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 2022 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 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 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 (not suspended or removed under clause 10) 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. ’Officer’ means officer as defined in section 5 of the Act, and applies to members of Kaunihera, and anyone else appointed by Kaunihera as an officer for a particular administrative purpose.

2.1.25. ‘Parliamentary Caucus’ means the group responsible for representing the Party in Parliament defined in clauses 8.2–8.12 of this Constitution;

2.1.26. ‘Party Policy’ means the documents that represent a consensus of member views on the Green Party’s vision, values and principles and guide decision-making by members elected to Local and Central Government;

2.1.27. ‘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;

2.1.28. ‘Person of any gender’ includes cisgender, trans, intersex or non-binary persons of any gender;

2.1.29. ‘Province’ is a structure that comprises one or more Branches within shared natural geographical boundaries that have agreed to form part of the Province;

2.1.30. ‘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), Party Policy development (Policy Hub), operational support (Ngā Haumi) or connecting to MPs (Ngā Tumu);

2.1.31. ‘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;

2.1.32. ‘Special General Meeting’ or ‘SGM’ means a Meeting of the Members of the Party other than an Annual General Meeting or Specially Convened Meeting;

2.1.33. ‘Standing Orders’ or ‘SO’ means the rules that are set out in Schedule 1;

2.1.34. ‘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;

2.1.35. ‘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 Party policies;

3.1.6. Work to implement Party policies;

3.1.7. 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. For the avoidance of doubt, if a delegate abstains from voting then their vote will not be recorded as cast. 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. Remits that bind all parts of the Party are attached as Schedule 3. They remain until they are amended through the remit process.

3.8. 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 Party Policy Development:
4.2.1. Kaunihera;
4.2.2. Te Rōpū Pounamu;
4.2.3. Policy Hub;
4.2.4. Ngā Pou 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: Party Policy development and updates; and
5.1.4. Ngā Pou 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. All members of Kaunihera are officers of the society.

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 annually by Te Rōpū Pounamu. Te Rōpū Pounamu has the power to remove a Kaiwhakahaere.

5.7. The General Manager is appointed by and reports to Kaunihera, under the term specified in their employment agreement. Kaunihera may remove the General Manager through an employment process.

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
5.8.4. A General Meeting has the power to remove a Co-Leader, Party Co-Convenor or Policy Co-Convenor.

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. Decide to hold an election under the procedure in SO clauses 94 to 103; 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.

5.14. For the avoidance of doubt, the powers of removal in this section exist in conjunction with Section 10.

Meetings

5.15. Kaunihera meetings will be held regularly and as required.

5.16. Decision making by Kaunihera will be in accordance with clauses 3.4 and 3.5.

5.17. Kaunihera will have two co-chairs. The Party Co-convenors will appoint one Party Co-convenor to be a co-chair. The Kaiwhakahaere will appoint one Kaiwhakahaere to be a co-chair.

5.18. The co-chairs of Kaunihera:
- 5.18.1. can change at any time respectively, and
- 5.18.2. will not have a casting vote to resolve an equality of votes

5.19. 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.

5.20. There will be no substitutes or additional representatives.

5.21. The General Manager can be asked to leave a Kaunihera meeting at the request of the Co-Chairs.

5.22. 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

5.23. Kaunihera will:
- 5.23.1. Monitor the performance of the Party against the Charter, Te Tiriti o Waitangi, the Long-Term Strategy and any other Party strategies supplementary to the Long-Term Strategy;
- 5.23.2. Hold strategic oversight of Party campaigns in local government and general elections;
- 5.23.3. Appropriately address issues that put the Party at risk;
- 5.23.4. Hold financial authority and oversight for the Party. Kaunihera may at its discretion delegate financial authority through internal financial policies;
- 5.23.5. Report annually to the AGM, and regularly to the Party membership, on the Party's performance;

5.23.6. Within six months of a General Meeting, Kaunihera must present to SOC a brief report outlining:
5.23.6.1. The progress made in implementing the remits that were passed at the preceding General Meeting;
5.23.6.2. Any issues arising.
5.23.7. Appoint a General Manager of the Party;
5.23.8. Appoint a Party Secretary. This role may be combined with one or more other roles within the Party at the discretion of Kaunihera;
5.23.9. Ensure internal organisational policies and processes are fit for purpose.

5.24. Kaunihera may:
5.24.1. Appoint Ngā Pou Kākāriki and call on their advice;
5.24.2. Trigger a review of the Long-Term Strategy as required;
5.24.3. Seek expert advice from the wider Membership if required to fulfil its purpose;
5.24.4. 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.
5.24.5. Appoint and remove additional officers of the society for a particular administrative purpose. These officers will not be members of Kaunihera.

5.25. Except as provided in this Constitution, Kaunihera will have no authority over any other part of the Party.

Te Rōpū Pounamu

Purpose

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

Members

5.27. Membership of Te Rōpū Pounamu is open to any Members who whakapapa and identify as Māori.

5.28. Te Ohu Kaimahi is the leadership group of Te Rōpū Pounamu and is comprised of:
5.28.1. Two Kaiwhakahaere;
5.28.2. Māori MPs;
5.28.3. Māori local government elected representatives;
5.28.4. Te Rōpū Pounamu representatives across other parts of the Party;
5.28.5. Other Members Te Rōpū Pounamu considers appropriate.

