



## Constitution of the Green Party of Aotearoa New Zealand

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# The Charter

This is the founding document of The Green Party of Aotearoa New Zealand.

The Green Party of Aotearoa New Zealand accepts Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand; recognises Māori as Tangata Whenua in Aotearoa New Zealand; and commits to the following four Principles:

## **Ecological Wisdom**

The basis of ecological wisdom is that human beings are part of the natural world. This world is finite, therefore unlimited material growth is impossible. Ecological sustainability is paramount.

## **Social Responsibility**

Unlimited material growth is impossible. Therefore the key to social responsibility is the just distribution of social and natural resources, both locally and globally.

## **Appropriate Decision-making**

For the implementation of ecological wisdom and social responsibility, decisions will be made directly at the appropriate level by those affected.

## **Non-Violence**

Non-violent conflict resolution is the process by which ecological wisdom, social responsibility and appropriate decision making will be implemented. This principle applies at all levels.

# Te Marautanga Kākāriki

Ko te kawenata te pukapuka whakaū o Te Rōpu Kākāriki o Aotearoa, Niu Tīreni.

E whakaae ana Te Rōpū Kākāriki ko te Tiriti o Waitangi te pepa whakaū (kawenata) o Aotearoa, Niu Tīreni; e whakaae ana Te Rōpū Kākāriki ko te iwi Māori te tangata whenua o Aotearoa, o Niu Tīreni, ā, ka mau pūmau Te Rōpū Kākāriki ki ngā mātāpono e whā e whai ake nei:

## **Tikanga Toi Potapotae**

Ko te pūtake o te tikanga toi potapotae ko te tangata he wāhanga no te ao tūturu. Ko te ao nei he tāparepare, waihoki, kīhai e taea kia tupu haere mō ake tonu atu Me ukauka te tikanga toi potapotae koia rā te tino taumata.

## **Kawenga Pāpori**

Kīhai ngā rawa o te ao e tipu haere tonu. Waihoki, ko te mea nui kē ko te kawenga pāpori, e whiwhi ai tēnā ki ōna tikanga anō ki ērā rawa, ki te wā kāinga nei, ki tāwahi ranei o te ao.

## **Whakarite Tōtika**

E oti tika ai ngā tikanga toi potapotae, me ngā kawenga pāpori, ma ngā whakarite tōtika a ngā hunga e pā pūmau tonu ana ki ērā take, arā, ki ngā hua hoki a ērā whakarite.

### **Aukati Whakarekereke**

Me aukati te whakarekereke, e kitea ai te huarahi tika, e eke ai ngā tikanga toi potapotae, ngā kawenga pāpori, tae noa atu ki ngā whakarite tōtika, e tau ai te rangimarie. Ko tēnei huatanga e pā ana ki ngā tairanga katoa.

# Section 1: NAME

- 1.1. The name of the society is The Green Party of Aotearoa New Zealand Incorporated, and it may also be known as “The Greens” or “Te Pāti Kākāriki”. In this Constitution it is referred to as “the Party”.

# Section 2: DEFINITIONS

- 2.1. In this Constitution, unless the context requires otherwise, the following words and phrases have these meanings:
  - 2.1.1. ‘Act’ means the Incorporated Societies Act 1908 or any Act which replaces it (including amendments to it from time to time) and any regulations made under the Act or under any Act which replaces it;
  - 2.1.2. ‘Annual General Meeting’ or ‘AGM’ means a meeting of the Members of the Party held once per year within six months of the end of the financial year on a date specified by Kaunihera which, among other things, will receive and consider reports on the Party’s activities and finances;
  - 2.1.3. ‘Appropriate decision-making’ means that decisions are made directly at the appropriate level by those affected;
  - 2.1.4. ‘Associated Person’ means a spouse, civil union partner, de facto partner, child, parent, grandparent, grandchild, sibling, nephew, niece, uncle, aunt, or first cousin of a Member;
  - 2.1.5. ‘Balanced representation’ reflects the diversity of Aotearoa New Zealand’s society, including, but not limited to, diversity of gender, ethnicity, disability, sexuality, age and geography;
  - 2.1.6. ‘Branch’ is a geographically-based group of Members who reside within natural geographical boundaries or otherwise become a member of the branch;
  - 2.1.7. ‘Constitution’ means this document, which contains the rules and high-level procedures of the Party;
  - 2.1.8. ‘Charter’ is a statement of the Party’s core principles, set out at the beginning of this Constitution;
  - 2.1.9. ‘Clear Days’ means complete days, excluding the first and last named days (that is, excluding the date a Notice of meeting is posted or sent to Members and the date of the meeting);
  - 2.1.10. ‘Consensus’ is a decision reached by all or most of those engaged in making a decision, and accepted by those who, while abstaining or dissenting, nevertheless agree to accept the decision without a formal vote;
  - 2.1.11. ‘Dispute’ means a disagreement or conflict involving one or more Members where the disagreement or conflict relates to an allegation that:
    - 2.1.11.1. A Member has engaged in misconduct;
    - 2.1.11.2. A Member or the Party has breached, or is likely to breach, a duty under
      - 2.1.11.2.1. The Constitution;
      - 2.1.11.2.2. Rules made under the Constitution;
      - 2.1.11.2.3. The Act;
    - 2.1.11.3. A Member’s rights and interests as a Member have been damaged or Members’ rights or interests generally have been damaged;
  - 2.1.12. ‘Electorate’ has the same meaning as in the Electoral Act 1993 or any Act passed in substitution for that Act;

- 2.1.13. 'General Meeting' means either an Annual General Meeting or a Special General Meeting of the Party;
- 2.1.14. 'Kaunihera' means the Party's governing body defined in clauses 5.2-5.22 of this Constitution and is the Party's committee for the purpose of the Act;
- 2.1.15. 'Lived Experience Network' means a Network that represents a marginalised community;
- 2.1.16. 'Local Government Caucus' is a group comprising all Party Members who have been elected to Local Government, including Councils and Local Boards defined in clauses 8.13-8.22 of this Constitution;
- 2.1.17. 'Long Term Strategy' means the Long Term Strategy of the Party adopted at a General Meeting;
- 2.1.18. 'Matter' means the Party's performance of its activities or exercise of its powers; or an arrangement, agreement, or contract (a transaction) made or entered into, or proposed to be entered into, by the Party;
- 2.1.19. 'Meeting' or 'hui' can mean a face to face / kanohi ki te kanohi meeting, an online meeting, or a hybrid meeting combining both;
- 2.1.20. 'Member' means a person properly admitted to the Party who has not ceased to be a member of the Party;
- 2.1.21. 'Member Assembly' is a mechanism that provides the opportunity for a wider range of members in Provinces, Networks and Te Rōpū Pounamu to take part in decision-making in the Party;
- 2.1.22. 'MP' means a Member of Parliament who is a Member of the Party and was elected to Parliament as a candidate for the Party;
- 2.1.23. 'Notice' to Members includes any notice given by post, courier or electronic means; and the failure for any reason of any Member to receive such Notice or information will not invalidate any meeting, its proceedings, or any election;
- 2.1.24. 'Parliamentary Caucus' means the group responsible for representing the Party in Parliament defined in clauses 8.2-8.12 of this Constitution;
- 2.1.25. 'Party Secretary' means the person, who is responsible for, among other things, ensuring the Register of members is kept, and ensuring minutes of General Meetings and Kaunihera meetings are kept;
- 2.1.26. 'Person of any gender' includes cisgender, trans, intersex or non-binary persons of any gender;
- 2.1.27. 'Province' is a structure that comprises one or more Branches within shared natural geographical boundaries that have agreed to form part of the Province;
- 2.1.28. 'Province Navigators' are one or more members selected by their Provinces to foster connections between the Membership and decision-making in the Party. This includes supporting Members to engage in Party governance (Kaunihera), policy development (Policy Hub), operational support (Ngā Haumi) or connecting to MPs (Ngā Tumu);
- 2.1.29. 'Specially Convened Meeting' or 'SCM' means a meeting called by Kaunihera to consider any agreement with one or more other political parties regarding the formation of a government;
- 2.1.30. 'Special General Meeting' or 'SGM' means a meeting of the Members of the Party other than an Annual General Meeting, called for a specific purpose or purposes by Kaunihera, a Members Assembly, or a majority of Provinces;
- 2.1.31. 'Standing Orders' means the rules relating to procedural matters (including the process to be followed to call and hold General Meetings) that are set out in Schedule 2 to this Constitution and form part of it;

- 2.1.32. 'Tatau Pounamu' means a group with responsibility for overseeing negotiations with one or more other political parties regarding the formation of a government after a general election;
- 2.1.33. 'Woman' includes cisgender, trans or intersex women.

## Section 3: KAUPAPA AND TIKANGA

*We acknowledge and honour the primacy of Indigenous wisdom which has inspired the Green movement all over the world. Indigenous leadership and knowledge informs us that respect for Papatūānuku, the Earth Mother, is central to preserving life on earth.*

- 3.1. The primary kaupapa or purposes of the Party are to:
  - 3.1.1. Uphold the Charter;
  - 3.1.2. Honour Te Tiriti o Waitangi both within the Party and in the governing arrangements of New Zealand;
  - 3.1.3. Maintain registration as a political party with the Electoral Commission under New Zealand law with the name the Green Party of Aotearoa New Zealand Incorporated;
  - 3.1.4. Promote the election of Members to Parliament and for local government office;
  - 3.1.5. Promote to New Zealanders the principles of the Charter and the Party's policies;
  - 3.1.6. Do anything in connection with the above purposes.
- 3.2. The tikanga of the Party is to:
  - 3.2.1. Engage in appropriate decision-making and work to make decisions by consensus;
  - 3.2.2. Act in good faith by dealing respectfully with each other, respecting our diversity and celebrating our differences;
  - 3.2.3. Aim to achieve balanced representation in appointments and elected roles;
  - 3.2.4. Ensure that Members understand Te Tiriti o Waitangi and its importance to our kaupapa;
  - 3.2.5. Structure the Party within an adaptable Te Ao Māori framework;
  - 3.2.6. Embed the Charter, Long Term Strategy and Te Tiriti o Waitangi in everything we do;
  - 3.2.7. Uphold international human rights instruments including:
    - 3.2.7.1. UN Declaration on the Rights of Indigenous Peoples (UNDRIP);
    - 3.2.7.2. UN Convention on the Rights of Persons with Disabilities (UNCRPD);
    - 3.2.7.3. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
    - 3.2.7.4. The Yogyakarta Principles plus 10 (YP+10); Additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics.
    - 3.2.7.5. UN Convention on the Rights of the Child (UNCRC);
  - 3.2.8. Make space for members to be their best in the way that works best for them;
  - 3.2.9. Strive for full inclusion throughout the Party by honouring intersectionality and combating oppression;
  - 3.2.10. Empower staff and volunteers to fully utilise their skills and experience;
  - 3.2.11. Act as a good employer that supports staff individually and collectively;
  - 3.2.12. Ensure efficiency and flexibility within Party structures and systems;
  - 3.2.13. Decentralise decision-making and encourage building trust throughout the Party.
- 3.3. This Constitution must be interpreted having regard to these tikanga.

