





Constitution of Animal Justice Party Aotearoa NZ Incorporated


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Robert McNeil, Executive President:  22/12/2024


Amended (various sections) by Annual General Meeting of the Animal Justice Party Aotearoa NZ Inc. - 28 Nov 2024.


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Definitions:

In this Constitution, unless the context requires otherwise, the following words and phrases have these meanings:

- 'Electoral Act' means the Electoral Act 1993 or any Act which replaces it (including amendments to it) and any regulations made under the Act or any Act which replaces it;
- 'Societies Act' means the Incorporated Societies Act 1908 or any Act which replaces it (including amendments to it) and any regulations made under the Act or any Act which replaces it;
- '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 the Executive Committee, which, among other things, will receive and consider reports on the Party's activities and finances.
- '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.
- '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;
- 'Branch' means a geographically confined (usually within an Electorate) grouping of Members who agree to act as a collective for the bettering of the Party.
- 'Constitution' means this document, which contains the rules and high-level procedures of the Party;
- 'Charter' is a statement of the Party's core principles, set out in Article II of this constitution;
- 'Clear Days' means full days, excluding the first and last named days;
- 'Consensus' means a system of decision-making whereby decisions are decided upon as much as possible through discussion and general agreement, rather than through a vote.
- 'Dispute' means a disagreement or conflict involving one or more Members where the debate or dissent relates to an allegation that:
 - A Member has engaged in misconduct;
 - A Member of the Party has breached or is likely to breach, a duty under the:
 - Constitution;
 - Rules made under the Constitution;
 - Electoral Act;
 - Societies Act;
 - A Member's rights and interests as a Member have been damaged, or Members' rights or interests generally have been damaged;
- 'Electorate' has the same meaning as in the Electoral Act.
- 'In Writing' or 'Written' means any written and signed communication by the author, whether digitally or physically. Delivery of a Written document is subject to the Notice definition.
- 'Member' means a person admitted adequately to the Party who has not ceased to be a member of the Party;
- 'MP' means a Member of Parliament who is a Member of the Party and was elected to Parliament as a candidate for the Party;

- 'General Secretary' means the person responsible for, among other things, ensuring the Register of members is kept and the minutes of General Meetings are kept.
- 'Province' is a structure that comprises at least two Branches within shared natural geographical boundaries that have agreed to form part of the Province;
- 'Membership Fee' means the subscription fee the Member is required to pay as described in Schedule I of this Constitution.
- 'Meeting' or 'hui' can mean a face-to-face meeting, an online meeting, or a hybrid meeting combining both.
- '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;

Article I: Name and Incorporation

Section 1: Name

The name of the society is The Animal Justice Party of Aotearoa NZ Incorporated, which shall also be known as the "Animal Justice Party," "AJP," "AJPANZ," or "The Animal Justice Party of Aotearoa New Zealand." In this constitution, it shall be referred to as "the Party."

Section 2: Incorporation

The Party shall be incorporated under the Incorporated Societies Act 1908. The Party shall be a non-profit organisation, and all members shall act in the Party's best interests. The Party shall be independent of any other organisation or group. The Party's registered office shall be located in Aotearoa, New Zealand.

Article II: Charter, Purpose and Culture

Section 3: Charter

We, the Animal Justice Party of Aotearoa NZ, believe in a world where all animals are treated with respect and compassion, where their well-being and autonomy are valued, and where their exploitation and suffering are eliminated. We recognise that animals are sentient beings with interests and needs and have the right to live free from unnecessary harm. Furthermore, we acknowledge that human actions directly impact animal lives and that our responsibility is to make choices that prioritise animal welfare and justice. With this charter, we commit to upholding the following principles in our actions and decisions as a political party.

The Animal Justice Party commits to promote a just transition towards a plant based economy and a plant based diet for reasons of animal welfare, sustainability, and human health.

The Animal Justice Party accepts Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand and recognises Māori as Tangata Whenua in Aotearoa New Zealand.

Non-violence: We believe in non-violence towards all living beings and reject violence as a means to achieve our goals. We believe that all beings have the right to live their lives free from harm, exploitation, and suffering.

Animal rights: We believe that animals deserve equal consideration and protection under the law and should not be treated as mere commodities or resources for human use.

Equality: We believe in the principle of equality and reject any form of discrimination based on species, breed, age, gender, race, ethnicity, sexual orientation, ability, or any other arbitrary criteria.

Compassion: Compassion is a guiding force behind our mission that encourages us to advocate for the welfare and rights of all sentient beings. It inspires empathy, kindness, and a commitment to alleviating suffering and promoting the well-being of animals and the natural world. We believe that through compassion, we can build a more just and harmonious world where all are treated with respect and dignity, fostering a deeper understanding of our interconnectedness with all life on Earth.

Sustainability: We believe in the need to protect and preserve the natural environment and the ecosystems that sustain all living beings and to adopt sustainable practices that respect the interdependence of all life on Earth. The Animal Justice Party recognises the interconnectedness of all living beings and the impact that human actions have on the natural world. We advocate for the conservation and protection of ecosystems and biodiversity, and for implementing environmentally sustainable policies prioritising all beings' well-being.

Just transition: The Party strongly believes in the need for a just transition away from industries that rely on the exploitation of animals. We recognise that this transition will require careful planning and consideration to ensure that all stakeholders, including those currently employed in animal-exploitative industries, are treated fairly and equitably. The Party is committed to supporting the development of alternative economic models that prioritise the well-being of animals and the environment and will work towards ensuring a smooth and just transition for all involved.