5.29. When the Party has Māori MPs, all Māori MPs will form a group known as Te Mātāwaka
5.29.1. Te Mātāwaka can include other Members Te Mātāwaka considers appropriate.

Meetings

5.30. 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.

5.31. 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

5.32. Te Rōpū Pounamu must be consulted on any matter it considers of significance to Māori or relevant to Te Tiriti o Waitangi.

5.33. Te Rōpū Pounamu shall elect or appoint:
5.33.1. Two Kaiwhakahaere;
5.33.2. Representatives to other parts of the Party as required;
5.33.3. Delegates for the Māori electorates for any General Meetings of the Party;
5.33.4. Candidates for the Māori electorates in the general election;
5.33.5. All members of Te Mauri policy rōpū.

5.34. Te Ohu Kaimahi will lead the Māori Campaign Strategy for local and national elections, in association with Branches, Provinces, Networks and campaign management.

5.35. Kaiwhakahaere will represent Te Rōpū Pounamu on Kaunihera and Caucus.

5.36. Kaiwhakahaere will provide regular strategic reports to Kaunihera.

Policy Hub

5.37. The Policy Hub is responsible for the development and ratification of Party 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.

5.38. Only Policy Hub has the authority to:
5.38.1. Determine what methods and procedures shall be utilised to create Party Policy. These methods and procedures must be based on principles and processes approved by a Member Assembly;
5.38.2. Determine the contents of any particular Party Policy;
5.38.3. Resolve ambiguity or conflict in relation to the interpretation of any particular Party Policy.

Purpose

5.39. The purpose of Policy Hub is to:

5.39.1. Ensure that Party policies are:

5.39.1.1. Consistent with our Party Charter and Long-Term Strategy; and

5.39.1.2. Transformational, visionary and fit for purpose; and

5.39.1.3. Produced in a timely manner with maximum appropriate engagement with Members;

5.39.2. Provide prompt, robust advice at short notice for MPs and campaign and other committees on request.

Members

5.40. Policy Hub consists of:

5.40.1. Policy Hub groups that cover all areas of Party Policy; and

5.40.2. Policy Implementation Consultation Team (PICT) which provides prompt, robust advice;

5.40.3. Te Mauri policy rōpū, which advises the Policy Hub on how to honour Te Tiriti o Waitangi in policies and practice; and

5.40.4. Any other groups as required to fulfil the purpose of Policy Hub.

5.41. Membership of the Policy Hub groups, 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.

5.42. Policy Hub groups will support Lived Experience Networks to lead or meaningfully input into work for Party policies which these Networks indicate are relevant to them.

5.43. The level of activities for the Policy Hub groups is flexible depending on the Party policies being developed at the time.

Duties and Powers

5.44. The Policy Hub is coordinated by the Policy Co-convenors, who will:

5.44.1. Propose principles and processes by which Policy Hub operates to be approved by a Member Assembly;

5.44.2. Establish Policy Hub groups and convene meetings as required to create, prioritise, ratify, review and retire (as required) all Party policies prior to the local government elections each term;

5.44.3. Coordinate across Te Mauri, Policy Hub groups and PICT to jointly exercise the powers of Policy Hub;

5.44.4. Convene PICT as required to advise Parliamentary Caucus, Local Government Caucus and the Party on interpretation of Party policies;

5.44.5. Produce Terms of Reference for such Policy Hub groups and PICT;

5.44.6. Liaise with Te Hāpai to engage the Membership with Party Policy development;

5.44.7. Provide regular strategic reports to Kaunihera on Party Policy progress.

Ngā Pou Kākāriki

Purpose

5.45. The purpose of Ngā Pou Kākāriki is to:

5.45.1. Uphold the mana of kaumātua (elders) within the Party;

5.45.2. Stay connected to those Members who have contributed to the formative and on-going development of the Party;

5.45.3. Hold the Party accountable to its whakapapa while recognising growth and development.

Members

5.46. The members of Ngā Pou Kākāriki will be largely appointed by Kaunihera from kaumātua of the Party who:

5.46.1. 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

5.46.2. Have not held any formal role in the Party in the previous six months.

5.46.3. Based on the above criteria, the Inclusive Greens Network may appoint a member of Ngā Pou Kākāriki.

Duties and Powers

5.47. Ngā Pou Kākāriki will:

5.47.1. Be on-call to provide advice on key issues facing the Party.

5.48. Ngā Pou Kākāriki may:

5.48.1. Raise issues with Kaunihera which they consider put the Party at risk;

5.48.2. Require Kaunihera to convene to discuss any issue they deem significant;

5.48.3. Attend and participate in Kaunihera meetings whenever Ngā Pou Kākāriki consider this appropriate and relevant.

Standing Orders Committee

Purpose

5.49. The purpose of Standing Orders Committee (SOC) is to:

5.49.1. Ensure General Meetings, SCMs, and elections of AGM-elected positions are run according to the Constitution.

5.49.2. Give advice to other parts of the Party when requested, including on interpreting the Constitution.

Members

5.50. SOC is appointed annually by Kaunihera, or its delegate.

5.51. The members of SOC will be:

5.51.1. The Convenor of SOC;
5.51.2. The Party Secretary (or their delegate);
5.51.3. At least one Party Co-Convenor; and
5.51.4. At least one other Member.