## Consensus Decision-Making

- 3.4. The Party will use consensus decision-making whenever possible, with a culture of respectful conflict resolution. Consensus means making decisions by the agreement of all participants, with dissenters and abstainers agreeing to accept the decision. Participants are invited to choose one of five options:
  - 3.4.1. Support wholeheartedly;
  - 3.4.2. Support with reservations;
  - 3.4.3. Abstain;
  - 3.4.4. Disagree but not block consensus;
  - 3.4.5. Disagree and block consensus.
- 3.5. Consensus is achieved if nobody blocks consensus. If consensus is not achieved after reasonable attempts, a vote can be taken. A motion shall be carried with a 75% majority of the votes cast by those eligible to vote. Those who do not agree with the decision may have their dissent recorded.

## General Meetings

- 3.6. A General Meeting is the highest authority of the Party because it can pass remits that bind all parts of the Party.
- 3.7. A written resolution may not be passed in lieu of a General Meeting.

## Section 4: PARTY STRUCTURE

- 4.1. The Party has a Te Tiriti o Waitangi-based structure, named Te Waka Framework. It emphasises grassroots participation by Members both in the Party's democratic processes and advocacy within the Party. The Party has four sections: Te Waka, Ngā Haumi, Te Hāpai and Ngā Tumu. An overview of them is contained here, with detail in the following Sections.
- 4.2. Te Waka: Gathering Hopes and Dreams – Governance, and Policy Development:
  - 4.2.1. Kaunihera;
  - 4.2.2. Te Rōpū Pounamu;
  - 4.2.3. Policy Hub;
  - 4.2.4. Kaumātua Kākāriki.
- 4.3. Ngā Haumi: Building the Waka – Administration and Operations:
  - 4.3.1. Party Office.
- 4.4. Te Hāpai: Paddling in Unison – Membership Engagement and Representation:
  - 4.4.1. Branches;
  - 4.4.2. Provinces;
  - 4.4.3. Networks;
  - 4.4.4. Member Assemblies;
  - 4.4.5. Te Awa.
- 4.5. Ngā Tumu: Steering the Waka – Leadership:
  - 4.5.1. Parliamentary Caucus;
  - 4.5.2. Local Government Caucus.
- 4.6. All bodies within the Party are required to act in the interests of the Party as a whole, and may regulate their own proceedings.

# Section 5: TE WAKA

*Ko Tāne Mahuta pupuke – Tāne Mahuta (god of forests and birds) is rising*

- 5.1. Our principles and values ground us in our kaupapa and guide us when tensions and stresses arise. Political opportunity can happen at short notice: having strong and efficient internal systems will allow us to make values-based decisions in a timely fashion. The responsibilities for Te Waka lie with:
  - 5.1.1. Kaunihera: governance and strategic direction;
  - 5.1.2. Te Rōpū Pounamu: Te Tiriti o Waitangi responsibilities;
  - 5.1.3. Policy Hub: policy development and updates; and
  - 5.1.4. Kaumātua Kākāriki: sage advice and accountability to Party whakapapa.

## Kaunihera

- 5.2. Kaunihera (Council) will oversee the governance and strategic direction of the Party, act according to the instruction of the General Meetings, and report to the AGM on the progress of the Party against its goals and strategies.

### **Purpose**

- 5.3. The purpose of Kaunihera is to constantly monitor and report to the Membership on performance, to ensure the Party:
  - 5.3.1. Operates in accordance with the Charter, Te Tiriti o Waitangi and the Long-Term Strategy;
  - 5.3.2. Has clearly defined strategies that are widely understood, which contain expectations determined by appropriate decision-making.
- 5.4. Kaunihera is collectively accountable for the performance of the Party against these strategies, and each member of Kaunihera is responsible for ensuring progress in their section of the Party.

### **Members**

- 5.5. Kaunihera will consist of:
  - 5.5.1. Two Te Rōpū Pounamu Kaiwhakahaere;
  - 5.5.2. Two Party Co-Convenors;
  - 5.5.3. Two Co-Leaders;
  - 5.5.4. Two Policy Co-Convenors;
  - 5.5.5. The General Manager, who will be a non-voting member.
- 5.6. Kaiwhakahaere are appointed by Te Rōpū Pounamu.
- 5.7. The General Manager is appointed by and reports to Kaunihera.
- 5.8. The Co-Leader, Party Co-Convenor and Policy Co-Convenor positions are elected annually at the AGM:
  - 5.8.1. One woman; and
  - 5.8.2. One person of any gender.

- 5.8.2.1. If no women are nominated for Co-Leader, Party Co-Convenor or Policy Co-Convenor, nominations for one Co-Leader, Party Co-Convenor or Policy Co-Convenor position (as the case may be) must be re-opened.
- 5.8.3. For the Co-Leader positions, one must be Māori.
  - 5.8.3.1. If no Māori candidates are nominated for Co-Leader or only one Māori candidate is nominated and their nomination is not endorsed by Te Rōpū Pounamu, nominations for one Co-Leader position must be re-opened.
  - 5.8.3.2. If two or more Māori candidates run, Te Rōpū Pounamu endorsement is not required for eligibility.
    - 5.8.3.2.1. However, Te Rōpū Pounamu may, if they wish to, formally express their support for one or more Māori candidates.
- 5.9. If a vacancy in any of the Co-Leader, Party Co-Convenor and Policy Co-Convenor positions occurs between AGMs, Kaunihera must:
  - 5.9.1. Hold a ballot of delegates chosen by electorates as for an AGM; or
  - 5.9.2. Call an SGM for that purpose; or
  - 5.9.3. Defer the election to the next AGM if it will be held within three months.
- 5.10. During a vacancy or period of temporary unavailability (as reasonably determined by Kaunihera) of one or more of the Co-Leaders, Party Co-Convenors or Policy Co-Convenors, the vacant role or temporarily unavailable person is removed from any quorum requirement. For the avoidance of doubt this clause overrides all other clauses related to quorum.
- 5.11. The term length of any Co-Leader, Party Co-Convenor and Policy Co-Convenor position elected to fill a vacancy will be until the next AGM where elections will be held again for every position.
- 5.12. No person may hold more than one position on Kaunihera.
- 5.13. No MP may hold any position on Kaunihera other than that of Co-Leader.

## **Meetings**

- 5.14. Kaunihera meetings will be held regularly and as required.
- 5.15. Any one Party Co-convenor and any one Kaiwhakahaere will be the Co-Chairs of Kaunihera. The Co-Chairs of Kaunihera can change at any time.
- 5.16. Quorum will be 75% of filled membership positions, including at least one Co-Leader, one Kaiwhakahaere, one Party Co-Convenor and one Policy Co-Convenor.
- 5.17. There will be no substitutes or additional representatives.
- 5.18. The General Manager can be asked to leave a Kaunihera meeting at the request of the Co-Chairs.
- 5.19. Every member has the right to observe a Kaunihera meeting on request, unless the Kaunihera determines that this would put at risk the privacy of an individual or seriously prejudice the interests of the Green Party.

## **Duties and Powers**

- 5.20. Kaunihera will:
  - 5.20.1. Monitor the performance of the Party against the Charter, Te Tiriti o Waitangi, the Long-term Strategy any other Party strategies supplementary to the Long-Term Strategy;
  - 5.20.2. Hold strategic oversight of Party campaigns in Local Government and general elections;

- 5.20.3. Appropriately address issues that put the Party at risk;
- 5.20.4. Hold financial authority and oversight for the Party. Kaunihera may at its discretion delegate financial authority through internal financial policies;
- 5.20.5. Report annually to the AGM, and regularly to the Party membership, on the Party's performance;
- 5.20.6. Appoint a General Manager of the Party;
- 5.20.7. Appoint a Party Secretary. This role may be combined with one or more other roles within the Party at the discretion of Kaunihera;
- 5.20.8. Ensure internal organisational policies and processes are fit for purpose.
- 5.21. Kaunihera may:
  - 5.21.1. Appoint Kaumātua Kākāriki and call on their advice;
  - 5.21.2. Trigger a review of the Long Term Strategy as required;
  - 5.21.3. Seek expert advice from the wider Membership if required to fulfil its purpose;
  - 5.21.4. Establish sub-committees and working groups from among its members and the wider Membership as required to fulfil its purpose, and teams to support dispute resolution and restorative practice processes.
- 5.22. Except as provided in this Constitution, Kaunihera will have no authority over any other part of the Party.

## **Te Rōpū Pounamu**

### ***Purpose***

- 5.23. Te Rōpū Pounamu is a self-regulating, national group of Māori Members who aim to:
  - 5.23.1. Give life to the Party's commitment to Te Tiriti o Waitangi, as stated in the Charter;
  - 5.23.2. Achieve the Party's objectives in regard to kaupapa Māori and mātauranga Māori, as stated in the Long-Term Strategy;
  - 5.23.3. Provide support and mentorship to Māori Members;
  - 5.23.4. Grow Māori, whānau, hapū and iwi support for the Party;
  - 5.23.5. Provide regular reports to Kaunihera on progress.

### ***Members***

- 5.24. Membership of Te Rōpū Pounamu is open to any Members who whakapapa and identify as Māori.
- 5.25. Te Ohu Kaimahi is the leadership group of Te Rōpū Pounamu and is comprised of:
  - 5.25.1. Two Kaiwhakahaere;
  - 5.25.2. Māori MPs;
  - 5.25.3. Māori local government elected representatives;
  - 5.25.4. Te Rōpū Pounamu representatives across other parts of the Party;
  - 5.25.5. Other members Te Rōpū Pounamu considers appropriate.
- 5.26. When the Party has Māori MPs, all Māori MPs will form a group known as Te Mātāwaka.
  - 5.26.1. Te Mātāwaka can include other members Te Mātāwaka considers appropriate.

### ***Meetings***

- 5.27. Te Ohu Kaimahi will meet regularly, and with the full Te Rōpū Pounamu membership at least twice per year. Where possible, hui will be kanohi ki te kanohi.
- 5.28. Additional meetings may be called by any Member of Te Ohu Kaimahi, with agreement from the Kaiwhakahaere. All meetings will follow tikanga Māori, including karakia and respect for the wide range of te reo Māori fluency of Members.