Section 4: Purpose

The purpose of the Animal Justice Party is to work towards a society that recognises and protects the rights and well-being of animals. To achieve this goal, the Party aims to:

- Promote the recognition of animal rights and the well-being of animals in New Zealand through education, advocacy, and policy reform.
- Educate the public on animal rights and the importance of animal protection, and raise awareness of the impact of human actions on animal welfare.
- Influence government policy and legislation to protect animals' rights and well-being better and encourage other political parties to adopt animal-friendly policies.
- Promote the election of Members of Parliament and local government officials who will advocate for animal protection and work towards a more humane and sustainable society.
- Collaborate with other animal protection organisations and individuals to achieve our shared goals and bring about positive change for animals.

Article III: Membership

Section 5: Eligibility

Any individual who supports the purpose of the Party may be admitted as a member of the Party subject to approval by the Membership Secretary.

Section 6: Types of Membership

There shall be two types of membership:

Financial Members: Financial Members are individuals who have been admitted to membership in the Party and who have paid their membership fees. Financial Members have the right to participate in the Party's activities, attend and vote at meetings, and nominate and be nominated for party offices or positions.

Life Members: Life Members are individuals who have been honoured for highly valued services to the Party and elected as life members by resolution of a general meeting. Life members have all the rights and privileges of regular members, except they are not required to pay membership fees.

Section 7: Admission of Members

Application for Membership: Any individual who wishes to become a member of the Party shall complete an application form and submit it to the General Secretary, along with the appropriate Membership Fee. In this application, applicants must declare their eligibility to vote under the Electoral Act, and the application must match the details of any enrolment to vote under the Electoral Act. Submissions through the Party website are considered a submission to the General Secretary.

Approval of Membership: The General Secretary, and/or a Member or committee of Members appointed by the Executive Committee shall review all membership applications and approve or reject them under the provisions of this constitution. The General Secretary is entitled to require the applicant to attend a meeting. The General Secretary should report weekly to the Executive Committee on any rejections, with these being subject to review.

Notification of Membership: The Membership Secretary shall notify all applicants of their membership status within seven days of receiving their application.

Section 8: Termination of Membership

Lapse of Membership: A member's membership shall lapse if they fail to pay their membership fees. Lapsed Members lose their rights under this Constitution; however, they recover them immediately upon payment, if before their termination, of their dues in full.

Resignation: A member may resign from the Party at any time by submitting a written notice of resignation to the Membership Secretary.

Death: A member ceases to be a Party Member on their death.

Termination for Cause: The Party may terminate the membership of any member who:

- remains as a Lapsed Member for a consecutive period of three months; and/or
- engages in conduct that is detrimental to the interests or reputation of the Party; and/or

- fails to comply with the provisions of this constitution or any other policies or procedures adopted by the Party.

Section 9: Reinstatement of Members

Any former Member may apply for reinstatement to the Party by submitting an application for membership and paying the appropriate Membership Fee. The General Secretary shall review all applications for reinstatement and recommend to the Executive Committee for approval or rejection. The Executive Committee shall have the final authority to approve or reject any application for reinstatement of Membership.

Section 10: Obligations and Rights of Members

All Members shall promote the interests and purposes of the Party and shall not do anything to bring the Party into disrepute.

No Member shall be liable for any obligation of the Party by being only a Member.

Membership does not confer on any Member any right, title, or interest (legal or equitable) in the property of the Party.

Each Member may:

- participate in their Branch and Province;
- attend, participate in decision-making, and vote at any meetings of their Branch and Province;
- apply for or accept election or appointment to a Party Office or Role;
- nominate another Member for a Party Office or Role; and
- be selected to stand as a parliamentary or local government candidate representing the Party.

Section 11: Register and Reporting Under the Electoral Act

The Party will maintain a register of all Members that include any information required by the Electoral Act and the Societies Act. The General Secretary will report this information, including Members' eligibility to vote and their validity as Party Members, to any relevant authorities as required. The Executive Committee or their delegated subcommittees may also include additional information in the register if they have a practical purpose.

Members may request access to the register by making a Written Notice to the General Secretary. Examples of cases where access may need to be provisioned include Branch or Provincial leadership. The Executive Committee will consider these requests, with the privacy of members being maintained being a strong consideration, and may choose to release the information but may also redact certain details or sections of the register. In these cases, the Executive Committee shall require members to sign a non-disclosure agreement before allowing access to the register.

The Party will regularly review the register to ensure the accuracy and currency of the information contained within it. The register will be securely stored, and access will be restricted to authorised personnel as approved by the Executive Committee.

Article IV: Governance

Section 12: Governing Bodies

The Party shall have two main governing bodies: the Executive Committee and the Policy Committee. Additionally, the Party shall have a Caucus if Members of the Party are elected to the New Zealand Parliament as MPs. The Executive Committee and the Policy Committee will operate independently and will not have any power to govern the other body's business.

Section 13: Executive Committee

The Executive Committee is responsible for overseeing the governance and strategic direction of the Party. It acts per the instructions of General Meetings and reports to the AGM on the progress of the Party against its goals and strategies. The Executive President chairs it.