Meetings

5.52. SOC will meet as required.

Duties and Powers

5.53. SOC will:
5.53.1. Administer the Standing Orders;
5.53.2. Consider whether proposed amendments to the Constitution are minor or technical under clause 12.3.2; and
5.53.3. Provide reports to Kaunihera and the AGM.
5.54. SOC may:
5.54.1. Give advice to other parts of the Party when requested, including on interpreting the Constitution.

Reporting

5.55. SOC must provide regular reports to Kaunihera.

Reports to Kaunihera before General Meetings

5.56. SOC must present to each of the three Kaunihera Meetings before a General Meeting a brief report outlining:
5.56.1. The progress made in complying with the Standing Orders and any other responsibilities agreed with Kaunihera;
5.56.2. Any particular issues that have been or may need to be addressed; and
5.56.3. Any assistance required by SOC.
5.57. If there are fewer than three Kaunihera Meetings between the calling of an SGM and the date of the SGM, SOC must present a report to each Kaunihera Meeting in that period.

Reports to Kaunihera after General Meetings

5.58. SOC must present to the Kaunihera Meeting following any General Meeting a brief report outlining:
5.58.1. Details of the outcomes of any remits; and
5.58.2. Any issues arising.

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 for employees;
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 Party 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 in 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 Party 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 Party 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 will 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. A Member Assembly decides whether any given Network is a Lived Experience Network.

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. Providing feedback on the draft annual operational budget of the Party before it is approved by Kaunihera;

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:

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.

7.34. Te Awa's Charter is set out in Schedule 2.

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 MPs 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 fulfil its purpose.

8.12. Each MP will:

8.12.1. Promote and follow the Party Policy 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 a 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, if living overseas, last resided.

9.9.1. A Member may transfer to another Branch.

9.10. Each Member is a member of the general electorate where they reside or, if living overseas, last resided. Each Māori Member is also a member of the Māori electorate where they reside or last resided.

9.11. A Member may transfer to an electorate that is different to the one they reside or last resided in if they are a member of a Branch, by residence or transfer, that corresponds with that electorate.

9.12. Each Member may (subject to any suspension or direction made under clause 10.23 or clause 10.24.2(ii)):

9.12.1. Participate in their Branch, electorate, Province and any Network they are a member of;

9.12.2. Attend, participate in decision-making and vote at any meeting of their Branch, electorate, Province and any Network they are a member of;

9.12.3. Apply for or accept election or appointment to a Party office or role;

9.12.4. Subject to payment of any registration fee, attend a General Meeting of the Party;

9.12.5. 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;

9.12.6. Nominate a Member for a Party office or role;

9.12.7. Be selected to stand as a parliamentary or local government candidate representing the Party;

9.12.8. 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;

9.12.9. 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;

9.12.10. Attend and speak at meetings of other groups or bodies in the Party, with the consent of that group or body;

9.12.11. 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.

9.13. A Member ceases to be a Member:
9.13.1. On death; or
9.13.2. By resignation; or
9.13.3. By failing to pay the annual membership subscription; or
9.13.4. 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
9.13.5. On termination of a Member's membership following a dispute resolution process under this Constitution.

9.14. Anyone who ceases to be a Member:
9.14.1. Is no longer entitled to any of the rights of a Member of the Party;
9.14.2. Remains liable to pay all subscriptions and other fees for that membership year;
9.14.3. Must cease to claim to be a Member of the Party;
9.14.4. 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 10.23.2.

Definitions

10.3. A Member, an Officer, or Kaunihera makes a 'Complaint' if, in accordance with the Constitution:
10.3.1. The Member or Officer starts a procedure for resolving a Dispute in accordance with the Constitution; or
10.3.2. Kaunihera starts a procedure for resolving a Dispute in accordance with the Constitution (for example, the Party starts a disciplinary action against a Member or an Officer in relation to an allegation referred to in clause 10.4.2).

10.4. A disagreement or conflict is a 'Dispute' if:
10.4.1. It is between:
(i) 2 or more Members; or
(ii) 1 or more Members and the Party; or
(iii) 1 or more Members and 1 or more Officers; or
(iv) 2 or more Officers; or
(v) 1 or more Officers and the Party; or
(vi) 1 or more Members or Officers and the Party; and

10.4.2. The disagreement or conflict relates to an allegation that:
(i) A Member or an Officer has engaged in misconduct;
(ii) A Member or an Officer has breached, or is likely to breach, a duty under the Party's Constitution or bylaws or the Act; or
(iii) The Party has breached, or is likely to breach, a duty under the Party's constitution or bylaws or the Act; or
(iv) A Member's rights or interests as a Member have been damaged or Members' rights or interests generally have been damaged.

10.5. In this section, a reference to bylaws includes:
10.5.1. any rules or policies created by an individual or group exercising a power under this Constitution;
10.5.2. any agreement between the Party and a Member or Officer that regulates a person's conduct, including but not limited to confidentiality agreements.

