader delegated by the Leader; and during any period of absence for more than one week or during any period of incapacity of the Leader the Deputy Leader shall exercise the rights and responsibilities of the Leader which are determined by the Parliamentary Division.

47) Parliamentary Division

47.1) The Parliamentary Division is the members of the Party elected to the House of Representatives.

47.2) The Parliamentary Division is responsible for executing the functions of Members of Parliament and for representing New Zealand First in parliament.

47.3) The Parliamentary Division and the Party organisation must keep each other

informed on all political issues relevant to the Party and co-operate closely. It is the responsibility of the Parliamentary Division to maintain frequent communication with party organizations, to consult with members on relevant issues, and to assist the Board as necessary.

47.4) The Parliamentary Division shall vote in accordance with Party policy as far as is reasonably practicable.

47.5) The Leader shall chair meetings of the Parliamentary Division.

47.6) If a member of the Parliamentary Division ceases to be a member of the Party that person ipso facto ceases to be a member of the Parliamentary Division.

48) Policy Development

48.1) Subject to the following provisions of this constitution, the policy of the Party shall be approved by the Convention or, subject to the following provisions of this constitution, by the Parliamentary Division through its democratic processes.

48.2) The policy function of the Convention is to receive and discuss remits submitted to it under paragraph 15 of the Constitution, and proposals submitted to it by the Parliamentary Division or by the Leader, and to make policy decisions for the guidance of members and the Parliamentary Division provided however that the Convention shall only make policy decisions at a low level of detail and shall as far as practicable decide on generalised and fundamental policy positions and principles rather than detailed policy statements.

48.3) The policy function of the Parliamentary Division is to receive observe discuss and as far as it considers is practicable through its democratic procedures to implement Party policy determined by the Convention; and it shall otherwise research discuss and develop detailed policy positions for public promotion and for its guidance in parliamentary debates and voting. Where the Convention has not decided fundamental policy positions for its guidance, the Parliamentary Division may do so based upon its understanding of Party principles.

48.4) The Board from time to time may establish a Policy Council comprising up to ten members. The membership shall be drawn from Party members, non-Party advisers, and members of the Parliamentary Division. The Leader and the Deputy Leader shall be additional ex-officio members of the Policy Council, which shall invite the member of the Parliamentary Division who is the spokesperson in an area of policy to be discussed, to all meetings on issues in that policy area.

48.5) Meetings of the Policy Council shall normally be held in person or by teleconference, and it may also conduct its business through exchanges of emails, the exchange of policy papers, and by such other means as it shall think fit.

48.6) The policy function of the Policy Council is to undertake research and to discuss and develop policy for recommendation to the Convention where appropriate, and to the parliamentary Division where appropriate. The Policy Council is required to decide its recommendations as far

as possible on a consensus basis, and any dissenting member may provide a minority view to the Convention or to the Parliamentary Division as the case may be.

- 48.7) No member other than the Leader, the Deputy Leader or the relevant Parliamentary Division spokesperson may make any public policy statement on behalf of the Party, provided that during a general election campaign or during a by-election, a candidate standing for election for the Party may make authorised Party policy announcements on behalf of the Party at public meetings, and during interviews by the media, electioneering by door knocking, and on the candidate's printed electioneering material.
- 48.8) Promulgation by any member or any other person, of any policy as Party policy, which has not been authorised and approved according to the requirements of the Constitution is absolutely prohibited.

49) Commencement

This revision of the Constitution shall take effect from the close of the Convention at which it is adopted, being the 2018 Convention of the Party.

50) Transition, Repeals and Savings

- 50.1) All previous Constitutions, and all amendments to those Constitutions, are repealed as from the adoption of this constitution.
- 50.2) The repeal of any previous Constitution, and any amendments to those Constitutions shall not affect the validity, of anything already properly done under the provisions of those previous Constitutions and amendments.
- 50.3) The existing tree board members from the North, Central and South groups shall all stand for re-election in 2019.
- 50.4) Once the eight board members are selected in 2019, the President shall hold a ballot to determine which of the board members from the electorate groups shall serve a two year term and which shall serve for the term 2019 – 2020 a one year term.