### ***Duties and Powers***

- 5.29. Te Rōpū Pounamu must be consulted on any matter it considers of significance to Māori or relevant to Te Tiriti o Waitangi.
- 5.30. Te Rōpū Pounamu shall elect or appoint:
  - 5.30.1. Two Kaiwhakahaere;
  - 5.30.2. Representatives to other parts of the Party as required;
  - 5.30.3. Delegates for the Māori electorates for any General Meetings of the Party;
  - 5.30.4. Candidates for the Māori electorates in the General Election.
- 5.31. Te Ohu Kaimahi will lead the Māori Campaign Strategy for local and national elections, in association with Branches, Provinces, Networks and campaign management.
- 5.32. Kaiwhakahaere will represent Te Rōpū Pounamu on Kaunihera and Caucus.
- 5.33. Kaiwhakahaere will provide regular strategic reports to Kaunihera.

## **Policy Hub**

- 5.34. The Policy Hub is responsible for the development and ratification of Party political policy and is led by the Policy Co-Convenors. The Hub is a place of transit, of movement, and an exchange of information and ideas.
- 5.35. Only Policy Hub has the authority to determine:
  - 5.35.1. What methods and procedures shall be utilised to create Party political policy. These methods and procedures must be based on principles and processes approved by a Member Assembly;
  - 5.35.2. The contents of any particular Party political policy;
  - 5.35.3. The interpretation of any particular Party political policy.

### ***Purpose***

- 5.36. The purpose of Policy Hub is to:
  - 5.36.1. Ensure that Party policies are:
    - 5.36.1.1. Consistent with our Party Charter and Long-Term Strategy; and
    - 5.36.1.2. Transformational, visionary and fit for purpose; and
    - 5.36.1.3. Produced in a timely manner with maximum appropriate engagement with Members;
  - 5.36.2. Provide prompt, robust advice at short notice for MPs and Campaign and other committees.

## **Members**

- 5.37. Policy Hub consists of the:
  - 5.37.1. Policy Area Sub-Committees (PASCs) that cover all areas of policy, and
  - 5.37.2. Policy Implementation Consultation Team (PICT) which provides prompt, robust advice; and
  - 5.37.3. Any other groups as required to fulfil the purpose of Policy Hub.
- 5.38. Membership of the PASCs, PICT and any other working groups is guided by Appropriate Decision-Making so that Members and Networks with expertise and lived experience can meaningfully contribute to Party policy development.
- 5.39. PASCs will support Lived Experience Networks to lead or meaningfully input into work for policies which these networks indicate are relevant to them.
- 5.40. The level of activities for the sub-committees is flexible depending on the policies being developed at the time.

## **Duties and Powers**

- 5.41. The Policy Hub is coordinated by the Policy Co-convenors, who will:
  - 5.41.1. Propose principles and processes by which Policy Hub operates to be approved by a Member Assembly;
  - 5.41.2. Establish PASCs and convene meetings as required to create, prioritise, ratify, review and retire (as required) all policies prior to the Local Government elections each term;
  - 5.41.3. Coordinate across PASCs and PICT to jointly exercise the powers of Policy Hub;
  - 5.41.4. Convene PICT as required to advise Parliamentary Caucus, Local Government Caucus, and the Party on interpretation of Party policies;
  - 5.41.5. Produce Terms of Reference for such sub-committees as PASCs and PICT;
  - 5.41.6. Liaise with Te Hāpai to engage the Membership with policy development;
  - 5.41.7. Provide regular strategic reports to Kaunihera on policy progress.

## **Kaumātua Kākāriki**

### **Purpose**

- 5.42. The purpose of the Kaumātua Kākāriki is to:
  - 5.42.1. Uphold the mana of kaumātua (elders) within the Party;
  - 5.42.2. Stay connected to those members who have contributed to the formative and on-going development of the Party;
  - 5.42.3. Hold the Party accountable to its whakapapa while recognising growth and development.

### **Members**

- 5.43. The members of the Kaumātua Kākāriki will be largely appointed by Kaunihera from kaumātua of the Party who:
  - 5.43.1. Are recognised widely as holding core institutional knowledge, wisdom, understanding of the Party's history and values, or particular expertise in tikanga Māori, or on issues facing disabled people, including accessibility and inclusion; and
  - 5.43.2. Have not held any formal role in the Party in the previous six months.

- 5.43.3. Based on the above criteria, the Inclusive Greens network may appoint a member of the Kaumātua Kākāriki.

### **Duties and Powers**

- 5.44. The Kaumātua Kākāriki will:
- 5.44.1. Be on-call to provide advice on key issues facing the Party.
- 5.45. The Kaumātua Kākāriki may:
- 5.45.1. Raise issues with Kaunihera which they consider put the Party at risk;
  - 5.45.2. Require Kaunihera to convene to discuss any issue they deem significant;
  - 5.45.3. Attend and participate in Kaunihera meetings whenever Kaumātua Kākāriki consider this appropriate and relevant.

## **Section 6: NGĀ HAUMI**

*Ki ngā whakaeke haumi – Join those people who can skilfully join the sections of the waka.*

### **Party Office**

#### **Purpose**

- 6.1. The purpose of Ngā Haumi is to:
- 6.1.1. Ensure the Party is compliant at all times with all laws and regulations;
  - 6.1.2. Maintain the infrastructure of the Party relating to its administration and operation;
  - 6.1.3. Ensure the Party's systems and processes are accessible to and inclusive of everyone, especially disabled members;
  - 6.1.4. Provide secretariat and other support to the Party;
  - 6.1.5. Keep the Membership informed of Party activities;
  - 6.1.6. Treasure staff and volunteers;
  - 6.1.7. Coordinate strategic reporting across the Party for Kaunihera and subsequently to the Party.

#### **Members**

- 6.2. The General Manager is appointed by Kaunihera and all other Party staff are employed by the General Manager.

#### **Duties and Powers**

- 6.3. Ngā Haumi is coordinated by the General Manager, who will:
- 6.3.1. Manage Party Office staff and volunteers;
  - 6.3.2. Manage the Party administration and operations, including financial management;
  - 6.3.3. Actively involve Te Hāpai in the development of operational plans, such as the annual Party budget;
  - 6.3.4. In coordination with the Inclusive Greens, ensure that documented guidance and appropriate training on accessibility and inclusion are in place;

- 6.3.5. Manage the logistics of national meetings, such as General Meetings and Summer Conference;
- 6.3.6. Develop and review internal organisational policies and processes;
- 6.3.7. Maintain accurate and accessible Membership records;
- 6.3.8. Ensure the Party IT systems are fit for purpose;
- 6.3.9. Manage operational committees and project teams as required;
- 6.3.10. Manage dispute resolution/restorative practice processes;
- 6.3.11. Provide regular strategic reports to Kaunihera.
- 6.4. Subject to any policies or directions adopted by Kaunihera, the General Manager may:
  - 6.4.1. Delegate any function or responsibility of the General Manager as appropriate in order to fulfil the purpose of Ngā Haumi;
  - 6.4.2. Enter into contracts on behalf of the Party or delegate such power to a sub-committee, member, employee, or other person;
  - 6.4.3. Authorise the operation of bank accounts in the name of the Party;
  - 6.4.4. Responsibly control, invest and dispose of the funds and property of the Party which must be devoted solely to the promotion of the purposes of the Party;
  - 6.4.5. Borrow or raise money with or without security;
  - 6.4.6. Indemnify or, with the prior approval of Kaunihera, effect insurance for an officer for liability for a failure to comply with a duty under the Act or any other duty imposed on the officer in their capacity as an officer, and costs incurred by the officer for any claim or proceedings relating to that liability;
  - 6.4.7. Act as the Party Secretary in accordance with the Electoral Act 1993 or any Act passed in substitution for that Act and any other relevant laws and regulations;
  - 6.4.8. Appoint the contact person or persons required under the Act.

## Section 7: TE HĀPAI

*Kaua e rangiruatia te hāpai o te hoe, e kore tō tātou waka e ū ki uta  
Do not lift the paddle out of unison or our waka will never reach the shore*

### **Purpose**

- 7.1. The purpose of Te Hāpai is to ensure Members are:
  - 7.1.1. Able to raise issues and participate in discussions and policy development;
  - 7.1.2. Valued and recognised for their expertise and lived experience;
  - 7.1.3. Responsible for setting the strategic direction of the Party;
  - 7.1.4. Given opportunities and supported to take on leadership roles in the Party;
  - 7.1.5. Fairly represented in selection processes, in local Government and in Parliament;
  - 7.1.6. Connected with each other with strong and positive relationships;
  - 7.1.7. Able to assess Kaunihera’s oversight of collective adherence to, and progress toward, the Party’s strategic direction.

### **Meetings**

- 7.2. Te Hāpai is coordinated by the Party Co-Convenors, who will:
  - 7.2.1. Have regular meetings as appropriate with:
    - 7.2.1.1. Province Convenors;
    - 7.2.1.2. Province Navigators;
    - 7.2.1.3. Network representatives or individual Networks such as Inclusive Greens.

- 7.2.2. Convene Member Assemblies for matters requiring the involvement of a broad representation of the Party.

### ***Duties and Powers***

- 7.3. The Party Co-Convenors will:
  - 7.3.1. Convene AGMs, SGMs and SCMs for Party-wide decision making;
  - 7.3.2. Organise other Party hui such as Summer Conference and Candidate Conference;
  - 7.3.3. Convene meetings for the Membership to canvas, discuss and resolve issues, and any other meetings as appropriate to fulfil the purposes of Te Hāpai;
  - 7.3.4. Ensure that Members have access to the regular Kaunihera reports;
  - 7.3.5. Ensure that Members are involved setting the strategic direction of the Party, including creating other Party strategies supplementary to the Long-Term Strategy as appropriate;
  - 7.3.6. Ensure that Members are provided with opportunities to interact directly with MPs;
  - 7.3.7. Ensure the processes for Membership engagement and opportunities for leadership are accessible to and inclusive of all members, especially disabled members;
  - 7.3.8. Establish working groups, project teams or committees, and conduct appointments for them, as required to fulfil the purposes of Te Hāpai;
  - 7.3.9. Facilitate appointments including to PASCs and Party committees;
  - 7.3.10. Proactively ensure candidates for local government and general elections have full access through the administrative, selection and campaign process, especially disabled candidates;
  - 7.3.11. Ensure that an agreement between the Party and its MPs that includes obligations and accountability of the parties is developed and reviewed as required.;
  - 7.3.12. Provide regular strategic reports to Kaunihera.

## **Branches, Provinces and Networks**

- 7.4. Branches, Provinces and Networks play special roles in ensuring grassroots participation in geographical locations and by those with shared interests or lived experience. The internal organisation of a Branch, Network or Province is the responsibility of its Members, but each must provide minutes of an AGM to the Party Office.

### ***Branches***

- 7.5. A Branch must have at least five Members within natural geographical boundaries.
- 7.6. A Branch must promptly notify the Party Office and the relevant Province of its formation, name, contact details, and Members.
- 7.7. The role of a Branch is to:
  - 7.7.1. Organise the Party's activities within its geographical area;
  - 7.7.2. Encourage membership engagement, including in policy development, candidate selection, and political action.
- 7.8. Each Branch is part of the Province within the boundaries of which it principally lies.
- 7.9. Branches may amalgamate with the agreement of all branches involved.