How Complaint is made

See the Complaints Policy for more information about the Complaints process, including how a non-Member can request a Complaint be made on their behalf.

10.6. A Member or an Officer may make a complaint by giving to the Complaints Committee a notice in writing that:
10.6.1. States that the Member or Officer is starting a procedure for resolving a Dispute in accordance with the Constitution; and
10.6.2. Sets out the allegation to which the Dispute relates and whom the allegation is against; and
10.6.3. Sets out any other information reasonably required by the Complaints Committee.

10.7. Kaunihera may make a complaint involving an allegation against a Member or Officer by giving to the Member or Officer and the Complaints Committee a notice in writing that:
10.7.1. States that Kaunihera is starting a procedure for resolving a Dispute in accordance with the Constitution; and
10.7.2. Sets out the allegation to which the Dispute relates.

10.8. The information given under clause 10.6 or 10.7 must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response.

Person who makes Complaint has right to be heard

10.9. A Member or an Officer who makes a Complaint has a right to be heard before the Complaint is resolved or any outcome is determined.

10.10. If Kaunihera makes a Complaint:
10.10.1. Kaunihera has a right to be heard before the Complaint is resolved or any outcome is determined; and
10.10.2. A member of Kaunihera may exercise that right on behalf of Kaunihera.

10.11. Without limiting the manner in which the Member, Officer, or Kaunihera may be given the right to be heard, they must be taken to have been given the right if:

10.11.1. They have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
10.11.2. An oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
10.11.3. An oral hearing (if any) is held before the decision maker; and
10.11.4. The Member's, Officer's, or Kaunihera's written statement or submissions (if any) are considered by the decision-maker.

Person who is subject of Complaint has right to be heard

10.12. Clauses 10.13 - 10.15 apply if a Complaint involves an allegation that a Member, an Officer, or the Party (the 'Respondent'):
10.12.1. Has engaged in misconduct; or
10.12.2. Has breached, or is likely to breach, a duty under the Party's Constitution or bylaws or the Act:
10.12.3. Has damaged the rights or interests of a Member or the rights or interests of Members generally.

10.13. The Respondent has a right to be heard before the complaint is resolved or any outcome is determined.

10.14. If the Respondent is the Party, a member of Kaunihera may exercise the right on behalf of the Party.

10.15. Without limiting the manner in which a Respondent may be given a right to be heard, a Respondent must be taken to have been given the right if:
10.15.1. 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
10.15.2. The Respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
10.15.3. An oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
10.15.4. An oral hearing (if any) is held before the decision maker; and
10.15.5. The Respondent's written statement or submissions (if any) are considered by the decision maker.

Investigating and determining Dispute

10.16. 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.

10.17. Disputes must be dealt with in a fair, efficient, and effective manner.

Complaints Committee may decide not to proceed further with Complaint

10.18. Despite clauses 10.16, the Complaints Committee may decide not to proceed further with a Complaint if:
10.18.1. The Complaint is trivial; or
10.18.2. The Complaint does not appear to disclose or involve any allegation of the following kind:

(i) That a Member or an Officer has engaged in material misconduct; or
(ii) That a Member, an Officer, or the Party has materially breached, or is likely to materially breach, a duty under the Party's Constitution or bylaws or the Act
(iii) That a Member's rights or interests or Members' rights or interests generally have been materially damaged.

10.18.3. The Complaint appears to be without foundation or there is no apparent evidence to support it; or

10.18.4. The person who makes the Complaint has an insignificant interest in the matter; or

10.18.5. The conduct, incident, event, or issue giving rise to the Complaint has already been investigated and dealt with under the Constitution; or

10.18.6. There has been an undue delay in making the Complaint.

The Complaints Committee may refer Complaint

10.19. The Complaints Committee may refer a Complaint to:

10.19.1. A sub-committee or an external person to investigate and report; or

10.19.2. A sub-committee, an arbitral tribunal, or an external person to investigate and make a decision.

10.20. 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).

10.21. Where a Complaint has been referred to a sub-committee, arbitral tribunal or external person to make a decision, a complainant 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.

Decision makers

10.22. A person may not act as a decision maker in relation to a Complaint if 2 or more members of the Complaints Committee consider that there are reasonable grounds to believe that the person may not be:

10.22.1. Impartial; or

10.22.2. Able to consider the matter without a predetermined view.

Resolving Complaints

10.23. The Complaints Committee may, while a Complaint is being investigated and determined, and if it considers it appropriate in the circumstances:

10.23.1. Suspend the Member from membership;

10.23.2. Suspend the Member from any Party office or position the Member holds;

10.23.3. Make any other interim order it considers appropriate.

10.24. The Complaints Committee may:

10.24.1. Dismiss a Complaint; or

10.24.2. Uphold a Complaint and make such directions as it thinks appropriate (with which the Party and Member must comply), including:
(i) Reprimanding or admonishing the Member, and/or
(ii) 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
(iii) Suspending the Member from membership for a specified period; and/or

(iv) Terminating the Member's membership; and/or
(v) Requiring the Member to undertake specified training; and/or
(vi) Requiring the Member to meet any of the Party's reasonable costs in dealing with a Complaint and/or
(vii) Placing conditions on any future application for membership a former Member may make.

