

NEW ZEALAND TEA PARTY

Rules & Constitutions Year 2020

Rules & Constitutions of New Zealand TEA Party

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1.0 Name

- 1.1 The full name of the Party, an incorporated society, shall be "New Zealand TEA Party" operating as a political party, abbreviated as "TEA Party", for the purposes of the Electoral Act 1993 ("the Party").
- 1.2 The Party may also be known as the New Zealand Taxpayers and Entrepreneurs Alliance, still abbreviated as "TEA Party", for the purposes of the Electoral Act 1993.

2.0 Objective

- 2.1 The objective of the Party is: To elect competent women and men to the Parliament of New Zealand.

3.0 Membership

- 3.1 Any individual person or persons and any incorporated or unincorporated society, corporate body, institution or other organisation may become a member of the Party by:
 - a. Making written application (including by email or any other form of electronic media).
 - b. Paying a joining fee as set out in this Constitution.
 - c. Being approved for membership by the Board; and
 - d. All applications in writing must be signed by the applicant.
- 3.2 All applications for membership of the Party must be approved by the Board which has an absolute discretion to refuse membership to any person or organisation and shall not be required or obliged to give any reason for doing so.
- 3.3 Membership of the Party shall continue until a member resigns in writing from the Party, or dies, or until the member's membership is otherwise terminated in accordance with the provisions of this Constitution.
- 3.4 All financial members of the Party shall:
 - a. Be 18 years old and over,
 - b. Agree with and accept, in writing, the Constitution of the Party,
 - c. Be a registered elector under the Electoral Act 1993,
 - d. Be a New Zealand citizen or permanent resident eligible to vote, and
 - e. Have resided in New Zealand for a continuous period of at least 12 months.

4.0 Membership Fees

- 4.1 To become a member of the Party, a person must pay an annual subscription being such amount as may be nominated by the Board from time to time.
- 4.2 Annual subscriptions are duly payable by members upon receiving a request for payment from the Board. It shall be the responsibility of the member to ensure that the Party Secretary-General, at all times, has a current email address. Failing payment of the annual subscription, the member waives any rights to vote on matters under this Constitution and be involved in any decision making relating to the Party.

5.0 Rights and Privileges of Members

- 5.1 Every paid-up member may attend, vote and participate in all meetings of the Party including Annual General Meetings, in person, or, by use of electronic media.
- 5.2 An Annual General Meeting of the Party will be held once each year and every member who is in attendance at the Annual General Meeting, in person, or, by use of electronic media, may participate in the election of the Board of the Party.
- 5.3 Every member is entitled to participate in the selection of Party list candidates and electorate candidates, to the extent permitted by the process determined by the Board.
- 5.4 Every member is entitled to contribute to policy and manifesto development of the Party, but such contribution must meet the objectives of the Party, the rules, and the process determined by the Board. The Board will have final say.
- 5.5 Each member is entitled to one (1) vote that may be exercised in any meeting or electoral process determined by the Board.

6.0 Termination of Membership

- 6.1 A financial member may at any time resign membership of the Party by giving written notice in that regard to the Party Secretary-General, but for the avoidance of doubt, no portion of the joining fee or annual subscription will be refunded.
- 6.2 If any annual subscription is not paid in full within one (1) calendar month of request for payment being made, membership may be terminated in the absolute discretion of the Board.
- 6.3 The Board may expel a financial member if it considers that the member has:
- a. Brought the Party into disrepute.
 - b. Contravened the Constitution, objectives, rules, or manifesto of the Party.
- 6.4 Before expulsion, the Board will consider the matter leading to consideration of expulsion by:
- a. An investigation being undertaken by the Party Secretary-General or any independent person appointed by the Board.
 - b. A hearing being convened following the process:
 - i. The member concerned is heard.
 - ii. The investigator is heard.
 - iii. Submissions are received from (i) and (ii) above (if they so wish).
 - iv. The Board may appoint and hear from expert advisers as it sees fit to deal with the matter before it.
 - v. The Board will make a decision as to whether the membership of the member concerned should be terminated and the member expelled. The decision shall be conveyed to the member concerned.
 - vi. The decision of the Board is final and conclusive, and there will be no right of appeal.