### ***Provinces***

- 7.10. A Province comprises one or more Branches within shared natural geographical boundaries that have agreed to form part of the Province.
  - 7.10.1. Except in unusual cases, all Provinces will include a population equivalent to at least three electorates. Any application to form a smaller Province will be decided by the Party Co-Convenors after consultation with affected Provinces.
- 7.11. A Province must promptly notify the Party Office of its formation, name, contact details, and Members.
- 7.12. The role of a Province is to:
  - 7.12.1. Facilitate and coordinate the sharing of Branch work as appropriate;
  - 7.12.2. Encourage membership engagement, including in policy development, candidate selection, and political action;
  - 7.12.3. Ensure that Members are provided with opportunities to interact directly with local members of the Local Government Caucus.
- 7.13. Provinces can hold meetings as they deem appropriate. Provinces may establish and appoint Members to other positions as required to do their work.
- 7.14. Provinces may approve any agreement between the Province and its local government elected representatives that includes obligations and accountability of the parties.
- 7.15. Each Province will appoint one or more Province Navigators who would meet with the Party Co-Convenors regularly to share the views of their Branches.

### **Networks**

- 7.16. A Network is a group of at least five Members who:
  - 7.16.1. Share an identity, lived experience, or common interest; and
  - 7.16.2. Wish to work together to achieve the Party's purposes; but
  - 7.16.3. Whose place of residence shall not limit or determine membership.
- 7.17. A Network must promptly after its formation notify the Party Co-Convenors of its formation, name, purpose, contact details, and Members.
- 7.18. Subject to meeting the Network's membership criteria, any Member may apply to join any Network.

## **Member Assemblies**

### **Purpose**

- 7.19. The purpose of a Member Assembly is to resolve issues or make decisions on matters that require a wide mandate, or are of a shared interest to a broad range of Members, or matters connected with the political affairs of the Party.
  - 7.19.1. Member Assemblies shall, subject to the Charter, Te Tiriti o Waitangi, the Long-Term Strategy and any direction set by the Party in General Meetings, have authority over all such matters.
  - 7.19.2. A Member Assembly cannot be used to resolve Disputes.

### **Meetings**

- 7.20. The Party Co-Convenors can call a Member Assembly for a specified purpose or purposes.
- 7.21. At least four groups entitled to representation at a Member Assembly can request the Party Co-Convenors to call a Member Assembly for a specified purpose or purposes, and the Party Co-Convenors must not refuse the request except for good cause.
- 7.22. A Member Assembly must be called with a notice period of at least fourteen days.

- 7.22.1. However, a Member Assembly operating manual may include provision for urgent decision-making that overrides this requirement.
- 7.23. Quorum will be at least one Party Co-Convenor and 75% of groups entitled to representation being represented, including at least 50% of Provinces and at least 50% of Lived Experience Networks.
- 7.24. Should a vote be required, only the representatives of the groups entitled to representation have voting rights.
- 7.25. The agenda for a Member Assembly is prepared by those who called the Member Assembly or requested it to be called.
- 7.26. The Party Co-Convenors convene a Member Assembly, but this can be delegated with the permission of a Member Assembly.

## **Members**

- 7.27. A Member Assembly consists of one representative from each Province, each lived experience Network and Te Rōpū Pounamu, selected by those bodies.
- 7.28. Until a Member Assembly is convened to decide whether any given network is a Lived Experience Network, the Lived Experience Networks will be those set out in Schedule 3. Schedule 3 will cease to be part of the Constitution once a Member Assembly is convened.
- 7.29. Each body that appoints representatives for Member Assemblies should ensure a range of Members are able to serve as representatives, but otherwise have the right to regulate their own selection processes.
- 7.30. Every Member has the right to attend a Member Assembly to observe, unless the Member Assembly determines that this would put at risk the privacy of an individual or seriously prejudice the interests of the Green Party. Speaking rights can be granted by the Member Assembly.

## **Duties and Powers**

- 7.31. A Member Assembly shall promote the purposes of the Party.
  - 7.31.1. Members of an Assembly shall act in the interests of the Party as a whole, while respecting the particularities of the bodies they represent.
- 7.32. A Member Assembly has the authority to:
  - 7.32.1. Exercise any other lawful powers not inconsistent with the Constitution or the decisions of General Meetings as made from time to time;
  - 7.32.2. Escalate decisions to a General Meeting if required;
  - 7.32.3. Require any Co-Leader, Party Co-Convenor or Policy Co-Convenor or an MP to address an area of concern in the areas for which they are responsible;
  - 7.32.4. Direct the Party Co-Convenors to establish such working groups from the membership as it considers necessary;
  - 7.32.5. Make decisions on matters that require a wide mandate but do not require a General Meeting, such as, but not limited to:
    - 7.32.5.1. Approving a Member Assembly operating manual;
    - 7.32.5.2. Approving principles and processes by which Policy Hub operates;
    - 7.32.5.3. Approving the Candidate Selection and List Ranking Procedures, or equivalent document being the process for selection and list ranking of candidates for the general election, as provided to the Electoral Commission under the Electoral Act;

- 7.32.5.4. Approving the final ranked list of Green Party candidates to be lodged with the Electoral Commission prior to each general election in accordance with the Electoral Act, in accordance with the rules set out in the Candidate Selection and List Ranking Procedures;
- 7.32.5.5. Approving the annual operational budget of the Party;
- 7.32.5.6. Deciding which networks are classified as Lived Experience Networks;
- 7.32.5.7. Approving any agreement between the Party and its Members of Parliament that includes obligations and accountability of the parties;
- 7.32.5.8. Approving Terms of Reference for Committees that require broad mandate from amongst the party, including but not limited to:
  - 7.32.5.8.1. Tatau Pounamu;
  - 7.32.5.8.2. Committees established for the purpose of overseeing election campaigns;
  - 7.32.5.8.3. Any committee or working group established to review the Constitution.

## Te Awa

- 7.33. Te Awa is the magazine published by the Party. It has its own Charter and Board which will include representatives of Te Rōpū Pounamu, Parliamentary Caucus and Te Hāpai.

## Section 8: NGĀ TUMU

*Ko te tumu herenga waka – the stake/mooring place where waka are tied (reliability and influence of a chief)*

### **Purpose**

- 8.1. The overall purpose of Ngā Tumu is to ensure:
  - 8.1.1. The Party has trustworthy leaders who embody our kaupapa at all times;
  - 8.1.2. Party policies are enacted and the Long-Term Strategy is made reality;
  - 8.1.3. The Party has strong, reliable representation in the public.

## Parliamentary Caucus

- 8.2. Parliamentary Caucus represents the Green Party in Parliament. It is led by the Co-Leaders. Parliamentary Caucus exists only when the Party has MPs.

### **Purpose**

- 8.3. Parliamentary Caucus is responsible for the:
  - 8.3.1. Organisation and coordination of Green Party parliamentary activities;
  - 8.3.2. Implementation of Party policies at a national level;
  - 8.3.3. Maintenance of relationships between Parliament and the Party;
  - 8.3.4. Involvement of MPs in the election campaigns for local government and general elections.

### **Members**

- 8.4. Parliamentary Caucus will consist of the:

- 8.4.1. MPs;
- 8.4.2. Co-Leaders;
- 8.4.3. Party Co-Convenors;
- 8.4.4. Policy Co-Convenors;
- 8.4.5. Kaiwhakahaere of Te Rōpū Pounamu;
- 8.4.6. Local Government Caucus Co-Convenors;
- 8.4.7. General Manager.
- 8.5. Parliamentary and Party staff may attend as advisors with the permission of Parliamentary Caucus.
- 8.6. Any Member may normally attend a Parliamentary Caucus meeting subject to the rules contained in an agreement between the Party and its MPs.

### ***Meetings***

- 8.7. Parliamentary Caucus meets regularly during Parliament sitting weeks. Additional meetings can be held as required.
- 8.8. The quorum for any Parliamentary Caucus meeting is a majority of all MPs, including at least one Co-Leader. All decisions will be made by consensus where possible.
- 8.9. Should a vote be required, only the Co-leaders and MPs have voting rights.

### ***Duties and Powers***

- 8.10. Parliamentary Caucus will:
  - 8.10.1. Advance the Party's purposes in relation to the Party's Parliamentary activities;
  - 8.10.2. Make decisions regarding legislation and parliamentary business;
  - 8.10.3. Decide which MPs hold which portfolios;
  - 8.10.4. Communicate publicly about its activities;
  - 8.10.5. Support all MP in their work;
  - 8.10.6. Engage with local government elected members;
  - 8.10.7. Support the Party's general election and local government election campaigns;
  - 8.10.8. Increase understanding of Parliamentary Caucus activities and decision-making amongst the Membership;
  - 8.10.9. Provide regular strategic reports to Kaunihera.
- 8.11. Parliamentary Caucus may:
  - 8.11.1. Delegate any function or responsibility as appropriate to fulfill its purpose.
- 8.12. Each MP will:
  - 8.12.1. Promote and follow the Party's ratified policies subject to any conscientious objection notified when they became a candidate;
  - 8.12.2. Pay to the Party an annual contribution of at least 10% of their gross salary (excluding allowances) ("MP Base Salary"), plus such higher percentage of additional parliamentary income above the MP Base Salary that may be specified in an agreement between the Party and its Members of Parliament that includes obligations and accountability of the parties.

## Local Government Caucus

- 8.13. Local Government Caucus represents the Green Party across the country in local government. Local Government Caucus exists only when the Party has local government elected members.

### ***Purpose***

- 8.14. Local Government Caucus is responsible for:
- 8.14.1. Maintaining relationships between members of the Local Government Caucus;
  - 8.14.2. Involving members of Local Government Caucus in local government election campaigns;
  - 8.14.3. Building and improving the contributions of the Green Party to local government;
  - 8.14.4. Building stronger partnerships between local government and central government.

### ***Members***

- 8.15. Local Government Caucus will consist of:
- 8.15.1. All Members elected to local government with Party endorsement;
  - 8.15.2. Any other Members elected to local government that are appointed as members of the Local Government Caucus by the Local Government Caucus or meet criteria for membership approved by the Local Government Caucus;
  - 8.15.3. One or more MPs appointed by the Parliamentary Caucus.
- 8.16. Local Government Caucus will elect two Co-Convenors from amongst its members on an annual basis (one woman and one person of any gender).
- 8.17. Any Member may normally attend a Local Government Caucus meeting subject to the rules contained in any agreement between the Party and its local elected representatives.

### ***Meetings***

- 8.18. Local Government Caucus will meet regularly.
- 8.19. Local Government Caucus will determine its own operations, including rules for quorum at its meetings.