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, or following the process in clause 12.3.

12.2. At least 30 Clear Days Notice to Members must be given of the proposed change.

12.3. Power to make minor or technical amendments

12.3.1. Kaunihera may amend the Constitution under this clause if the amendment:
(i) Has no more than a minor effect; or
(ii) Corrects errors or makes similar technical alterations.

12.3.2. The Standing Orders Committee must agree in advance the amendment complies with 12.3.1(i) and (ii).

12.3.3. Kaunihera must ensure that written notice of the amendment is sent to every Member.

12.3.4. The notice must state:
(i) The text of the amendment; and
(ii) The right of the Member to object to the amendment.

12.3.5. If no objection from a Member is received within 20 working days after the date on which the notice is sent, Kaunihera may make the amendment.

12.3.6. However, if such an objection is received, Kaunihera may not make the amendment under this clause.

12.4. 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.

12.5. 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.

12.6. 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: STANDING ORDERS

Purpose

1. Standing Orders are rules about procedural matters (including the process to be followed to call and hold General Meetings and SCMs).
2. Standing Orders may be used as a guide for the conduct of other Meetings within the Party.

Accessibility

3. General Meeting and SCM materials should be in an accessible format: minimum size 11 plain font and clear colour contrast.

Location of General Meetings and SCMs

4. Face-to-face AGMs should, preferably, be held in a different Province from the previous AGM.
5. One of any three consecutive face-to-face AGMs should preferably be held in the South Island.
6. A SGM should be held in ways that encourage maximum attendance.
7. A General Meeting or SCM may be held by real-time communication technology such as audio-visual conferencing.

Time for doing things

8. A deadline for doing something, for example sending a Notice, that falls on a day that is not a working day (as defined in the Legislation Act 2019) moves to the next working day.

Timing of AGM

9. An AGM will be held once per year within six months of the end of the financial year on a date specified by Kaunihera.

Notices

10. Form of Notice
    a. Notices under the Standing Orders will be sent by email to all Members who have provided the Party an email address, excluding Members who have unsubscribed from those Notices. Notices will also be posted on the Members' website.
    b. Links to the Members' website may be provided instead of attaching content to the email Notice.

24 week Notice of AGM

11. SOC will provide Notice at least 24 weeks before the start of an AGM of the:
    a. Date of the AGM; and
    b. Timeline for submitting remits.

16 week Notice of AGM

12. SOC will provide Notice at least 16 weeks before the start of an AGM of at least the:
    a. Previously advised date of the AGM;
    b. Location of the AGM; and
    c. Timeline for submitting remits.

10 week Notice of AGM and interim agenda

13. SOC will provide Notice at least 10 weeks before the start of an AGM of:
    a. The interim agenda;
    b. All remits accepted by SOC with contact email addresses and the remit amendment process;
    c. A list of AGM-elected positions for which elections will be held; and
    d. A call for nominations for those AGM-elected positions, which are due 6 weeks before the start of an AGM.

4 week Notice of AGM and final agenda

14. SOC will provide Notice at least 4 weeks before the start of an AGM of:
    a. The final agenda;
    b. All remits (and proposed amendments, clearly showing any amendments adopted by the remit proposer);
    c. Remits and amendments to remits that have been ruled out of order;
    d. Outline of the election process and a list of candidates standing for election; and
    e. Reports to hand.

Nominations for AGM-elected positions

15. SOC will call for nominations of AGM-elected positions with the 10 week Notice to Members.
16. AGM-elected positions are:
    a. Co-Leaders;
    b. Party Co-Convenors;
    c. Policy Co-Convenors; and
    d. Three members of the Te Awa Board.
17. SOC will approve the nomination and candidate declaration form for AGM-elected positions.
18. Candidates for AGM-elected positions will send to SOC, no later than 6 weeks before the start of an AGM:
    a. A completed nomination and candidate declaration form; and
    b. Information about themselves and their candidacy (up to half an A4 page including a photo if they wish).
19. SOC will forward the nominations received to Kaunihera or its delegate.

AGM reports

20. The following list of people and groups will send a report for the AGM to SOC, no later than 6 weeks before the start of an AGM:
    a. Party Co-Convenors;
    b. Policy Co-Convenors;
    c. Kaunihera; and

d. Co-Leaders and MPs.

21. SOC will forward the above reports to Kaunihera or its delegate.
22. The General Manager will send a Finance Report and the annual financial accounts to SOC and Kaunihera no later than 1 week before the start of an AGM, which will:
    a. Comply with the Act; and
    b. Cover the financial year ending 31 March.