Schedule 1

Duties and Responsibilities of the Secretary General:

- a) The Secretary General's duties and responsibilities are primarily to ensure that the party's obligations and those of the Secretary General under the Electoral Act 1993 and other applicable electoral legislation and Regulations are fully and diligently complied with. This includes responsibility for the audited donation return to be completed and filed by 30 April each year for the 12-month period 1 January until 31 December of the previous year.
- b) The Secretary General is also responsible for the compliance requirements in respect of the NZ First Party Incorporated Society while that incorporation remains in place.
- c) The Secretary General shall upload a full copy of all amendments made to the party's constitution under paragraph 23 onto the Electoral Commission's website within 4 weeks of the amendments having been made.
- d) The Secretary General is responsible for responding to the Electoral Commission request to confirm membership registration processes annually and for that purpose to make the declaration required by the Commission.
- e) The Secretary General is required to carry out the following functions in every election year:
 - 1. To authorise all party advertising (newspapers, hoardings, radio, television, Facebook, twitter).
 - 2. To complete the candidate bulk nomination data entry at the Wellington office of the Electoral Commission.
 - 3. To ensure each candidate has paid the appropriate registration fee by due date, and to make the payment in bulk of all of the party's candidate's registration fees by due date and otherwise as required by the Electoral Commission.
 - 4. To communicate with the Electoral Commission at all times during the campaign.
 - 5. To maintain communication links with candidates to ensure that returns are submitted in time.
 - 6. To gather all financial documentation related to the election campaign (including candidate invoices and other information) and provide it to the auditor in collaboration with the treasurer.
 - 7. To ensure advertising that promotes both a candidate and the party is apportioned correctly on the returns required by the Electoral Commission.
 - 8. To work co-operatively with the List Selection Supervisor to ensure that the selection process follows the Constitutional guidelines.
 - 9. To attend to all requests from the auditor when preparing the expense returns required by the Electoral Commission.
 - 10. To sign off the returns required by the Electoral Commission with the auditor.

Schedule 2

Duties and Responsibilities of the Membership Secretary:

- a) To facilitate membership renewals by distributing printed reminder lists to electorates having operational committees, to enable them to collect the annual subscription and to renew their membership.
- b) To transmit membership renewals to members.
- c) To process membership renewals and new membership applications via the internet or by mail.
- d) To deal with membership enquiries renewals via the internet or by post.
- e) To maintain the membership database and to keep it up to date with current memberships details, showing which members are financial and which are not financial members.
- f) To send the subscription money received by cheque or by internet direct bank transfer to the electorate concerned, or to the Treasurer if there is no operational committee for the electorate in which the member resides. The cheque or electronic bank transfer shall to be annotated to show the proportion of the subscription payment which is a donation (if any) and the proportion which is the party subscription, for GST purposes.
- g) To promptly process all new membership applications received via the internet, and to promptly notify the relevant electorate, and to advise the Treasurer for the purpose of identifying the payment received for accounting records and to facilitate reimbursement of the subscription to the electorate concerned.
- h) To provide a monthly report to the Board on any membership issues relevant for Board attention or decision, and upon the state of party membership generally.
- i) To keep an audit trail of membership books sent to electorates and receive completed membership books to be checked off the audit list prior to handing to the Treasurer.

Schedule 3

Duties and Responsibilities of the Board Secretary:

General Duties:

- a) Take minutes of meetings and distribute them within a week of the meeting.
- b) Prepare the agenda for each board meeting and distribute it along with a list of inwards and outwards correspondence at least 5 days prior to the date of the meeting.
- c) Maintain a file of inwards & outwards correspondence.
- d) Deal to written correspondence in accordance with Board directions.
- e) Distribute the President's memoranda and newsletters to the electorate office holders.
- f) Promptly answer enquiries from electorate office holders and members.
- g) Keep the email and membership databases up to date.

- h) Send out weekly compilations of Caucus press releases and other such information as shall be approved by the Board.
- i) Distribute a copy of each updated Constitution to all electorates having operational committees.

AGM/Convention Duties

- a) In collaboration with the President and the Treasurer arrange the venue, date, and costs of the AGM/Convention.
- b) Distribute the voting nomination papers, remits forms, and registration forms to all electorates having operational committees, at least 50 days before the date of the next AGM/Convention.
- c) Email the registration forms to all financial members for whom an email address is held, and post them to all financial members for whom an email address is not held and who reside in an electorate not having an operational electorate committee.
- d) Prepare the voting papers for the election of the Board of Directors as soon as practicable following the close of nominations and arrange for the same number of voting papers as there are voting delegates.
- e) Following the remit sub committee's recommendations advise the Electorates of remits received that will be discussed at the AGM.
- f) In collaboration with the President and the Leader, ensure that all necessary papers are included in the AGM/ Convention information hand out.
- g) Produce the required number of name tags for registered members, colour coding them as may be necessary.
- h) Take minutes of all sessions during the AGM/Convention.