### ***Duties and Powers***

- 8.20. Local Government Caucus will:
- 8.20.1. Advance the Green Party's charter and values within local government;
  - 8.20.2. Support Local Government Caucus members;
  - 8.20.3. Engage with MPs on shared areas of interest;
  - 8.20.4. Support the Party's local government election campaigns;
  - 8.20.5. Increase understanding of Local Government Caucus activities amongst the Membership;
  - 8.20.6. Raise issues with Kaunihera that are important for the Party's work related to Local Government.
- 8.21. Local Government Caucus shall not be responsible for or involved in the organisation or implementation of the processes for selecting and endorsing candidates for Local Government elections.

# Section 9: MEMBERSHIP

## Application

- 9.1. An applicant for membership must:
  - 9.1.1. complete any application form, supply any information relevant to the application for membership, or attend an interview, as required by the Kaunihera or a group to which it delegates the responsibility;
  - 9.1.2. pay the relevant annual subscription set by the AGM.
  
- 9.2. Members must:
  - 9.2.1. Be a natural person;
  - 9.2.2. Consent to becoming a Member;
  - 9.2.3. Support the Charter;
  - 9.2.4. Abide by this Constitution and any codes of conduct the Party adopts;
  - 9.2.5. Not be a member of another political party that is registered under the Electoral Act 1993 or any Act passed in substitution for that Act.
  
- 9.3. The Kaunihera or a group to which it delegates the responsibility may decline an application for membership and must advise the applicant of their decision, but is not required to provide reasons for that decision.

## Register of Members

- 9.4. The Party Secretary must ensure an register of members is kept, recording for each Member their name, contact details, the date they became a Member, and any other information required by this Constitution or prescribed by Regulations under the Act.
- 9.5. The register of members must be updated as soon as practicable after the Party becomes aware of changes to the information recorded on the register.

## Obligations and Rights of Members

- 9.6. All Members must promote the interests and purposes of the Party and must not do anything to bring the Party into disrepute.
- 9.7. No Member is liable for an obligation of the Party by reason only of being a Member.
- 9.8. Membership does not confer on any Member any right, title, or interest (legal or equitable) in the property of the Society.
- 9.9. Each Member is a member of the branch corresponding to the electorate or part of the electorate where they reside or last resided, but may instead become a member of another branch.
- 9.10. Each Member is a member of the general electorate where they reside or last resided; Each Māori Member is also a member of Māori electorate where they reside or last resided.
- 9.11. Each Member may (subject to any suspension or direction made under clause 4 of Schedule 1 or clause 10.7.2.3):
  - 9.11.1. Participate in their Branch, electorate, Province, and any Network they are a member of;
  - 9.11.2. Attend, participate in decision-making and vote at any meeting of their Branch, electorate, Province, and any Network they are a member of;
  - 9.11.3. Apply for or accept election or appointment to a Party office or role;

- 9.11.4. Subject to payment of any registration fee, attend a General Meeting of the Party;
  - 9.11.5. Subject to the Standing Orders, be selected as a delegate of their electorate or a proxy of any electorate, participate in decision-making and vote at any General Meeting or Specially Convened Meeting of the Party;
  - 9.11.6. Nominate a Member for a Party office or role;
  - 9.11.7. Be selected to stand as a parliamentary or local government candidate representing the Party;
  - 9.11.8. If they have been a Member continuously for at least six months since the date of the previous general election, nominate a Member to represent the Party as a parliamentary candidate;
  - 9.11.9. Subject to any provision in an agreement between the Party and its Members of Parliament that includes obligations and accountability of the parties, attend, and, with the consent of Parliamentary or Local Government Caucus, speak at any Parliamentary or Local Government Caucus meeting;
  - 9.11.10. Attend and speak at meetings of other groups or bodies in the Party, with the consent of that group or body;
  - 9.11.11. Subject to any eligibility requirements specified in the Candidate Selection and List Ranking Procedures, vote in electorate candidate selection meetings and the ordering of the Green Party List for General Elections.
- 9.12. A Member ceases to be a Member:
- 9.12.1. On death; or
  - 9.12.2. By resignation; or
  - 9.12.3. By failing to pay the annual membership subscription; or
  - 9.12.4. By being or becoming a member of another political party that is registered under the Electoral Act 1993 or any Act passed in substitution for that Act; or
  - 9.12.5. On termination of a Member's membership following a dispute resolution process under this Constitution.
- 9.13. Anyone who ceases to be a Member:
- 9.13.1. Is no longer entitled to any of the rights of a Member of the Party;
  - 9.13.2. Remains liable to pay all subscriptions and other fees for that membership year;
  - 9.13.3. Must cease to claim to be a Member of the Party;
  - 9.13.4. Must, on request, return to the Party all material provided to Members by the Party.

## Section 10: DISPUTE RESOLUTION

### Complaints Committee

- 10.1. Kaunihera will appoint a Complaints Committee of at least four Members to consider complaints. It may appoint one or more reserve members of the Complaints Committee, who will replace any members of the Complaints Committee who are unable to participate in the consideration of a complaint.
- 10.2. The members and reserve members of the Complaints Committee will hold office for a term specified by Kaunihera, unless they:
  - 10.2.1. Resign; or
  - 10.2.2. Cease to be a Member; or
  - 10.2.3. Are removed by Kaunihera; or

- 10.2.4. Are removed by the Complaints Committee under clause 10.7.2.2.

## **Making complaints**

- 10.3. A Member may make a complaint by giving to the Party Secretary a notice in writing that:
- 10.3.1. States that the Member is starting a procedure for resolving a Dispute in accordance with the Constitution; and
  - 10.3.2. Sets out the allegation to which the Dispute relates and whom the allegation is against; and
  - 10.3.3. Sets out any other information reasonably required by the Party Secretary.
- 10.4. Kaunihera may make a complaint involving an allegation against a Member by giving to the Member and the Party Secretary a notice in writing that:
- 10.4.1. States that Kaunihera is starting a procedure for resolving a Dispute in accordance with the Constitution; and
  - 10.4.2. Sets out the allegation to which the Dispute relates.
- 10.5. Within five working days of receiving a complaint the Party Secretary will:
- 10.5.1. Acknowledge receipt of the complaint;
  - 10.5.2. Advise the complainant of:
    - 10.5.2.1. Any further information that is required;
    - 10.5.2.2. The process for dealing with complaints;
    - 10.5.2.3. The complainant's rights in this process.
  - 10.5.3. Advise the respondent of:
    - 10.5.3.1. The complaint;
    - 10.5.3.2. The process for dealing with complaints;
    - 10.5.3.3. The respondent's rights in this process.

## **Consideration of complaints**

- 10.6. The Complaints Committee must deal with a complaint in accordance with the procedures set out in Schedule 1.

## **Resolving complaints**

- 10.7. The Complaints Committee may:
- 10.7.1. dismiss a complaint; or
  - 10.7.2. uphold a complaint and make such directions as it thinks appropriate (with which the Party and Members must comply), including:
    - 10.7.2.1. reprimanding or admonishing the Member, and/or
    - 10.7.2.2. removing the Member from any office or position the Member holds in the Party (including as a candidate or member of the candidate pool); and/or
    - 10.7.2.3. suspending the Member from membership for a specified period; and/or
    - 10.7.2.4. terminating the Member's membership; and/or
    - 10.7.2.5. requiring the Member to undertake specified training;
    - 10.7.2.6. requiring the Member to meet any of the Party's reasonable costs in dealing with a complaint.

## **Notification of decisions**

- 10.8. The Complaints Committee must notify the complainant, the respondent and Kaunihera of its decisions including any interim orders.

## **Section 11: INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO PURPOSES**

- 11.1. Any income, benefit or advantage will be applied to the purposes of the Party.
- 11.2. No Member of the Party or Associated Person shall participate in or materially influence any decision made by the Party in respect of any payment to or on behalf of that Member or Associated Person of any income, benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).
- 11.3. The provision and effect of clauses 11.1 and 11.2 shall not be removed from this Constitution and shall be implied into any document replacing this Constitution.
- 11.4. The Party must not operate for the purpose of, or with the effect of:
- 11.4.1. Any Member of the Party deriving any personal financial gain from membership of the Party, other than as may be permitted by law; or
  - 11.4.2. Returning all or part of the surplus generated by the Party's operations to Members, in money or in kind; or
  - 11.4.3. Conferring any kind of ownership in the Party's assets on Members.
- 11.5. The Party will not operate for the financial gain of Members just because the Party:
- 11.5.1. Engages in trade; or
  - 11.5.2. Reimburses a Member for reasonable expenses legitimately incurred on behalf of the Party or while pursuing the Party's purposes; or
  - 11.5.3. Pays a Member a salary or wages or other payments for services to the Party on arm's length terms (terms reasonable in the circumstances if the parties were connected or related only by the transaction in question, each acting independently, and each acting in its own best interests; or are terms less favourable to the Member than those terms); or
  - 11.5.4. Pays any Member interest at no more than current market rates on loans made by that Member to the Party; or
  - 11.5.5. Provides a Member with incidental benefits (for example, trophies, prizes, or discounts on products or services) in accordance with the purposes of the Party.
- 11.6. Any payments made to a Member or Associated Person must be for goods and services that advance the Party's purpose and must be reasonable relative to payments that would be made between unrelated parties.

## **Section 12: AMENDING THIS CONSTITUTION OR THE STANDING ORDERS**

- 12.1. This Constitution (including the Standing Orders) may only be amended or replaced by resolution at a General Meeting.

- 12.2. At least 30 Clear Days Notice to Members must be given of the proposed change.
- 12.3. When an amendment or replacement of the Constitution is approved by a General Meeting it must be notified to the Electoral Commission in accordance with the Electoral Act 1993 or any Act passed in substitution for that Act and to the Registrar of Incorporated Societies in the form and manner specified in the Act for registration.
- 12.4. This Constitution and any amendment to it or replacement of it will take effect from the date of registration with the Registrar of Incorporated Societies.
- 12.5. A review of this Constitution will be conducted in 2024. All members will have the opportunity to engage with this review.
- 12.6. The review group will:
  - 12.6.1. Have its Terms of Reference approved by a Member Assembly;
  - 12.6.2. Be appointed within two months of the date of the 2023 general election (excluding any days from 23 December to 15 January inclusive);
  - 12.6.3. Present a progress report to the 2024 AGM;
  - 12.6.4. Report no later than 20 December 2024.
- 12.7. Any changes proposed by the review group will be considered by the 2025 AGM or an SGM held prior to it.
- 12.8. No addition to or alteration of the objects, personal benefit clause or the winding up clause shall be made which affect the tax-exempt status/not-for-profit status. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

## Section 13: COMMON SEAL

- 13.1. The common seal of the Party must be kept in the custody of the General Manager.
- 13.2. The common seal may be affixed to any document by such means as Kaunihera may resolve from time to time.