Remits

23. Remits may be submitted by Branches, Networks, Electorates or Provinces, as well as by Kaunihera, a Member Assembly, Parliamentary Caucus, Local Government Caucus, Te Rōpū Pounamu, Inclusive Greens, and SOC, and sub-committees or working groups established by Kaunihera under clause 5.24.4.
24. All remits must have been adopted by Consensus at a properly convened Meeting. Notice of the date and venue of the Meeting and draft wording of proposed remits must be distributed not less than two weeks in advance.
25. All remits must be accompanied by:
    a. In the case of Branches, Networks (other than Inclusive Greens), Electorates or Provinces, the confirmed minutes (or draft minutes confirmed as correct by the group's co-convenor(s)) of the Meetings approving the submission of a remit from at least two Provinces or three Branches, Electorates or Networks (other than Inclusive Greens) including the proposing entity; or
    b. In the case of the other entities listed in SO clause 23, confirmed minutes (or draft minutes confirmed as correct by the group's co-convenor(s)) of the Meeting approving the remit.
26. Remits must be emailed to SOC, no later than 12 weeks before the start of an AGM in a manner prescribed by SOC.
27. SOC will forward remits that are in order to Kaunihera or its delegate.
28. Remits may be proposed which would:
    a. Make changes to the Constitution of the Party;
    b. Make changes to the Standing Orders;
    c. Make changes to the organisation of the Party;
    d. Significantly change Party Policy, if the change is proposed by Kaunihera and where SOC agrees that the urgency of the need to update or clarify the Party Policy is sufficient to justify not following the agreed Party Policy development process; or
    e. Commit the Party to activities not inconsistent with its Charter, values and Party Policy.
29. Remits may be ruled out of order if they:
    a. Are late;
    b. Change the principles of the Constitution;
    c. Propose the continuance of established Party Policy;
    d. Are vague, ambiguous and/or trivial; or
    e. Are amendments which negate the original remit.
30. Late remits, which are remits emailed to SOC 12 or less weeks before the start of an AGM, may be accepted by SOC only if:
    a. The issue has arisen since the deadline for remits; and

b. The remit cannot wait until another General Meeting; and
c. The remit complies with SO clause 28 and is not ruled out of order under the criteria in SO clause 29.

31. Upon receiving a remit, the Convenor of SOC (or a member of SOC that it may delegate) will enter into a collaborative process with the proposer of the remit to:
    a. Ensure that the intended outcome is best achieved by way of the remit as proposed, and any appropriate document is being amended;
    b. Ensure that they are sufficiently familiar with the document they propose to amend;
    c. 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;
    d. Confirm that all reasonable attempts have been made to resolve the issue through other Party processes, if appropriate; and
    e. Where appropriate, and where agreed to by all relevant parties, undertake an alternative dispute resolution procedure before the confirmation of the final agenda.
32. 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.
33. If a proposer of a remit disagrees with a decision of SOC made under the above clauses, they may ask Kaunihera or a group to which it delegates the responsibility to review that decision based solely on whether the criteria in the above clauses were fairly applied.
34. Presentation materials and documents related to remits to be distributed at a General Meeting must be submitted to SOC for approval no later than one week prior to the start of a General Meeting.
35. SOC may withhold approval or suggest edits to presentation material and documents related to remits if the materials contain factual inaccuracies, are offensive or raise legal concerns.
36. The presentation materials and documents related to remits must be clearly labelled with the name of the proposer and (if different) author of the materials.
37. SOC may make composite remits in the interim and final agendas but must also publish the originals as appendices.
38. All those eligible for submitting remits under SO clause 23 may propose amendments to remits to the remit proposer and SOC no later than 7 weeks before the start of the General Meeting and otherwise following the process of submitting a remit.
39. SOC will forward amendments received to Kaunihera or its delegate.

Delegates

40. General Electorates are entitled to one delegate per 35 Members (calculated by dividing the number of Members by 35 and rounding the answer up, to the next whole number, if necessary) at a General Meeting or SCM.
41. Māori Electorates are entitled to one delegate per 10 Members (calculated by dividing the number of Members by 10 and rounding the answer up to the next whole number, if necessary) at a General Meeting or SCM.
42. Every Electorate is entitled to at least one delegate.
43. The number of delegates each Electorate is eligible to have will be based on the number of Members in each Electorate on the last business day 11 weeks before the start of the General Meeting or SCM. If the General Meeting or SCM occurs with less than 11 weeks' Notice, the

number of delegates each Electorate is eligible to have will be based on the number of Members in each Electorate on the day Members are notified of the Meeting.

44. Any person wishing to be a delegate must be a Member. Each delegate must have their delegate form signed by:
    a. At least 75% of Members of the Electorate they are representing; or
    b. At least 5 Members of their Electorate; whichever is the lesser; or
    c. In the case of delegates for Māori Electorates, at least 5 members of Te Rōpū Pounamu, including at least one Kaiwhakahaere.
45. Branch Convenors must return a completed delegate form to the Party Secretary or their delegate.
46. Electorates unable to send delegates to a General Meeting or SCM may appoint a Member outside the Electorate as a proxy by returning the completed proxy form to the Party Secretary or their delegate.
47. An individual can hold only one proxy.
48. Unless context indicates otherwise, proxies have the same rights and responsibilities under the Standing Orders as delegates.
49. Delegates must have obtained the collective local opinion on each issue prior to a General Meeting by means of local Meetings, notified to Members at least two weeks in advance (unless that timeframe is not possible due to the timing of an SGM).
50. There will be a strong emphasis on Balanced representation in the selection of delegates.
51. Branch Convenors should:
    a. Notify Members, not less than two weeks in advance (unless that timeframe is not possible due to the timing of an SGM), of a Meeting to consider matters to be discussed at a General Meeting, including any remits and the nominations for AGM-elected positions;
    b. Organise Meetings to enable Branch Members to consider these matters; and
    c. Return completed delegate and proxy forms to the Party Secretary or their delegate.