Membership: All members of the Executive Committee must be Members of the Party. The Executive Committee shall consist of the following voting members:

- Executive President
- Policy President
- Party Leader
- General Secretary
- Standing Orders Secretary
- Up to ten Executive Members

In addition, the Executive Committee should seek to appoint the following non-voting, but otherwise consider full members:

- Executive Vice-President
- Executive Secretary
- Executive Treasurer

These non-voting roles may be fulfilled by those already otherwise appointed to Executive Committee, but the Executive Committee must inform the membership of any vacancies. The Executive Committee may appoint additional non-voting members as needed, but these members shall not be present during "In Committee" agenda items.

Meetings: The Executive Committee shall hold regular meetings and any additional meetings as needed.

Quorum: A meeting of the Executive Committee is considered quorate when at least **60%** of its members are present.

Substitutes: There shall be no substitutions when members cannot attend a meeting.

Operations: The Executive Committee shall create a set of Rules of Operation and review them regularly. These rules shall be made available to the membership.

Observation: Any current member may observe a meeting of the Executive Committee unless the agenda includes "In Committee" items.

Minutes: The Executive Committee shall keep minutes of all meetings. These minutes shall be made available to members upon request, with any "In Committee" items redacted.

In Committee Items: Agenda items may be designated as "In Committee" by agreement of the Executive President, General Secretary, and Standing Orders Secretary if there is a risk of compromising an individual's privacy or if the topic could seriously prejudice the interests of the Party.

Duties and Powers: The Executive Committee has the following duties and powers:

- Address issues that put the Party at risk.
- Monitor the performance of the Party against its strategies.
- Hold financial authority and oversight for the Party, delegating financial authority through internal financial policies as needed. Financial powers may be delegated to an individual or subcommittee.
 - Authorise the operation of bank accounts in the name of the Party;
 - 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;
 - Borrow or raising money with or without security;
- Appoint a General Manager for the Party.
- Ensure that internal organisational policies and processes are fit for purpose.
- Seek expert advice from the wider membership to fulfil its purpose.
- Establish subcommittees and working groups from among its members and the wider membership to fulfil its purpose.

Section 14: Policy Committee

The Policy Committee is responsible for developing and ratifying party policy. The Policy President chairs it.

Membership: All members of the Policy Committee must be current members of the Party. The Policy Committee shall consist of the following voting members:

- Policy President
- Policy Vice-president(s)
- Executive President
- Party Leader
- Up to ten Policy Members

The Executive Committee may also appoint additional non-voting members as needed, but these members shall not be present during "In Committee" agenda items.

Meetings: The Policy Committee shall hold regular meetings and any additional meetings as needed.

Quorum: A meeting of the Policy Committee is considered quorate when at least **60%** of its members are present.

Substitutes: There are no substitutions for absent members.

Operations: The Policy Committee should create and regularly review a set of Rules of Operation, which should be available to all party members.

Observation: Any current member can observe a meeting of the Policy Committee unless the items for discussion are considered In-Committee.

Minutes: The Policy Committee should keep minutes of all meetings, which should be available to members upon request, except for In-Committee items.

In-Committee Items: Agenda items may be designated as In-Committee by agreement of the Policy President, General Secretary, and Standing Orders Secretary if there is a risk of compromising an individual's privacy or the topic could seriously prejudice the interests of the party.

Duties and Powers: The duties and powers of the Policy Committee include:

- Ratifying party policy
- Ensuring that party policy is consistent with party strategies and the charter, is visionary and fit for purpose and is produced promptly with the maximum engagement of members
- Providing prompt, robust, and reasoned advice to MPs, Local Government Representatives, and the Campaign Committee
- Establishing subcommittees on policy issues
- Developing party policy

Section 15: Caucus

The Caucus is a group of elected members of the Party who hold seats in the New Zealand parliament. It is responsible for representing the views and interests of the Party within parliament and coordinating the Party's parliamentary activities. The Leader chairs the Caucus.

Membership:

The Caucus consists of the following voting members:

- the Executive President,
- the Policy President,
- the Party Leader, and
- all MPs.

Parliamentary, Ministerial and Party staff, regardless of their membership status, can attend and participate in meetings at the will of the Caucus.

Meetings: The Caucus should hold regular meetings and any additional meetings as needed.

Quorum: A meeting of the Caucus is considered quorate when at least 75% of its members are present.

Substitutes: There are no substitutions for absent members.

Operations: The Caucus should create a set of Rules of Operation and review them regularly. These rules should be made available to the membership.

Observation: Any current member can observe a meeting of the Caucus unless the items being discussed are considered In-Committee. Parliamentary and Party staff, regardless of their membership status, can attend and participate in meetings at the will of the Caucus.

Minutes: The Caucus should keep minutes of all meetings. These minutes should be made available to members upon request, with any In-Caucus items redacted.

In-Committee Items: Agenda items may be designated as In-Committee by agreement of the Policy President, Party President, and Leader if there is a risk of compromising an individual's privacy or if the topic could seriously prejudice the interests of the party.

Duties and Powers: The duties and powers of the Caucus include:

- Advancing the party's purposes in relation to its parliamentary activities
- Making decisions regarding legislation and parliamentary business
- Deciding which MPs hold portfolios
- Communicating publicly about its activities
- Supporting all MPs in their work
- Engaging with Local Government elected members
- Supporting the party's general election and local government election campaigns
- Providing quarterly strategic reports to the Executive Committee

Each MP is also expected to:

- Enter into a contract with the Party establishing the relationship, duties and obligations.
- Promote and follow the Party's ratified Policies, subject to any conscientious objection notified when they became a Candidate.
- Pay the Party an annual contribution of at least 12.5% of their gross salary (excluding allowances).