Office holder list:

- a) Maintain up to date details of the Board membership and advise electorates having operational committees of all changes as soon as practicable.
- b) Receive advice of the date, time and venue of electorate AGMs and advise Board members for the purpose of having a Board representative to attend each AGM as far as practicable.

Schedule 4

Duties and Responsibilities of the List Selection Supervisor:

- a) To receive each electorate's written indication that they wish to proceed with candidate selection.
- b) To receive and record all applications received within the required time and carry out the required processing and checking of each applicant to ensure that he/she meets all the legal and Party requirements to become a candidate.
- c) To prepare a draft candidate processing timetable for the Board's approval, including a closing date for candidate applications.
- d) To prepare a template for the list placement process in collaboration with the President and the other members of the Candidate Selection Committee.
- e) To research each applicant's level of electorate involvement and to include it in a profile of each applicant, for the listing sub-committee's information.
- f) To prepare and maintain a detailed file of candidates, which shall include:
 1. Each candidate's curriculum vitae and application form.
 2. Each candidate's Ministry of Justice checking response received.
 3. All other information received which is strictly relevant only to the matters to be considered under the constitution, and in doing so will only include verified information and will not include information which has not been verified by usually reliable independent sources, or which is incapable of verification.
- g) To include the Secretary General and the President in the communications list for all correspondence dispatched to potential candidates, nominees, candidates and their electorate committees.

Schedule 5

The definition and rules of the Young New Zealand First Electorate:

1. Definition - The Young New Zealand First Electorate:
 - a) Comprises Young New Zealand First Members exclusively, who may reside in any part of New Zealand
 - b) Is not an electorate for the purposes of any part of the constitution except for the provision for the Young New Zealand First Electorate in Paragraph 39(a) and the provisions of this Schedule 5, and accordingly will have no functions powers or responsibilities in the selection of election candidates but will have a responsibility to support all Party candidates at all general elections and by-elections.

2. Purposes of the Young New Zealand First Electorate

The purposes of the Young New Zealand First Electorate are to provide a voice for Young New

Zealand First Members within the Party, to provide a means for them to associate with each other, and to develop policy proposals of relevance to the younger members of New Zealand society.

3. Membership of Young New Zealand First Electorate

- a) A Young New Zealand First Member must be a full member of the Party before applying for membership of the Young New Zealand First Electorate, and as such will always comply with the obligations of members contained in the constitution and will be subject to all the rules relating to membership (including termination of membership) contained in the constitution.
- b) A Young New Zealand First Member becomes a member of the Young New Zealand First Electorate by electing to do so by completing a written application addressed to the Young New Zealand First Electorate Secretary. For this purpose, a written application includes an electronic application by email or by completing and submitting an on-line application. The Young New Zealand First Electorate Secretary must validate every application by taking reasonable steps to establish the identity of the applicants before processing applications.
- c) The Secretary General shall be substituted for the Secretary of the Young New Zealand First Electorate for the purposes of the first Annual Meeting only of the Young New Zealand First Electorate, and will fulfil all the functions of the Young New Zealand First Electorate Secretary in processing applications for Young New Zealand First Electorate membership until and including the first Annual Meeting of the Young New Zealand First Electorate; and the Board will consider and approve (or not) all the applications for membership of the Young New Zealand First Electorate until and including the first Annual Meeting of the Young New Zealand First Electorate.
- d) After the first Annual Meeting of the Young New Zealand First Electorate, the Electorate Committee of the Young New Zealand First Electorate will consider and approve (or not) every validated and qualifying application for membership of the Young New Zealand First Electorate.
- e) The applicant will be advised as soon as practicable of the approval of his/her membership of the Young New Zealand First Electorate. If an application is declined, the applicant will be advised as soon as practicable of the reasons and may refer the application to the Board for reconsideration by writing to The Secretary of New Zealand First, and the Board will then finally decide the application.