Procedure

Suspension of Standing Orders

52. Any part of the Standing Orders may be suspended at a General Meeting or SCM by Consensus of delegates or, failing that, a 75% majority of the votes cast by those delegates present.

Eligibility

53. All Members present at a General Meeting may take an active part in all debate but decisions whether by Consensus or vote will be made by Electorate delegates only.

Attendance of non-Members

54. Non-Members may attend any session of a General Meeting on payment of any registration fee, provided an announcement is made of their presence and reason for interest.
55. People supporting a General Meeting who are not Members (for example Party staff, Parliamentary staff, and interpreters arranged by the Party or Parliament) may attend the General Meeting.

56. A General Meeting may decide to exclude non-Members by Consensus or majority vote.
57. Members of the press must wear visual identification of their name and the organisation they represent.

Quorum

58. Quorum is 50% of delegates entitled to vote registered for that day at a General Meeting or SCM, provided that at least 50% of the eligible Electorates are represented by at least one delegate.

Agenda

59. SOC must propose motions to:
    a. Open the General Meeting/SCM;
    b. Announce non-Member attendance;
    c. Appoint facilitators responsible for ensuring the processes outlined here and agreed at the General Meeting or SCM itself are complied with;
    d. Appoint minute-takers responsible for ensuring decisions are correctly recorded;
    e. Where any election is being held, appoint a returning officer and at least two scrutineers;
    f. Accept apologies;
    g. Confirm the agenda;
    h. Confirm the minutes of the last General Meeting (where applicable);
    i. At an AGM, receive the report of SOC;
    j. At an AGM, accept the General Manager's Finance report and the annual financial accounts; and
    k. At an AGM, accept AGM reports.
60. Elections of AGM-elected positions must be held at an AGM, or an SGM if it is being held for that purpose.
61. Other agenda items may be:
    a. Remits; and
    b. General business.
62. General business:
    a. Is not contentious;
    b. Can be dealt with by delegates without having to understand a complex issue at short notice, or consult with their Electorate; and
    c. Can be dealt with quickly.
63. SOC must prioritise the agenda and recommend to the General Meeting Steering Committee the amount of time to be allocated to the business of the General Meeting.
64. Kaunihera or its delegate will make a final decision in the situation where agreement cannot be reached between the General Meeting Steering Committee and SOC on agenda prioritisation and timing.
65. Items not included in the final agenda must not be considered by a General Meeting except for procedural motions, emergency remits or amendments to remits which make textual or minor alterations not significantly altering the intent of the original remit. These motions require a delegate to propose and second.

Amendments to remits from the floor

66. Motions proposing amendments to remits may be ruled out of order by SOC members present at the General Meeting if they:
    a. Change the principles of the Constitution;
    b. Propose the continuance of established Party Policy;
    c. Are vague, ambiguous and/or trivial;
    d. Negate the original remit;
    e. Make more than textual or minor alterations to the original remit; or
    f. Significantly alter the intent of the original remit.
67. Once an amendment is accepted as being in order the original proposer and then the mover of that amendment can speak before the amendment is put to the General Meeting.

Decision-making procedures

68. General Meetings and SCMs must make all decisions according to these decision-making procedures, except that the election of AGM-elected positions must be by secret ballot of the delegates.
69. The facilitator of any session is responsible for conducting business according to the agreed agenda and these decision-making procedures.
70. Any Member may appeal to SOC members present at the General Meeting or SCM if the procedures are not being correctly followed by the facilitator, in which case SOC members must make a determination and advise the General Meeting or SCM accordingly.
71. The facilitator may be changed at the discretion of the General Meeting or SCM by Consensus, or failing that, a 75% vote of those delegates present.
72. 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:
    a. Support wholeheartedly;
    b. Support with reservations;
    c. Abstain;
    d. Disagree but not block Consensus; or
    e. Disagree and block Consensus.
73. Consensus is achieved if nobody blocks Consensus. If Consensus is not achieved after reasonable attempts, a vote can be taken. A motion is carried with a 75% vote of those delegates present. Those who do not agree with the decision may have their dissent recorded.
74. The facilitators can use a range of techniques such as:
    a. Straw poll, which may be called by the facilitator at any time;
    b. Discussion groups;
    c. Home groups;
    d. Structured rounds; and
    e. Fishbowls.
75. Prior to the consideration of remits, the facilitators will ensure the General Meeting or SCM has been provided with:

a. An explanation of Consensus and group process;
b. An outline of processes for reaching Consensus; and
c. Proposed ground rules for the conduct of the General Meeting or SCM.