Section 16: Campaign Committee

The Campaign Committee is a subcommittee of both the Executive Committee and the Policy Committee. It is to be raised by a resolution of the Executive Committee for coordinating General Elections, Local Body Elections and other campaigns of high strategic importance for the party.

Membership:

- Campaign Chair

- Executive President
- Policy President
- Party Leader
- General Secretary
- 1 Member nominated by the Executive Committee
- 1 Member nominated by the Policy Committee

The Campaign Committee may appoint additional non-voting members as needed, but these members shall not be present during "In Committee" agenda items.

Meetings: The Campaign Committee should meet as frequently as the campaign pressures require.

Quorum: There is no official quorum; however, they should try to ensure the entire membership of the Committee is on board with decisions.

Substitutes: There are no substitutions for absent members.

Operations: The Executive Committee should set operations rules for the Campaign Committee and ratify them before each resolution for its raising.

Observation: Members of the Executive Committee and the Policy Committee may observe meetings.

Minutes: Minutes are to be kept for all meetings and made available to the Executive Committee and the Policy Committee within 24 hours of each meeting.

Duties and Powers:

- Execute the Executive Committee's Campaign Strategy.
- Exercise control of time-sensitive matters otherwise under the purview of the Executive Committee. Decisions of the Campaign Committee cannot supersede a decision of the Executive Committee.
- Approve or reject candidates.
- Approve or reject requests for candidates to make public appearances.

Section 17: Confidentiality

Members must sign a non-disclosure agreement before their full Admission to any Governing Body. Members must also sign a non-disclosure agreement before admission to any subcommittee or office under the Governing Bodies.

Items considered In-Committee are to be treated with the utmost confidence and not be repeated outside the bounds of admitted members of their respective committees. This is to ensure the integrity of the Governing Bodies' ability to have free and frank discussions on matters of significant impact.

Article V: Party Meetings

Section 18: General Meetings

Purpose: To allow Members to participate in the Party's decision-making process.

Attendance: All Members in good standing are entitled to attend and participate in these meetings.

Quorum: A General Meeting shall be considered quorate when at least 50 members or 10% of the party are present, whether in person or through online video conference. If a quorum is not present within half an hour of the scheduled time, the meeting shall be adjourned to a day, time, and place determined by the Executive Committee. Any decisions made when a quorum is not present are not valid.

Location: General Meetings may be held at one or more venues using any real-time audio, audio and visual, or electronic communication that gives each member a reasonable opportunity to participate.

Chair: The Facilitator shall chair all General Meetings. The chair has the authority to adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

Minutes: The Party shall keep minutes of all General Meetings and make them available to members upon request.

Section 19: Annual General Meetings (AGM)

Frequency: The Party shall hold an AGM every **9** to 13 months.

Business: The AGM shall include:

- Appointment of at least one facilitator, presided over by the General Secretary
- Confirmation of the minutes of the previous AGM and any Special General Meetings held since the last AGM.
- Adoption of the annual report on the Party's business.
- Adoption of the Treasurer's report on the Party's finances and annual financial statements.
- Consideration of any motions.
- Consideration of any other general business.
- Election of members to the Executive Committee (ten members) and Policy Committee (ten members) when no provincial governance bodies are established. **To be elected, nominees must achieve a minimum of 5% of total votes cast.**

Reports: The governing bodies must present the following reports to the AGM:

- Annual report on the affairs of the Party during the most recently completed accounting period.
- Annual financial statements for the most recently completed accounting period.
- Information on any conflicts of interest made by Executive Committee members since the last AGM.

Section 20: Special General Meetings (SGM)

Purpose: To deal with specific matters that require the attention of the Party.

Call for Meeting: Special General Meetings may be called by resolution of the Executive Committee or by written request to the General Secretary from at least 10% of all members. Any resolution or written request must state the business that the Special General Meeting is to deal with.

Business: A Special General Meeting shall only consider and deal with the business specified in the call for the meeting.

Section 21: Specially Convened Meetings (SCM)

Purpose: To address specific issues or to consider matters of high political importance that require a high level of discretion, such as entering into governing agreements with other political parties.

Call for Meeting: Specially Convened Meetings may only be called by resolution of the Executive Committee.

Justifications: An SCM may only be called where external parties mandate short-term confidentiality.

Confidentiality: All members called upon for an SCM are bound by confidentiality until the Executive Committee makes a formal announcement that the meeting took place.

Powers: An SCM has the same powers as a General Meeting but may only consider matters that meet the need for confidentiality.

Location: SCMs may be held in person or through online video conferences. Members may attend and participate in the meeting in person or through online video conferences. Proxy votes are not allowed, but alternates may be appointed.

Quorum: A Specially Convened Meeting is considered quorate when at least 50 members or 10% of the party are present, whether in person or through online video conference.

Chair: Specially Convened Meetings may be chaired by the Facilitator or by a member of the Executive Committee as designated by the Executive Committee.

Minutes: The Party shall keep minutes of all Specially Convened Meetings and make them available to members upon request once the Executive Committee has announced that the meeting took place.

Article VI: Decision-Making

Section 22: Consensus

The Party will use consensus decision-making whenever possible, with a culture of respectful conflict resolution. Consensus means making decisions with the agreement of all participants, with dissenters and abstainers agreeing to accept the decision. Participants are invited to choose one of five options:

- Support wholeheartedly;
- Support with reservations;
- Abstain;
- Disagree but not block consensus; or
- Disagree and block consensus.