## Section 14: WINDING UP

### Process

- 14.1. The Party may be wound up, liquidated, or removed from the Register of Incorporated Societies in accordance with the provisions of the Act.
- 14.2. A resolution to wind up the Party or remove it from the Register of Incorporated Societies may be passed by consensus or a simple majority of electorate delegates entitled to vote at two consecutive General Meetings held no less than 30 Clear Days apart. For the avoidance of doubt, this overrides the 75% majority usually required in Party consensus decision-making.

### Surplus assets

- 14.3. If the Party is wound up, liquidated, or removed from the Register of Incorporated Societies, no distribution will be made to any Member.
- 14.4. On the winding up or liquidation or removal from the Register of Incorporated Societies of the Party, its surplus assets after payment of all debts, costs and liabilities must be vested in

such political parties or societies having objects similar to those of the Party as a General Meeting must determine, or as may be determined by the High Court of New Zealand.

# Schedule 1: PROCEDURE FOR CONSIDERATION OF COMPLAINTS

1. The Complaints Committee must deal with disputes in a fair, efficient, and effective manner.
2. The Complaints Committee may decide not to proceed further with a complaint if:
  - 2.1. The person who makes the complaint has an insignificant interest in the matter; or
  - 2.2. The complaint is trivial; or
  - 2.3. The complaint appears to be without foundation or there is no apparent evidence to support it; or
  - 2.4. The conduct, incident, event or issue giving rise to the complaint has already been investigated and dealt with under the Constitution;
  - 2.5. There has been an undue delay in making the complaint;
  - 2.6. The complaint does not appear to disclose or involve any allegation of the following kind:
    - 2.6.1. That a Member has engaged in material misconduct; or
    - 2.6.2. That a Member or the Party has materially breached, or is likely to materially breach, a duty under:
      - 2.6.2.1. The Constitution; or
      - 2.6.2.2. Rules made under the Constitution; or
      - 2.6.2.3. The Act; or
    - 2.6.3. That a Member's rights or interests or members' rights or interests generally have been materially damaged.
3. The Complaints Committee must, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with the Constitution, ensure that the dispute is investigated and determined.
4. The Complaints Committee may, while a complaint is being investigated and determined and if it considers it appropriate in the circumstances:
  - 4.1. Suspend the Member from membership;
  - 4.2. Suspend the Member from any Party office or position the Member holds;
  - 4.3. Make any other interim order it considers appropriate.
5. A Member who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.
6. If Kaunihera makes a complaint:
  - 6.1. It has a right to be heard before the complaint is resolved or any outcome is determined; and
  - 6.2. A member of Kaunihera may exercise that right on behalf of Kaunihera.
7. Without limiting the manner in which the Member or the Kaunihera may be given the right to be heard, they must be taken to have been given the right if:
  - 7.1. They have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  - 7.2. An oral hearing is held if the Complaints Committee considers that an oral hearing is needed to ensure an adequate hearing; and
  - 7.3. An oral hearing (if any) is held before the Complaints Committee; and
  - 7.4. The Member's or Kaunihera's written statement or submissions (if any) are considered by the decision maker.
8. Clauses 9-11 of this Schedule apply if a complaint involves an allegation that a member or the Party (the respondent):

- 8.1. Has engaged in misconduct; or
- 8.2. Has breached, or is likely to breach, a duty under:
  - 8.2.1. The Constitution; or
  - 8.2.2. Rules made under the Constitution; or
  - 8.2.3. The Act; or
- 8.3. Has damaged the rights or interests of a member or the rights or interests of members generally.
9. The respondent has a right to be heard before the complaint is resolved or any outcome is determined.
10. If the respondent is the Party, a member of Kaunihera may exercise the right on behalf of the Party.
11. Without limiting the manner in which a respondent may be given a right to be heard, a member must be taken to have been given the right if:
  - 11.1. The respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response; and
  - 11.2. The respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
  - 11.3. An oral hearing is held if the Complaints Committee considers that an oral hearing is needed to ensure an adequate hearing; and
  - 11.4. An oral hearing (if any) is held before the Complaints Committee; and
  - 11.5. The respondent's written statement or submissions (if any) are considered by the Complaints Committee.
12. A Member who makes a complaint or is a respondent may participate in the process and exercise their right to be heard either personally or through a representative.
13. The Complaints Committee may appoint:
  - 13.1. A sub-committee or external person to investigate the complaint and report to the Complaints Committee; or
  - 13.2. A sub-committee, an arbitral tribunal or an external person to investigate and make a decision.
14. Where a complaint has been referred to a subcommittee, arbitral tribunal or external person to make a decision, a complaint or respondent who is dissatisfied with that decision may appeal against it to the Complaints Committee by giving written notice of the appeal to the Complaints Committee.
15. The Complaints Committee may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).
16. A member of the Complaints Committee may not participate in the consideration of a complaint if two or more members of the Complaints Committee consider that there are reasonable grounds to think that the person may not approach the complaint impartially or without a predetermined view.

# Schedule 2: STANDING ORDERS

These Standing Orders regulate the procedures of General Meetings, but may also be used as a guide for the conduct of other meetings within the Green Party.

## 1. Standing Orders Committee

### 1.1. Standing Orders Committee

The Standing Orders Committee (SOC) shall be appointed annually by Kaunihera or a group to which it delegates the responsibility for the appointment and is to be responsible for the administration of standing orders. It will comprise the Convenor of the Standing Orders Committee, the Party Secretary (or their delegate), at least one Party Co-Convenor and at least one other Green Party member.

#### 1.1.1. Responsibilities to Kaunihera prior to AGM

The Convenor of the Standing Orders Committee, on behalf of SOC, shall present to each of the three Kaunihera meetings preceding any AGM, a brief report outlining:

- 1.1.1.1. the progress made in complying with the responsibilities outlined in these Standing Orders and any other responsibilities agreed with Kaunihera;
- 1.1.1.2. any particular issues that have been or may need to be addressed; and
- 1.1.1.3. any assistance required by SOC.

If there are fewer than three Kaunihera meetings between the calling of an SGM and the date of the SGM, the Convenor shall present a report to each Kaunihera meeting in that period.

#### 1.1.2. Responsibilities to Kaunihera after AGM or SGM

The Convenor of the Standing Orders Committee, on behalf of SOC, shall present to Kaunihera meeting following any AGM or SGM, a brief report outlining:

- 1.1.2.1. details of the outcomes of the remits;
- 1.1.2.2. any issues arising.

#### 1.1.3. Responsibilities of Kaunihera after AGM or SGM

At Kaunihera meeting six months after an AGM or SGM, Kaunihera shall present to the Convenor of the Standing Orders Committee a brief report outlining:

- 1.1.3.1. the progress made in implementing the remits that were passed at the preceding AGM or SGM;
- 1.1.3.2. any issues arising.

### 1.2. Branch Convenors and AGM or SGM Notices

- 1.2.1. Branch convenors shall be a means of communicating to members of the party, notices and information relating to the formal business of an AGM or SGM, including the election of officers.
- 1.2.2. The Branch Convenors shall be responsible for:

- 1.2.2.1. Receiving information and notices on behalf of the members in their electorate;
- 1.2.2.2. Notifying members, not less than two weeks in advance, of a meeting to consider matters to be discussed at the AGM or SGM, including remits and the nominations for positions elected at the AGM or SGM;
- 1.2.2.3. Organising such properly notified and convened meetings in the electorate to enable members to consider these matters;
- 1.2.2.4. Receiving delegate forms for the electorate and returning the completed form to the Party Secretary (or other delegated person);
- 1.2.2.5. Any other AGM or SGM related activities that may be assigned to Branch Convenors, such as appointment of proxy delegates.
- 1.2.3. Notices and information sent to Branch Convenors shall also be sent to Province Navigators and Province Convenors.
- 1.2.4. In addition, members shall be advised of AGM arrangements by publishing part or all of the information sent to Branch Convenors through their email address stored on the Green Party database and, if a member has no stored email address, through their postal address.

### **1.3. Location of AGMs**

- 1.3.1. Face-to-face AGMs should, preferably, be held in a different province from the preceding AGM. One of any three consecutive face-to-face AGM should be held in the South Island.
- 1.3.2. Any SGM should be held in ways that encourage maximum attendance.
- 1.3.3. An AGM, SGM or SCM may be held by real-time communication technology such as audio-visual conferencing.

### **1.4. Suspension of Standing Orders**

Any part of Standing Orders may be suspended with the unanimous agreement from the floor of the AGM or SGM, or failing that 75% of those delegates present.

### **1.5. Alteration of Standing Orders**

The Standing Orders shall not be amended, altered, or rescinded except at an AGM or SGM of the Party and by a resolution passed by a majority of not less than 75% of those delegates present and entitled to vote.

## **2. Annual General Meetings/Special General Meetings: Processes Prior to Such Meetings**

### **2.1. AGM Pre Meeting Timetable**

#### **2.1.1. Notice of AGM**

SOC shall advise by email the date of the next AGM at least 24 weeks before the start of the AGM and remind people of the timeline for submitting remits. At least 16 weeks before the agreed starting date of the AGM, the Standing Orders Committee shall provide to Branch Convenors, as well as advising members, the following information:

- 2.1.1.1. the date and location of the AGM;
- 2.1.1.2. an outline of the process; and
- 2.1.1.3. the timetable for submitting remits.

## 2.1.2. Submitting Remits

- 2.1.2.1. Remits may be submitted by branches, networks, electorates or provinces, as well as by Kaunihera, Member Assembly, working groups, Parliamentary Caucus, Local Government Caucus, Te Rōpū Pounamu, Inclusive Greens and the Standing Orders Committee.
- 2.1.2.2. All remits must have been adopted by consensus at a properly convened meeting. Notice of the date and venue of the meeting and wording of proposed remits must be distributed not less than two weeks in advance. All remits must be accompanied by:
  - 2.1.2.2.1. In the case of branches, networks, electorates or provinces, the confirmed minutes of the meetings approving the submission of a remit from at least two Provinces or three Branches, electorates or Networks including the proposing entity; or
  - 2.1.2.2.2. In the case of the other entities listed in 2.1.2.1, confirmed minutes of the meeting approving the remit.
- 2.1.2.3. Remits shall be emailed to SOC, which will distribute them to Kaunihera, not later than 12 weeks prior to the start of the AGM in a manner prescribed by SOC. In exceptional cases acceptance of late remits shall be at the discretion of SOC.
- 2.1.2.4. Remits may be proposed which would:
  - 2.1.2.4.1. make changes to the Constitution of the Party;
  - 2.1.2.4.2. make changes to the Standing Orders;
  - 2.1.2.4.3. make changes to the organisation of the Party; or
  - 2.1.2.4.4. commit the Party to activities consistent with its charter, philosophy and policies.
- 2.1.2.5. Remits may be ruled out of order if they:
  - 2.1.2.5.1. are late;
  - 2.1.2.5.2. change the principles of the Constitution or Standing Orders;
  - 2.1.2.5.3. are motions which significantly change party policy without having passed through the agreed policy development process, except where the change has been proposed by Kaunihera and where SOC agrees that the urgency of the need to update or clarify the policy is sufficient to justify the specific exception to this process;
  - 2.1.2.5.4. propose the continuance of established policy or procedure;
  - 2.1.2.5.5. are vague, ambiguous or trivial;
  - 2.1.2.5.6. are amendments which negate the original motion.
- 2.1.2.6. Emergency remits shall only be accepted by SOC if:
  - 2.1.2.6.1. the issue has arisen since the publication of the agenda; and
  - 2.1.2.6.2. the remit cannot wait until the next AGM or SGM; and
  - 2.1.2.6.3. the remit accords with the criteria in clause 2.1.2.4 and is not ruled out according to the criteria in clause 2.1.2.5.
- 2.1.2.7. Upon receipt of remits by SOC, the Convenor of the Standing Orders Committee (or a member of SOC that it may delegate) will enter into a collaborative process with the proposer of the remit to:
  - 2.1.2.7.1. ensure that the intended outcome is best achieved by way of the remit as proposed with particular attention to appropriateness to the document to be amended;
  - 2.1.2.7.2. ensure that they are sufficiently familiar with the document they propose to amend;