7.0 Board

- 7.1 The ruling body of the Party will be an executive Board which shall consist of:
- a. The Party Leader(s),
 - b. The Party President (and Vice President, if applicable),
 - c. The Party Secretary-General,
 - d. One representative elected by the Party's parliamentary caucus (if applicable),

- e. Up to Nine members elected by members at an Annual General Meeting to represent geographic areas or other considerations determined by the Board.
- f. The total number of Board members shall not exceed Fifteen in total.

7.2 Each member of the Board shall have one (1) vote.

7.3 Decisions, if not made by consensus, will be made by simple majority, and in the case of deadlock, the Party President shall have a casting vote as well as a deliberative vote.

7.4 The Board may include non-voting advisory persons to the Board and may also engage or employ such other persons as it considers necessary or expedient to the operations of the Party and the carrying out of its functions. Decisions in that regard are to be made by majority vote. A non-exhaustive list of these Portfolios may include:

- a. Treasurer
- b. Campaign Manager
- c. Events Manager
- d. Tour Manager
- e. Social Media Manager
- f. Public Relations Manager
- g. Media Liaison Manager
- h. Distribution Manager
- i. Money Manager
- j. Fundraiser
- k. Brand Manager
- l. Policy Writer
- m. Economist
- n. Any other person

- 7.5 The Board through the Party's Secretary-General shall open nominations for all positions on the Board no less than one (1) month prior to an Annual General Meeting. Only financial members of the Party may be nominated to the Board.
- 7.6 Positions will become vacant at the AGM after the expiry of the predetermined tenure of that position. Each member of the Board shall hold office from the time at which they are elected until the end of the predetermined tenure, unless resigning in accordance herewith or being otherwise removed in accordance with this Constitution.
- 7.7 The Board may determine its own process for the seeking of nominations, and the process will be notified by the Party Secretary to all members not less than one (1) calendar month prior to the Annual General Meeting.
- 7.8 Any member of the Party may be nominated as a candidate for election to the Board by at least one (1) current financial member of the Party.
- 7.9 At the end of the nomination process determined by the Board the Party Secretary-General shall distribute the names of all nominees to the members of the Party. Election for all positions on the Board will be held at the Annual General Meeting voting by simple majority.
- 7.10 During the founding year (2020), the Board members may be appointed according to clause 20 of this Constitution.

8.0 Removal of Board Members

- 8.1 The Board may remove any member from itself by attaining approval of 75% of all members of the Board at a Special General Meeting held for that purpose.

9.0 Financial Year

- 9.1 The financial year of the Party shall, until otherwise determined by the Board, end on the 31st day of March in each year. All monies received by the Board or the Party Secretary-General shall be paid to the credit of the Party into such banks or other financial institution as the Board may, from time to time, appoint and direct. Either President or Secretary of the Incorporated Society is authorized to sign or approve the withdrawal and bank transaction on behalf of the Party.
- 9.2 The Board shall maintain proper books of accounts to be kept up to date so as to, at all times, provide a true and accurate record of the financial affairs for the Party, including any assets and liabilities. Such books of accounts shall be kept by the Secretary and any Treasurer of the Party.

10.0 Powers of the Board

10. The Board shall administer the affairs of the Party to meet the objectives of the Party and without limitation of its powers, shall have authority to:
- a. Exercise any lawful powers not inconsistent with this Constitution or the decisions of an Annual General Meeting.
 - b. Approve new members and remove members in accordance with this Constitution.
 - c. Appoint sub-committees comprised of members as well as professionals (such as lawyers and auditors) as it considers expedient.
 - d. Enter into arrangements, including component Party arrangements with other Parties, by terms of which the Party may become a component party of another party, or by which another party may become a component party of the Party with power of extension of membership of the Party or to the Party either way.