Consensus is achieved if nobody blocks consensus.

Section 23: Voting

Voting shall be conducted only if, after reasonable attempts, a consensus cannot be achieved.

The General Secretary is to act as the Returning Officer for any vote in the Governing Bodies or Party Meetings. The General Secretary can nominate additional Returning Officers, which can only be approved by Consensus.

During a vote, only Members who are entitled to vote at that meeting and have not lapsed may cast their vote. Members unable to attend the meeting can appoint a proxy to cast their vote on their behalf.

Votes are to be conducted by a show of hands unless at least two Members (eligible to vote) request a secret ballot. In this case, the Returning Officer must ensure that the voting process is conducted secretly, and the results must be kept confidential.

When voting, the options are to be:

- Support: A vote in favour of the motion or proposal
- Abstain A vote not to take a position on the motion or proposal
- Disagree: A vote against the motion or proposal.

A 75% majority of members, rounded to the nearest whole number, must change the status quo through a vote. This means that 75% of the members eligible to vote and present during the meeting must vote in favour of the proposed change.

Section 24: Secret Ballot Voting

When votes are required to be conducted by Secret Ballot, the Chair shall adjourn the meeting to allow the General Secretary time to prepare. The General Secretary shall present each eligible member with a single voting paper and an additional voting paper for each verified

proxy. Voting paper may be digital if the General Secretary is satisfied with the integrity of the vote.

The outcome of a Secret Ballot shall give the exact number of ballots issued, the exact number received by the Returning Officer(s), and the exact numbers in support, abstaining and disagreeing.

Upon notification of the outcome of the vote, the ballots are to be destroyed by the Returning Officer.

Section 25: Exceptions

Election of Officers is to always be done through a Secret Ballot.

When voting for the Election of Officers, there shall always be an option to Re-Open Nominations. Nominations shall be reopened if there is at least 25% in favour.

Article VII: Party Offices and Roles

Section 26: Executive President

Term: One year, appointed by vote of the Executive Committee.

Removal: The Executive President can be removed by a 75% majority of voting Executive Committee members.

Powers and Duties:

- The Executive President serves as the Chair of the Executive Committee.
- The Executive President ensures that the Executive Committee operates effectively and efficiently.
- The Executive President has the authority to call meetings of the Executive Committee.
- The Executive President may enter into contracts on behalf of the Party or delegate this power to a sub-committee, member, employee, or other people.
- The Executive President may act as a spokesperson for the Party on operational matters, representing the Party to the media and other external stakeholders.
- The Executive President has the authority to initiate the Contentious Issues Process, which allows for resolving disputes or conflicts within the Party.

Section 27: Policy President

Term: One year, appointed by vote of the Policy Committee.

Removal: The Policy President can be removed by a 75% majority of voting Policy Committee members.

Powers and Duties:

- The Policy President serves as the Chair of the Policy Committee.

- The Policy President ensures that the Policy Committee operates effectively and efficiently.
- The Policy President has the authority to call meetings of the Policy Committee.
- The Policy President may act as a spokesperson for the Party on matters of Party Policy, representing the Party's position on policy issues to the media and other external stakeholders.
- The Policy President has the authority to initiate the Contentious Issues Process, which allows for resolving disputes or conflicts within the Party.

Section 28: Party Leader

Term: One-year terms, elected annually at the Annual General Meeting.

Removal: The Party Leader can be removed by a 75% majority of the voting Executive Committee members. An SGM must be called within six weeks to confirm the decision.

Powers and Duties:

- When present, the Party Leader serves as the Chair of the Caucus, a group of elected representatives from the Party.
- The Party Leader ensures that the Caucus operates effectively and efficiently when present.
- The Party Leader is expected to maintain regular contact with all Elected Representatives for the party and ensure that they receive appropriate support and resources.
- The Party Leader may act as a spokesperson for the Party on political matters, representing the Party's position on political issues to the media and other external stakeholders. However, if an MP (Member of Parliament) or Local Government Representative is better suited to speak on a particular issue, the Party Leader should yield to them.
- The Party Leader has the authority to initiate the Contentious Issues Process, which allows for resolving disputes or conflicts within the Party.

Section 29: General Secretary

Term: Three-year terms, appointed by the Executive Committee.

Removal: A 75% majority of voting Executive Committee members can remove the General Secretary before the end of their term.

Powers and Duties:

- The General Secretary acts as the Party's Secretary under the Electoral Act and Societies Act, which are laws that regulate political parties in the country.
- The General Secretary is responsible for maintaining the Party's registration with the Electoral Commission under the Electoral Act.
- The General Secretary ensures that the Party remains compliant with the Electoral Act and all other relevant laws and regulations.
- The General Secretary appoints the contact person or persons required under the Electoral Act and Societies Acts, which may include individuals responsible for handling official communications or providing information to authorities.

- The General Secretary is responsible for maintaining accurate and accessible Membership records, including information required by the Electoral Act and Societies Act.
- The General Secretary is responsible for giving Notice to Members of vacancies for other Party Offices and Roles under Article V of this constitution, including announcing the availability of these positions and organising elections to fill them.
- The General Secretary conducts elections within the Party, serving as the Returning Officer for any such elections.
- The General Secretary has the authority to indemnify or, with the prior approval of the Executive Committee, 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.

Section 30: Policy Area Vice-President

Deleted.