4. Objects and Powers and Responsibilities of the Young New Zealand First Electorate and its members

- a) The Objects and Personal Benefits contained in Paragraphs 4.1 and 4.2 apply to the Young New Zealand First Electorate and its members.
- b) Paragraph 4.3 does not apply to the Young New Zealand First Electorate, however it may

from time to time seek from the Board, and be granted any of the powers contained in Paragraph 4.3 under such terms and conditions the Board thinks fit

- c) The Young New Zealand First Electorate will not establish any branches, unless the Board approves of any proposed branch in writing and upon the conditions prescribed by the Board.
- d) The Treasurer of New Zealand First will establish one bank account in the name of the Young New Zealand First Electorate for its purposes and to be operated by its authorised members, subject always to the direction of the Board and to Board audit at any time. The Young New Zealand First Electorate will not establish any other bank account or hold Young New Zealand First Electorate funds in any other bank account.
- e) Paragraph 22 (Remits) will apply to the Young New Zealand First Electorate, which may accordingly submit policy remits to the annual convention under the provisions of that paragraph.
- f) Paragraph 33 (Disputes) will apply to the Young New Zealand First Electorate and its members.
- g) Paragraph 34 (Mediation) will apply to the Young New Zealand First Electorate and its members.
- h) Paragraph 35 (Validity of Meetings) will apply to the Young New Zealand First Electorate and its members.

5. Young New Zealand First Electorate Committees, Officers, and meetings

- a) The first Annual Meeting of the Young New Zealand First Electorate shall be held at a place and on a date fixed by the Board. Annual Meetings thereafter shall be held at place and on a date fixed by the Young New Zealand First Electorate Committee. Instead of holding the Annual Meeting at a place, the Board or the Young New Zealand First Electorate Committee may hold the meeting on-line by using Skype or other such means.
- b) The Board shall give at least ten days' notice of the first Annual Meeting to Young New Zealand First Electorate Members.
- c) The Young New Zealand First Electorate Annual Meeting shall elect a Young New Zealand First Electorate Committee of not less than five and not more than seven Young New Zealand First Electorate Members, and will elect one Committee member to be the Chairperson, one other Committee member to be the Deputy Chairperson, one other Committee member to be the Secretary, and one other Committee member to be the Treasurer, provided however that the Secretary and Treasurer positions may be filled by one member; alternatively, the Chairperson may also be elected to be the Secretary or Treasurer (but not both); alternatively, the Deputy Chairperson may also be elected to be the Secretary or Treasurer (but not both).
- d) The Annual Meeting shall also elect up to four voting delegates, to represent the Young New Zealand First Electorate at the Party Convention. In addition, the Chairperson and Deputy Chairperson are also voting delegates for that purpose.

- e) Any Young New Zealand First Electorate member, may be appointed to be a substitute delegate for any Party Convention by the Young New Zealand First Electorate Committee, to replace any elected voting delegate who will not be attending the Convention, provided that the Secretary General has been notified in writing or by email by the Young New Zealand First Electorate of the substitution at any time up to 7 working days before the first day of the Convention. The Secretary and Treasurer of the Young New Zealand First Electorate Committee are not automatically voting delegates. However, they may if necessary be appointed as substitute delegates.
- f) The procedure for the election of the Young New Zealand First Electorate Committee, the Chairperson, the Secretary, the Treasurer, and the four voting delegates shall be determined by the Young New Zealand First Electorate Committee and recorded by resolution.
- g) The members of the Young New Zealand First Electorate Committee hold office from the end of the Annual Meeting at which they are elected until the end of the next Annual Meeting at which their successors are elected or at which they are re-elected.
- h) The Young New Zealand First Electorate Committee shall be responsible for the management of the Young New Zealand First Electorate as directed by the Board and always in accordance with the applicable provisions of the Constitution.
- i) The Young New Zealand First Electorate Committee may appoint any member who is qualified to be elected to the Young New Zealand First Electorate Committee, as a substitute to fill the office or offices of Chairperson, Deputy Chairperson, Secretary, and Treasurer in the event of a member elected to any such office(s) being unable to carry out the role, until the following Annual Meeting.
- j) The Young New Zealand First Electorate Treasurer shall be responsible for the Young New Zealand First Electorate finances as directed by the Board Treasurer and Auditor of the Party.
- k) The Young New Zealand First Electorate Secretary will keep a roll of Young New Zealand First Electorate members and will supply a copy to the Board on request and will also carry out the secretarial duties allocated by the Young New Zealand First Electorate Committee.
- l) Young New Zealand First Electorate Committee meetings shall, as far as is practicable, follow the procedure for Annual General Meetings of Party electorates as set out in the constitution.
- m) Subject to this Constitution the Board may issue directions as to the structure, management and the powers of the Young New Zealand First Electorate Committee.