11.0 Delegation

- 11.1 The Board may delegate its powers and functions to any person, firm or corporation as it sees fit, but any delegation must be undertaken in accordance with these rules and the objectives of the Party.
- 11.2 The Board may delegate or outsource the role of Party Secretary-General to a volunteer, labour-only contractor or employee.
- 11.3 The Board may revoke any delegation in writing at any time and with immediate effect.

12.0 Party Secretary-General

- 12.1 The Board shall appoint a Party Secretary-General who will be responsible for the administration of the Party including ensuring that the Party fully complies with New Zealand's Electoral Law in all its aspects.
- 12.2 The Party Secretary-General is an automatic member of the Board with voting rights. A delegated or sourced out Party Secretary-General, who is a volunteer, labour-only contractor or employee, has to be a financial member of the Party, and an automatic member of the Board, and has voting rights.
- 12.3 The Party may appoint Deputy Secretary or Assistant to assist Party Secretary-General in carrying out party administration works.

13.0 Remuneration

- 13.1 The Party Secretary-General and / or Deputy Secretary or Assistant shall be paid an annual amount determined by the Board for her or his services unless is a volunteer.
- 13.2 Any other member of the Board may be remunerated for any professional services delivered to the Party. This must be determined and approved, in advance, by majority vote of the Board.
- 13.3 The Board needs to consider any potential conflict of interest and the process for dealing with it. The Board needs to decide whether the member being paid for services, has to forfeit her/his voting rights or not.

14.0 Party Leader(s)

- 14.1 The Party will have at least one (1) Party Leader who shall be responsible for managing the Party's parliamentary affairs, should it be represented in Parliament.
- 14.2 The Party Leader is an automatic member of the Board and has full voting and speaking rights.
- 14.3 Should the Party not be represented in Parliament; the Party Leader will be the candidate ranked number one (1) on the Party list by the Board.
- 14.4 The Party may have a second Co-Leader who will be the number two (2) on the Party list, as ranked by the Board. The Party Co-Leaders will be automatic members of the Board with full voting and speaking rights.

- 14.5 If the Party is represented in Parliament, the Party Leader will be selected by majority vote of the parliamentary caucus. If there is only one (1) member of the parliamentary caucus, that person shall automatically be the Party Leader. If there are two (2) members of the parliamentary caucus, the Party Leader will be the candidate ranked highest on the Party List.
- 14.6 The Party Leader may be removed if there is a successful vote of no confidence conducted by the parliamentary caucus by simple majority of all its members. If the Party Leader fails in vote of no confidence, there will be an election within the parliamentary caucus for a new Party Leader as set out above. At the first caucus meeting following a general election, a Party Leader must face an automatic confidence vote should he or she fail to secure a simple majority of votes from the parliamentary caucus; a new election for Party Leader will be held and elected by majority vote of the parliamentary caucus.

15.0 Candidates

- 15.1 The Board shall determine the selection and approval of Party list candidates and electoral candidates for election. The minimum requirements of applicants for candidacy (whether list or electoral) are (without limitation):
- a. Confirmation the candidate is a New Zealand citizen,
 - b. Confirmation of eligibility and suitability for nomination to Parliament,
 - c. A clean criminal record, confirmation of which is obtained from the New Zealand Police,
 - d. A written undertaking to uphold and be bound by the objectives and rules of the Party including its Constitution,
 - e. An undertaking to abide by the manifesto of the Party; and
 - f. Any other matters the Board may require.