Article VIII: Candidates

Section 31: Selection

The Candidate Selection and List Ranking Procedures: (or “Procedures”) are the process for selection and list ranking of candidates for the general election, as provided to the Electoral Commission under the Electoral Act. The purpose of the Procedures is to identify and select high-quality, representative candidates who will form a strong and electable party list.

The General Secretary must lodge the Procedures with the Electoral Commission within one month of their approval. The Procedures must include but are not limited to the following:

- Criteria for evaluating candidates' qualifications, skills, and suitability for the role.
- A process for admitting candidates into the candidate pool.
- A process for ranking candidates on the party list.
- A process for removing candidates from the candidate pool.

The Executive Committee is responsible for approving and amending the Procedures. The Executive Committee may also appoint a sub-committee, known as the Candidacy and List Ranking Committee (CLRC), to assist with implementing the Procedures.

Candidacy and List Ranking Committee: The CLRC is responsible for:

- Reviewing the Procedures and recommending any required changes to the Executive Committee.
- Implementing the Procedures as approved by the Executive Committee.
- Evaluating candidates' qualifications, skills, and suitability for the role.
- Admitting candidates into the candidate pool.

The CLRC will work closely with the Campaign Committee to ensure that the selection of candidates aligns with the campaign strategy and goals of the party.

Section 32: Eligibility

Anyone wishing to stand as a candidate in the general election must be a Party member and meet the Constitution's criteria for party membership.

Potential candidates must be nominated by five members who meet certain criteria, including

- Being members of the party at the time of nomination.
- Having been members of the party for a continuous period of six months or more since the date of the previous General Election.
- Not being members of the CLRC.

Nominators must be prepared to act as referees for the nominee and provide contact information for the CLRC to verify their nomination.

Section 33: Obligations

Applicants must complete the Parliamentary Candidate Pool Declaration and Nomination Form.

The form must include:

- A statement confirming that the nominators are eligible to be nominators.
- A current and relevant CV.
- A statement of the candidate's understanding of and commitment to the party's policies, values, and goals.
- A statement of the candidate's availability and willingness to participate in the campaign and party-related activities, as required.
- A declaration of any conscientious objections to party policies.
- A declaration of any conflicts of interest.
- A declaration of any past actions the Party should be aware of, with a risk of bringing the party into disrepute.

Section 34: Removal

The CLRC has the authority to remove a candidate from the Candidate Pool if they are found to violate or have violated the party's constitution, the Electoral Act, or the Candidate Selection and List Ranking Procedures.

The removal process must be fair, transparent, and non-discriminatory. Candidates have the right to be informed of the reasons for removal and to have the opportunity to respond before a decision is made.

- The candidate has the right to appeal the decision to the Complaints Committee under Article XII of this constitution.
- The CLRC must provide written documentation of the reasons for removal and the process followed to the Complaints Committee for review during the appeal process.
- The Complaints Committee will review the evidence and decide on the removal.

Article IX: Finances

Section 35: Financial Year

The financial year of the Party shall be from 1st April to 31st March.

Section 36: Membership Fees

(a) Membership fees and terms may be added / amended by resolution of the Executive Committee.

(b) Membership fees shall be payable upon application for membership and annually thereafter on the anniversary of the member's date of acceptance into the Party.

(c) Members whose fees are not paid by their due date will be considered Lapsed, and will not be allotted privileges under this Constitution until their dues are paid.

(d) Members whose membership fees are not paid for at least three months shall cease to be members.

Section 37: Management of Funds

(a) The Executive Committee shall have the authority to manage the Party's financial affairs and to approve the Party's budget.

(b) The Executive Committee shall appoint a Treasurer, who shall be responsible for the Party's financial management.

(c) The Treasurer shall keep proper financial records and present a financial report to the Executive Committee at each meeting and to the Members at the AGM.

(d) The Party's financial records shall be audited annually by an independent chartered accountant to be selected at a General Meeting, **only if requested by the Executive Committee, or by the Membership via a General Meeting vote.**

Article X: Branches and Provinces

Section 38: Formation

The Party may establish Branches in any geographical area where a minimum of 5 members wish to form a branch. These members must be residents of the Electorate that the branch will represent.

The Party may also establish Provinces in any geographical area where at least two existing Branches within shared natural geographical boundaries need to form a Province. Each Branch must have a minimum of 5 members to be eligible to join a Province.

The Executive Committee will have the authority to approve the creation of new Branches and Provinces, based on a recommendation from the Membership Committee. The recommendation should include details about the proposed location, size, and structure of the new branch or province and a plan for recruiting and retaining members.

Section 39: Structure and Operation

Each Branch and Province will have its own set of Rules of Operation, which must be consistent with this constitution and the Party's policies. These rules should outline the procedures for holding meetings, electing officers, and making decisions on behalf of the branch or province.

Each Branch and Province will hold elections at least once every two years to choose their officers, including a chairperson, vice-chairperson, secretary, and treasurer. These officers will be responsible for organising meetings, keeping records, and communicating with the membership.

Each Branch and Province may apply to the Treasurer for a separate **bank account** after that, which will be used to manage the financial affairs of the branch or province. These funds will be subject to all reporting requirements but will not be available to the Executive Committee for budget allocation. The treasurer of the branch or province will be responsible for maintaining financial records and preparing annual financial reports for the membership.

The Executive Committee will have the authority to disestablish any Branch or Province that is not operating under this Constitution or the Party's policies. This decision must be made by a two-thirds majority vote of the Executive Committee and based on evidence of serious misconduct or a failure to meet minimum membership requirements. Members of the disestablished branch or province will be allowed to appeal the decision to the Party's Complaints Committee.