- 2.1.2.7.3. check for conflicts, duplications, redundancies or other such issues within or between Party rules and procedures that may be created by the remit as drafted;
- 2.1.2.7.4. confirm that all reasonable attempts have been made to resolve the issue through Party processes; and
- 2.1.2.7.5. where appropriate, and where agreed to by all relevant parties, undertake an alternative dispute resolution procedure before the confirmation of the final agenda.  
If SOC is not satisfied that all of these conditions have been adequately addressed, it may suspend the remit until such time as these conditions have been fulfilled. If a proposer of a remit disagrees with a decision of SOC made under clause 2.1.2.5, they may ask Kaunihera or a group to which it delegates the responsibility to review that decision based solely on whether the criteria in clause 2.1.2.5 were fairly applied.
- 2.1.2.8. Presentation materials and documents pertaining to remits to be distributed at a General Meeting must be submitted to SOC for consent no later than 7 days prior to the date of the first day of a General Meeting. SOC may withhold consent if the materials contain factual inaccuracies, are offensive or are defamatory. The materials must be clearly labeled with the name and electorate of the proposer and (if different) author of the materials. The materials are to be in an accessible format: minimum size 11 plain font and clear colour contrast.

### 2.1.3. Interim Agenda

- 2.1.3.1. SOC shall mail to Branch and Provincial Convenors and Kaunihera, as well as advising members, an interim agenda and the remit amendment process not later than 10 weeks before the start of an AGM.
- 2.1.3.2. The interim agenda mailout will include:
  - 2.1.3.2.1. all remits accepted by SOC with contact addresses;
  - 2.1.3.2.2. a list of Green Party offices for which elections will be held;
  - 2.1.3.2.3. a call for nominations for these offices which must be submitted with a nomination form and accompanying declaration, both of which have been approved by SOC; and
  - 2.1.3.2.4. delegate nomination forms, including provision for proxy representation as set by SOC.
- 2.1.3.3. The number of delegates each electorate is eligible for shall be based on the number of Members in each electorate 11 weeks before the start of an AGM, SGM or SCM. Electorates are entitled to the following number of delegates at an AGM, SGM or SCM:
  - 2.1.3.3.1. one for electorates having 19 or fewer Members;
  - 2.1.3.3.2. two for electorates having 20 to 99 Members inclusive;
  - 2.1.3.3.3. three for electorates having 100 to 199 Members inclusive;
  - 2.1.3.3.4. four for electorates having 200 or more Members.
- 2.1.3.4. SOC may make composite remits in the interim and final agendas but must also publish the originals as appendices.
- 2.1.3.5. SOC shall prioritise the agenda and recommend to the AGM Steering Committee the amount of time to be allocated to the business of the meeting. Kaunihera or a group to which it delegates the responsibility will make a final decision in the situation

where agreement cannot be reached between the AGM Steering Committee and SOC.

- 2.1.3.6. All those eligible for submitting remits under clause 2.1.2.1 may propose amendments to remits and shall send any proposed amendments, or comments on the remits, to the proposer of the remit, Branch Convenors, Provincial Convenors, SOC and Kaunihera not later than 8 weeks before the start of the AGM.

#### 2.1.4. Closing Dates

##### 2.1.4.1. Closing date for nominations, reports, and amended remits

The following shall be sent to SOC, which will distribute them to Kaunihera or a group to which it delegates the responsibility, not later than 6 weeks before the start of AGM:

- 2.1.4.1.1. nominations for the elected Green Party offices on the approved nomination form, and candidate declarations on forms approved by the Standing Orders Committee. Candidates should also supply information about themselves and their candidacy (up to half an A4 page including a photo if they wish);
- 2.1.4.1.2. reports by current Green Party officers;
- 2.1.4.1.3. any proposed amendments to remits received by the proposers of the remits noting those which they have accepted. SOC will incorporate these into the remit replacing the original. Only proposers of remits may amend their remit. Other groups may submit suggested amendments to the proposers.

##### 2.1.4.2. Closing date for Treasurer's Report and Annual Financial Accounts

The Treasurer's Report and the annual financial accounts for the Green Party's financial year ending 31 March are to be finalised at least one week before the start of AGM. The annual accounts presented to the AGM for acceptance as required by the Act are to have been audited and have the auditor's certificate attached.

#### 2.1.5. Final Agenda

- 2.1.5.1. SOC shall send to all Branch and Provincial Convenors, as well as advising members, a final agenda not later than one calendar month before the AGM.
- 2.1.5.2. SOC shall ensure that the agenda of any AGM shall provide for the acceptance of reports from party officials, acceptance of the annual accounts and the election of officers.
- 2.1.5.3. Each member who registers for the AGM shall receive a final agenda on receipt of the registration form, if requested on the registration form. If requested they will also be sent a copy of the annual accounts when these become available.
- 2.1.5.4. The final agenda mailout will include:
  - 2.1.5.4.1. the proposed agenda including all remits (clearly showing any amendments accepted by SOC);
  - 2.1.5.4.2. a sample ballot form and outline of the election process to be held;
  - 2.1.5.4.3. a list of candidates standing for election;
  - 2.1.5.4.4. remits that have been ruled out of order.
  - 2.1.5.4.5. reports to hand of Green Party office holders

### 2.1.6. Delegate Eligibility

- 2.1.6.1. Any person wishing to be a delegate must be a Member. Each delegate must have their delegate form signed by:
  - 2.1.6.1.1. at least 75% of members of the electorate they are representing; or
  - 2.1.6.1.2. at least 5 members of their electorate; whichever is the lesser.
- 2.1.6.2. Branch Convenors shall ensure that the Party Secretary or other delegated person receives the completed delegate form not later than one week prior to the AGM.
- 2.1.6.3. Electorates unable to send delegates to the AGM may appoint a Member outside the electorate by proxy using the form and ensuring that the Greens' national office receives the completed proxy form not later than one week prior to the AGM. Any individual can hold only one proxy.
- 2.1.6.4. Late delegate registrations and proxy delegates may only be accepted by majority vote of those delegates already properly registered and present at the AGM.
- 2.1.6.5. Delegates must have obtained the collective local opinion on each issue prior to the AGM, by means of local meetings, notified to members at least two weeks in advance.
- 2.1.6.6. There will be a strong emphasis on balanced representation in the selection of delegates.

## 2.2. **Special General Meeting Pre-Meeting Timetable**

- 2.2.1. The minimum 7 day notice period for SGMs is only to be used in exceptional circumstances such as times of national emergencies or in other cases where it is not possible to give greater notice.
- 2.2.2. SGMs should be called with the maximum practicable notice to allow electorates to discuss the issues.
  - 2.2.2.1. SGMs to discuss potential coalition arrangements should be tentatively scheduled before the election.
  - 2.2.2.2. SGMs to cover matters such as constitutional amendments, election of officers and other similar matters will normally be held with at least one month's notice.
- 2.2.3. The pre-meeting procedures for any SGM shall wherever possible comply with those provisions relating to the AGM. Where a shorter time frame precludes this, SOC will give members as much notice as possible of:
  - 2.2.3.1. the date, time and venue of the SGM; and
  - 2.2.3.2. the matters which the SGM is to consider; and
  - 2.2.3.3. the process to be used to nominate electorate delegates and proxy delegates.
- 2.2.4. Electorate delegates and proxy delegates shall ensure that they have their completed delegate form to be submitted at registration time not later than 12 hours prior to the scheduled start of the SGM. Late delegate registrations may only be accepted by majority vote of those delegates already properly registered and present at the SGM.
- 2.2.5. Only matters notified in the agenda shall be considered at the SGM.

## 3. **Annual General and Special General Meetings: Procedures and decision making guidelines to be followed during such meetings**

### 3.1. **Eligibility**

All members present at an AGM or SGM may take an active part in all debate but decisions whether by consensus or vote shall be made by authorised electorate delegates only.

### **3.2. Attendance of Non-members**

Non-members may attend any session of an AGM or SGM on payment of a registration fee, provided an announcement is made of their presence and reason for interest. The AGM or SGM may decide to exclude such people by majority vote. Members of the press shall wear visual identification of their name and the organisation they represent.

### **3.3. Quorum**

A quorum shall be 50% of those entitled to vote registered for that day at any AGM or SGM, provided that at least 50% of the eligible electorates are represented by at least one delegate.

### **3.4. Agenda**

3.4.1. SOC shall propose motions to:

- 3.4.1.1. appoint facilitators responsible for ensuring the processes outlined here and agreed at the meeting itself are complied with;
- 3.4.1.2. appoint minute-takers responsible for ensuring decisions are correctly recorded;
- 3.4.1.3. confirm the agenda;
- 3.4.1.4. confirm the minutes of the last AGM or SGM where applicable;
- 3.4.1.5. receive the report of SOC;
- 3.4.1.6. at an AGM, accept the Treasurer's report and the annual financial accounts;
- 3.4.1.7. where any election is being held, appoint a returning officer and at least two scrutineers.

3.4.2. These motions shall be the first business of any AGM or SGM.

3.4.3. Items not included in the interim or final agenda shall not be considered by an AGM or SGM except for procedural motions, emergency remits, or those which make textual or minor alterations not significantly altering the intent of the original remit. These motions shall require a proposer and a seconder.

### **3.5. Amendments to remits from the floor**

3.5.1. Motions proposing amendments to remits may be ruled out of order if they

- 3.5.1.1. change the principles of the Constitution or Standing Orders;
- 3.5.1.2. propose the continuance of established policy or procedure;
- 3.5.1.3. are vague, ambiguous or trivial; or d) negate the original remit.

3.5.2. Amendments to remits may only be considered when they make textual or minor alterations not significantly altering the intent of the original remit.