16.0 Selecting the Party List

- 16.1 The Party's Board shall produce a Party list selected as follows:
- a. In a general election year, the Board shall decide the time periods and deadlines for each stage of selecting the Party list.
 - b. The Party Secretary-General shall call for nominations in accordance with the time period and deadlines set by the Board.
 - c. Only members may be nominated for the Party list and members may nominate themselves for the Party list.
 - d. At the close of nominations, the Board shall rank nominees and produce a draft list with no less than six (6) and no more than one hundred and twenty (120) candidates.

- e. The draft list will be submitted to members for consultation and members will rank the candidates on the draft list in accordance with own preference and return the ranked draft list to the Party Secretary-General within the time period set by the Board.
- f. From the ranked draft list, the Board shall provide an electoral Party list at its sole discretion, and that list will constitute the final Party list.

17.0 Electorate Candidates

- 17.1 Once the Party list has been finalised, the Board may ask candidates on the Party list to stand in electorates as electorate candidates. The decision as to which electorate candidates are asked, and for the electorate asked to stand for, is at the discretion of the Board.
- 17.2 Every member is entitled to actively participate in ranking the draft Party list.

18.0 Amendments to the Constitution

- 18.1 The objective under clause 2 shall not be amended, altered or re-cindered, unless there is a majority vote exceeding 75% of the Board members.
- 18.2 Any member may propose amendments to the rules in compliance with procedure set by the Party Secretary-General and notified all members as soon as possible.
- 18.3 The Board shall give notice to all members of any proposed amendments to this constitution not less than one (1) month prior to the Annual General Meeting or five (5) working days prior to a Special General Meeting with the Party.

19.0 Dissolution

- 19.1 75% majority of the Board members may, at a Special General Meeting of the Party for that purpose, resolve that the Party should be dissolved as from a date to be named in the resolution.
- 19.2 Any property of the Party upon dissolution being completed, be transferred to such political party or society as having objectives similar to those of the Party within in New Zealand as determined by the Board.

20.0 Founding Members

- 20.1 The founding members of the Party will be entitled to lifetime membership of the Party. They shall remain members of the Party indefinitely until such point as they formally withdraw their membership.
- 20.2 The founding members may confer these rights on any other founding member.

20.3 Founding members are required to maintain current financial membership in order to cast votes, alter the Constitution, or hold office in the Party Board.

21.0 Regional Branches

21.1 The Board may establish and manage Regional Branches to represent the Party in their respective regions. Changes to these Regional Branches or members associated with them may be changed by the Board as and when they choose to do so.

21.2 Regional Branches will need to keep the National Office and the Board informed about their dealings and decisions at all times. Regional Branches are not authorised to maintain a bank account separately on behalf of the New Zealand TEA Party.

21.3 Before entering into legally binding contract or taking action on behalf of the New Zealand TEA Party, the Regional Branches must get written approval from the Board.

21.4 Regional Branches will be required to work under the agreed rules and policies as stated in this Constitution and will not enter into separate agreements within their regions.

21.5 The structure of each Regional Branch, its members, and the position of each of the members within the Regional Branch will be finalised by the Board in consultation with the affected members.

22.0 Interpretation

Board means the Board of executives of the Party as constituted under Rule 7.1

Candidate means any member selected as the Party's representative to stand, whether in respect of a constituency or the list, as a candidate for a seat on the House of Representatives

Electorate means an electoral district established by the Electoral Commission in accordance with the provision of the Electoral Act 1993

List means the list of candidates compiled by the Party for the purposes of section 127 of the Electoral Act 1993 as the Party's list of candidates for the election to the House of Representatives under the seats procedure of the mixed member proportional system of representation

Membership fee means a levy or subscription or membership fee determined by the Board in terms of Rule 4

Party means New Zealand TEA Party of which these are the Rules

Party Leader means a Member for the time being elected and holding office under Rule 14

Party Secretary or Secretary-General means any person appointed by the Board under Rule 12 to perform the duties of the secretary of the Party or any person duly authorised to act in place of the secretary

Rules means the constitution and rules as now adopted or as from time to time altered by resolution passed in accordance with Rule 18