Article XI: Common Seal

The common seal of the Party shall be kept in the custody of the General Secretary.

The common seal may only be affixed to any document after the General Secretary has authorised it.

A copy of any document to which the common seal has been affixed shall be kept with the records of the Party.

Article XII: Dispute Resolution

Section 40: Dispute Resolution and Complaints Committee

The Executive Committee will appoint a Dispute Resolution and Complaints Committee (“DRCC”) of at least three Members to consider complaints. Members of the DRCC shall recuse themselves from any complaint where they are a respondent or a complainant, or otherwise have a conflict of interest.

The DRCC committee appointments should be reconsidered after each AGM.

The members and reserve members of the DRCC will hold office for a term specified by the Executive Committee unless they:

- Resign, or
- Cease to be a Member; or
- Are removed by the Executive Committee; or
- Are subject to a complaint under this Article of this Constitution.

The DRCC shall appoint a Chair from their existing Membership.

Section 41: Making Complaints

A Member may make a complaint by giving to the General Secretary a notice in writing that:

- States that the Member is starting a procedure for resolving a Dispute under the Constitution; and
- Sets out the allegation to which the Dispute relates and whom the allegation is against; and
- Sets out any other information reasonably required by the General Secretary.

The Executive may make a complaint involving an allegation against a Member by giving to the Member, and the General Secretary Notice In Writing that:

- States that the Executive Committee is starting a procedure for resolving a Dispute under this Constitution; and
- Sets out the allegation to which the Dispute relates.

Within 10 Clear Days of receiving a complaint, the General Secretary will:

- Acknowledge receipt of the complaint;
- Advise the complainant of

- Any further information that is required;
- The process for dealing with complaints;
- The complainant's rights in this process.
- Advise the respondent of
 - The complaint
 - The process for dealing with complaints;
 - The respondent's rights in this process.

Section 42: Consideration of Complaints

Consideration of complaints should be done under Schedule II of this Constitution.

Section 43: Resolving Complaints

The DRCC may:

- Dismiss a complaint, or
- Uphold a complaint and make such orders as it thinks appropriate (with which the Party and Members must comply), including
 - 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
 - Suspending the Member from membership for a specified period; and/or
 - Terminating the Member's membership; and/or
 - Formally censuring the Member, and/or
 - Requiring the Member to undertake specified training; and/or
 - Requiring the Member to meet any of the Party's reasonable costs in dealing with a complaint.

Section 44: Notification of Decisions

The DRCC must notify, in writing, the complainant, the respondent, and the Executive of its decisions, including any orders.

Article XIII: Income, Benefit or Advantage to be Applied to Purposes

Section 45: Purposes

All income, benefits, or advantages received by the Party shall be applied towards the fulfilment of the Party's mission and the achievement of its goals.

Section 46: Personal Financial Gain

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). **No addition to, deletion from or alteration of the organisation's rules shall be made which would allow personal pecuniary profits to any individuals. 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 47: Prohibition on Operating for Personal Gain

The Party must not operate for, or with the effect of:

- Any Member of the Party deriving any personal financial gain from membership of the Party, other than as may be permitted by law; or
- Returning all or part of the surplus generated by the Party's operations to Members, in money or in kind; or
- Conferring any kind of ownership in the Party's assets on Members.

Section 48: Exceptions

The Party will not operate for the financial gain of Members just because the Party:

- Engages in trade; or
- Reimbursed a Member for reasonable expenses legitimately incurred on behalf of the Party or while pursuing the Party's purposes; or
- 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);
- Pays any Member interest at no more than current market rates on loans made by that Member to the Party; or
- Provides a Member with incidental benefits (for example, trophies, prizes, or discounts on products or services) per the purposes of the Party.

Section 49: Payments for Goods or Services

Any payments made to a Member or Associated Person must be for goods and services that advance the Party's purpose and be reasonable relative to payments made between unrelated parties.

Section 50: Amendments

The provision and effect of this clause shall not be removed from this Constitution and shall be implied into any document replacing this Constitution.

Article XIV: Dissolution

Section 51: Process

The Party may be wound up, liquidated, or removed from the Register of Incorporated Societies under the provisions of the Societies Act.

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 members entitled to vote at two consecutive General Meetings held no less than 30 Clear Days apart.

Section 52: Surplus Assets

If the Party is wound up, liquidated, or removed from the Register of Incorporated Societies, no distribution will be made to any Member.

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.

Article XV: Interpretation

Section 53: Purpose

The purpose of this article is to establish the hierarchy of Party documents and policies in cases of conflict or inconsistency.

Section 54: Application

In the event of any conflict or inconsistency between the provisions of this constitution and any other Party documents or policies, the provisions of this constitution shall take precedence and be binding on all members and associated persons of the Party.

If any provision of this constitution is invalid, illegal, or unenforceable, the remaining provisions shall continue in full force and effect.

Article XVI: Amendment of Constitution

A two-thirds majority vote may amend this Constitution at a General Meeting of the Party.

Article XVII: Adoption of Constitution

This Constitution shall be adopted upon its approval by a two-thirds majority vote at a General Meeting of the Party.

Schedule I: Membership Fees

Section 1: Financial Members Fees

All Financial Members are expected to pay their Membership Fee on the anniversary of their Admission to the Party.

Section 2: Low-Membership Contingency

The Executive Committee can also make provision, by resolution of the Executive Committee, for a lower subscription rate to apply when the Party has less than 10% more than the statutory minimum number of members under the Electoral Act.