3.5.3. Before an amendment is accepted by the meeting the original proposer can exercise a right of reply. Once an amendment is accepted the mover of that amendment can exercise a right of reply before the amended remit is put.

### **3.6. Decision-making guidelines**

3.6.1. The AGM or SGM shall make all decisions according to the procedure outlined herein, except that the election of officers shall be by secret ballot of the delegates.

3.6.2. The facilitator of any session shall be responsible for conducting business according to the agreed agenda and the decision-making processes set out below. Any member may appeal to SOC if the procedure is not being correctly followed by the facilitator, in which case SOC shall advise the AGM or SGM accordingly. The facilitator may be changed at the discretion of the AGM or the SGM by consensus, or failing that, by a majority of 75% of the delegates present.

- 3.6.3. The Party will use consensus decision-making whenever possible, with a culture of respectful conflict resolution. Consensus means making decisions by the agreement of all participants, with dissenters and abstainers agreeing to accept the decision. Participants are invited to choose one of five options:
- 3.6.3.1. Support wholeheartedly;
  - 3.6.3.2. Support with reservations;
  - 3.6.3.3. Abstain;
  - 3.6.3.4. Disagree but not block consensus;
  - 3.6.3.5. Disagree and block consensus.
- 3.6.4. Consensus is achieved if nobody blocks consensus. If consensus is not achieved after reasonable attempts, a vote can be taken. A motion shall be carried with a 75% majority of the votes cast by those eligible to vote. Those who do not agree with the decision may have their dissent recorded.
- 3.6.5. The facilitators can use a range of techniques such as:
- 3.6.5.1. straw poll, which may be called by the facilitator at any time;
  - 3.6.5.2. discussion groups;
  - 3.6.5.3. home groups;
  - 3.6.5.4. structured rounds;
  - 3.6.5.5. fishbowls.
- 3.6.6. Prior to the consideration of remits the facilitators shall provide:
- 3.6.6.1. an explanation of consensus and group process; and
  - 3.6.6.2. an outline of processes for reaching consensus; and
  - 3.6.6.3. proposed ground rules for the conduct of the meeting.
- 3.6.7. The facilitators:
- 3.6.7.1. Shall have the discretion to maintain speaking order and set time limits on speaking. However unless it is agreed otherwise the proposers of remits shall have up to five minutes to speak to their remit.
  - 3.6.7.2. May call for time out, a break, discussion groups or defer an item. However, this may be overridden by 75% majority vote of all those delegates present.
- 3.6.8. SOC, any member of Kaunihera or any delegate may call for an agenda item or part thereof to be held in committee, with non-members and the press being requested to leave. This may be adopted with unanimous agreement or with the agreement of 75% of delegates present.
- 3.6.9. Any delegate may call for a short break or provincial discussion. This will be allowed at the facilitator's discretion or if more than 50% of those delegates present support this call.
- 3.6.10. Any delegate may call for a deferment. If more than 50% of delegates present support this call, then the matter will be postponed until the following items on the agenda are dealt with.
- 3.6.11. Each remit will normally be considered as follows:
- 3.6.11.1. Introduction of remit and explanation of issue;
  - 3.6.11.2. Questions of clarification;
  - 3.6.11.3. Straw poll, to identify whether there is unanimity;
  - 3.6.11.4. If there is no unanimity then the facilitator can employ techniques such as those set out in clause 3.6.5 in trying to build a constructive consensus.
- 3.6.12. Before any formal vote is held a straw poll should be held as to whether that formal vote should be taken.

- 3.6.13. The Party Co-Convenors and the facilitator shall ensure that there is a minute-taker at all times throughout the meeting. Each decision of the meeting is to be fully restated by the facilitator and properly recorded by the minute-taker before moving on to the next agenda item.

### **3.7. Voting on remits**

Only electorate delegates may vote at an AGM or SGM, so that democratic representation of local areas is empowered. Delegates are expected to have obtained the collective local opinion on each issue prior to the AGM or SGM, by means of properly notified local meetings.

- 3.7.1. If voting cards are used, each shall only be used to cast a valid vote by the member to whom it is issued. The facilitator may call for a card vote.
- 3.7.2. A remit shall require approval of at least 75% of votes cast to be carried.
- 3.7.3. There will be no secret ballots for remits.

### **3.8. Elections of Office Holders**

- 3.8.1. Only electorate delegates will be allowed to vote.
- 3.8.2. The AGM or SGM shall appoint at least one returning officer and at least two scrutineers prior to commencement of elections.
- 3.8.3. The agenda shall ensure adequate plenary time is available for short presentations by nominees to the AGM or SGM, of no more than 5 minutes duration.
- 3.8.4. The returning officer shall issue voting papers, count votes with the scrutineers, report to the AGM or SGM, and publish the results in the Green Party newsletter. Each candidate can appoint one scrutineer to verify final totals, with the returning officer ensuring that the secrecy of ballot papers is maintained.

### **3.9. Office Holder Voting Procedure**

- 3.9.1. Voting papers should be prepared beforehand and handed to each electorate delegate as they enter the meeting at the time set for the election.
- 3.9.2. Voting papers must be in a form approved by SOC.
- 3.9.3. The Convenor of the Standing Orders Committee should advise the voters that:
  - 3.9.3.1. The electoral system for contested elections in elections for two positions is Single Transferable Vote. The electoral system for elections for a single position is Preference Voting.
  - 3.9.3.2. Voters should rank the candidates in order of preference, by putting a 1 beside their first choice, 2 beside the second choice etc.
  - 3.9.3.3. Voters can rank as many of the candidates as they wish. Ballots that do not rank all the candidates are acceptable. However, the more candidates a voter ranks, the more influence the voter has on the outcome.
  - 3.9.3.4. If the top two candidates in an election for two positions do not meet the demographic criteria for those positions, the next candidate that meets the demographic criteria will be elected instead of the candidate who otherwise would be elected second. If there is no such candidate, the second candidate and the next candidate that meets the demographic criteria will be elected instead of the candidate who otherwise would be elected first. If there is no such candidate then the same process will be followed with the third candidate and the next candidate who meets the demographic criteria, and so on down the list.
  - 3.9.3.5. If there are only two candidates for Co-Leader, Party Co-Convenor or Policy Co-Convenor and these candidates meet the applicable demographic criteria, there will

be a single election for each with two options: to vote for the candidate or to re-open nominations.

- 3.9.3.6. In contested elections there will be a single re-open nominations option that delegates can choose as an alternative to ranking candidates.
- 3.9.3.7. Nominations will be re-opened if re-open nominations obtains at least of the 25% of the valid votes cast.
- 3.9.3.8. Voters who strongly believe that none of the candidates listed are suitable for the position being filled, have the option of placing a tick beside Re-open Nominations. Any subsequent preferences given for the candidates standing at the election will be ignored.
- 3.9.3.9. A valid vote is one which has at least one of the candidates ranked or which has a tick beside Re-open Nominations.
- 3.9.3.10. If no-one is elected then nominations are to be sought from the membership at large under the electronic voting process.
- 3.9.3.11. The vote shall be by secret ballot.
- 3.9.3.12. Subject to clause 3.9.3.13, those elected shall take office at the end of the AGM.
- 3.9.3.13. In any year in which, before the Party's AGM has been held, the Prime Minister has announced that a general election will be held after the AGM, or where a general election will be required by law to be held before the end of that year, the outgoing Party Co-Convenors shall continue in office until after the election called has taken place and, if the party is involved in negotiations to form a new government, until after that new government has been formed. Party Co-Convenors elected at the AGM will then take office.

### **3.10. Election of Vacant Positions after AGM**

- 3.10.1. If no candidate is elected to a leadership position at the AGM, nominations for that position shall be sought by SOC within one week of the AGM. These are to be distributed to all branch convenors who are to receive a copy of the approved nomination form.
- 3.10.2. The nomination forms are to be sent to SOC one week after the opening of nominations.
- 3.10.3. SOC shall distribute to Branch Convenors ballot papers and candidate information within one week of the closing of nominations.
- 3.10.4. Voting shall be by approved electorate delegates with electorates entitled to the same number of delegates as they are for an AGM or SGM. For the avoidance of doubt, in the situation that an AGM or SGM changes the rules on how many delegates each electorate is eligible for, then those new delegate eligibility rules apply to a subsequent election for any position vacant following that AGM or SGM. Branch Convenors are to ensure that they convene a meeting, notified two weeks in advance, of Green Party members in their electorate to discuss the nominations.
- 3.10.5. Delegates are to ensure that ballot papers are returned by the nominated deadline, which shall be no more than four weeks after the date on which the ballot papers were mailed to Branch Convenors. Each ballot paper shall be accompanied by a declaration signed by six current financial members in the electorate or where there are five members or less, all the members. The declaration shall certify that a properly notified meeting was held and that the ballot is a true record of the decision made after wide consultation within the electorate.
- 3.10.6. Votes shall be counted in accordance with the processes set down for voting for office holders at the AGM as set out in clause 3.9. SOC shall appoint a returning officer and scrutineers, and candidates may also appoint one scrutineer.

3.10.7. SOC shall announce the result of the ballot to the candidates in the first instance and then to the Branch Convenors, and on appropriate email networks as soon as practicable after the candidates have been notified.

#### **4. Annual General and Special General Meeting Records**

##### **4.1. Recording decisions**

Decisions will be recorded as follows:

- 4.1.1. Consensus approval will be recorded as "agreed" and disapproval as "rejected".
- 4.1.2. Decisions made by voting will be recorded as "passed" or "rejected" with numbers for and against. In the case of changes to the Green Party Constitution and to Standing Orders, the numbers abstaining will also be recorded.
- 4.1.3. When a few people disagree, but have allowed consensus, consensus shall be recorded as having been reached by using the formula "agreed with (number) dissenting (number)". Dissenters may choose to have their disagreement recorded in the minutes.
- 4.1.4. When no-one disagrees (or agrees) with a motion it shall be recorded as agreed (or rejected) unanimously.

##### **4.2. Publication of Records**

- 4.2.1. SOC shall liaise with the Party Secretary and Party Co-Convenors to produce an accurate record of decisions at an AGM or SGM, which shall be published as draft minutes of the AGM or SGM within two months of the end of the meeting.
- 4.2.2. Any member objecting to the draft minutes of the meeting shall within 1 month of the draft minutes being published submit their objection in writing to the Convenor of the Standing Orders Committee including reasons and proposed amendments.
- 4.2.3. SOC shall then revise the draft minutes as they see fit and publish them as the unconfirmed minutes of the meeting.

## **Schedule 3: INITIAL LIST OF LIVED EXPERIENCE NETWORKS**

- Inclusive Greens;
- Rainbow Greens;
- Green Women;
- Young Greens;
- Rural Greens;
- Pasifika Greens.

Signed:



Aroha Lowe

Party Co-convenor



Sam Ferguson

Party Co-convenor



Miriam Ross

Party Secretary