Members admitted to the Party under this fee shall be allotted the maximum statutory allowance between payments under the Electoral Act to the party, with the expectation that the standard fee and renewal terms under Section 1 will apply in future renewals.

Schedule II: Process for Consideration of Complaints

1. Upon receiving a complaint, the Disputes Resolution and Complaints Committee (“DRCC”) must determine whether the complaint is eligible for consideration. This may include verifying that the complainant is a member of the Party and that the complaint falls within the scope of the committee's mandate as outlined in Article XII of the Constitution.
2. If the complaint is eligible, the DRCC must notify the respondent of the complaint, providing them with a copy of the written complaint and any relevant information. The respondent must be given a reasonable amount of time to respond to the complaint.
3. The DRCC may request additional information or documentation from the complainant or respondent, as needed, to properly consider the complaint.
4. The DRCC must conduct a fair and impartial review of the complaint, considering all relevant information and evidence provided by the parties.
5. The DRCC may decide not to proceed further with a complaint if
 - 5.1. The person who makes the complaint has an insignificant interest in the matter; or
 - 5.2. The complaint is trivial; or
 - 5.3. The complaint appears to be without foundation, or there is no evidence to support it; or

- 5.4. The conduct, incident, event or issue giving rise to the complaint has already been investigated and dealt with under the Constitution;
- 5.5. There has been an undue delay in making the complaint;
- 5.6. The complaint does not appear to disclose or involve any allegation of the following kind:
 - 5.6.1. That a Member has engaged in material misconduct; or
 - 5.6.2. That a Member or the Party has materially breached, or is likely to materially breach, a duty under
 - 5.6.2.1. The Constitution; or
 - 5.6.2.2. Rules made under the Constitution; or
 - 5.6.2.3. The Electoral Act; or
 - 5.6.2.4. The Societies Act; or
 - 5.6.3. That a Member's rights or interests or members' rights or interests generally have been materially damaged.
6. If the DRCC decides to proceed with the complaint, it may, while the complaint is being investigated and determined and if it considers it appropriate in the circumstances:
 - 6.1. Suspend the Member from membership;
 - 6.2. Suspend the Member from any Party office or position the Member holds;
 - 6.3. Make any other interim order it considers appropriate.
7. A Member who makes a complaint has a right to be heard before the complaint is resolved, or any outcome is determined.
8. If the Executive Committee makes a complaint:
 - 8.1. It has a right to be heard before the complaint is resolved or any outcome is determined; and
 - 8.2. A member of the Executive Committee may exercise that right on behalf of the Executive Committee.
9. Without limiting how the Member or the Executive Committee may be given the right to be heard, they must be taken to have been given the right if:
 - 9.1. They have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - 9.2. An oral hearing is held if the Complaints Committee considers that an oral hearing is needed to ensure an adequate hearing; and
 - 9.3. The decision maker considers the Member's or the Executive Committee's written statement or submissions (if any).
10. Clauses 11-13 of this Schedule apply if a complaint involves an allegation that a member of the Party (the respondent):
 - 10.1. Has engaged in misconduct; or
 - 10.2. Has breached, or is likely to breach, a duty under
 - 10.2.1. The Constitution; or
 - 10.2.2. Rules made under the Constitution; or
 - 10.2.3. The Electoral Act; or
 - 10.2.4. The Societies Act; or
 - 10.2.5. Has damaged the rights or interests of a member of the rights or interests of members generally.
11. The respondent has a right to be heard before the complaint is resolved or any outcome is determined.

12. If the respondent is the Party, a member of the Executive Committee may exercise the right on behalf of the Party.
13. 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:
 - 13.1. 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
 - 13.2. The respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - 13.3. An oral hearing is held if the DRCC considers that an oral hearing is needed to ensure an adequate hearing; and
 - 13.4. An oral hearing (if any) is held before the DRCC; and
 - 13.5. The respondent's written statement or submissions (if any) are considered by the decision maker.
14. The DRCC must make a determination on the complaint based on the evidence and information provided by the parties, and in accordance with the principles of natural justice.
15. The DRCC may dismiss the complaint if it is found to be without merit.
16. If the DRCC upholds the complaint, it may make such orders as it sees fit, under Section 43 of the Constitution.
17. The DRCC must notify, in writing, the complainant, the respondent, and the Executive Committee of its decision and any orders made, including the reasons for the decision and the rationale for any orders.
18. Any party may appeal the decision of the DRCC to the Executive Committee, within 10 clear days of being notified of the decision. The Executive Committee will review the appeal and may uphold, modify, or overturn the decision of the Complaints Committee, as it sees fit.
19. The decision of the Executive Committee on the appeal is final and binding.
20. The DRCC may, at its discretion, provide the parties with access to mediation or other alternative dispute resolution methods as a means of resolving the dispute.
21. The DRCC may, at its discretion, refer the matter to external authorities if it determines that the complaint involves illegal or criminal activity.
22. The DRCC must keep records of all complaints and their resolutions, in accordance with the Party's records management policies.
23. The DRCC must ensure that all parties are treated with respect and dignity throughout the complaint resolution process.
24. The DRCC must ensure that the complaint resolution process is conducted in a timely and efficient manner, taking into account the needs and circumstances of the parties.
25. The DRCC may adopt additional policies and procedures as needed to ensure the fair and effective consideration of complaints. These policies and procedures must be consistent with the Constitution and the principles of natural justice.