76. The facilitators:
    a. Have the discretion to maintain speaking order and set time limits on speaking.
    b. May call for a time out, a break, discussion groups or to defer an item. However, this may be overridden by Consensus or, failing that, a 75% majority of the votes cast by those delegates present.
77. 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, unless otherwise agreed. This may be adopted by Consensus or, failing that, a 75% majority of the votes cast by those delegates present.
78. Any delegate may call for a short break or provincial discussion. This will be allowed at the facilitator's discretion, by Consensus, or a 50% vote of those delegates present.
79. 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 remaining items on the General Meeting agenda are dealt with.
80. Each remit will normally be considered as follows:
    a. Introduction of remit and explanation of issue. Proposers of remits will have at least five minutes to speak to their remit;
    b. Questions of clarification;
    c. Straw poll, to identify levels of support;
    d. Upon completion of a straw poll the facilitator may seek Consensus formally, or may employ techniques such as those set out in SO clause 73 to try to build Consensus.
81. Before any formal vote is held a vote should be held as to whether that formal vote should be taken. A formal vote will occur if more than 50% of delegates present support this call.
82. The Party Secretary, or delegate (assisted by the Party Co-Convenors and the facilitator) must ensure there is a minute-taker at all times throughout the General Meeting or SCM.
83. Each decision of the General Meeting or SCM is to be fully restated by the facilitator and properly recorded by the minute-taker before moving on to the next agenda item.

Voting on remits

84. Normally, a verbal roll call of votes will occur for votes on remits.
85. If voting cards are used, each must only be used to cast a valid vote by the delegate to whom it is issued. The facilitator may call for a card vote.
86. Voting on remits is not secret.

Election of AGM-elected positions

87. The agenda must give adequate time for short presentations by nominees to the General Meeting, of no more than 5 minutes duration.
88. The returning officer must issue voting papers, count votes with the scrutineers, report to the General Meeting and publish the results in a Green Announce email.
89. Each candidate can appoint one scrutineer to verify final totals, with the returning officer ensuring that the secrecy of ballot papers is maintained.

AGM-elected positions voting procedure

90. Voting papers should be prepared beforehand and distributed to each Electorate delegate.
91. Voting papers must be in a form approved by SOC.
92. The Convenor of the Standing Orders Committee or their delegate should advise the voters that:
    a. 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.
    b. Voters should rank the candidates in order of preference, by putting a 1 beside their first choice, 2 beside the second choice, etc.
    c. 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.
    d. 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.
    e. 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.
    f. In contested elections there will be a single re-open nominations option. Delegates can choose re-open nominations as an alternative to ranking candidates if they strongly believe that none of the candidates listed are suitable for the position being filled. If re-open nominations is selected any other preferences given for the candidates standing at the election will be ignored.
    g. Nominations will be re-opened if re-open nominations obtains at least 25% of the valid votes cast.
    h. A valid vote is one which has at least one of the candidates selected and/or ranked, has a tick beside re-open nominations, or otherwise clearly indicates the voter's intention.
    i. If no-one is elected then nominations are to be sought from the Membership at large under the process in SO 93.
    j. The vote is by secret ballot.
    k. Those elected will take office at the end of the General Meeting.

Election of vacant positions after General Meeting or vacancy

93. If no candidate is elected to an AGM-elected position at a General Meeting, SOC will give Notice within one week of the General Meeting that nominations for that position are

sought. Nomination and candidate declaration forms are to be returned to SOC one week after the opening of nominations.

94. If Kaunihera decides to hold an election under clause 5.9.1 following a vacancy, SOC will give Notice within one week of the decision that nominations for that position are sought. Nomination and candidate declaration forms are to be returned to SOC two weeks after the opening of nominations.
95. SOC must distribute to Branch Convenors ballot papers and candidate information within one week of the closing of nominations.
96. If the election is under clause 5.9.1 following a vacancy, voting will be by Electorates with the number of votes each Electorate has based on the number of Members in the Electorate on the day Members are notified of the election under the following formula:
    a. General Electorates are entitled to one vote per 35 Members (calculated by dividing the number of Members by 35 and rounding the answer up, to the next whole number, if necessary).
    b. Māori Electorates are entitled to one vote per 10 Members (calculated by dividing the number of Members by 10 and rounding the answer up to the next whole number, if necessary).
    c. Every Electorate is entitled to at least one vote.
    d. For the avoidance of doubt, in the situation that a General Meeting changes the rules on how many delegates each Electorate may have, then those new rules apply to a subsequent election for any position vacant following that General Meeting.
97. Branch Convenors must convene a Meeting, notified two weeks in advance, of Members to discuss the nominations.
98. Branch Convenors are to return ballot papers by the nominated deadline, which must be set by SOC and be no more than four weeks after the date on which the ballot papers were distributed to Branch Convenors.
99. Each ballot paper must be accompanied by a declaration signed by five Members in the Electorate or, where there are four Members or less, all the Members. In the case of Māori Electorates, the declaration may be signed by five Members who are members of Te Rōpū Pounamu, including at least one Kaiwhakahaere. The declaration must 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.
100. Votes must be counted in accordance with the processes as for AGM-elected positions at a General Meeting. SOC must appoint a returning officer and two scrutineers, and candidates may also appoint one scrutineer each.
101. SOC must announce the result of the ballot to the candidates in the first instance and then publish the results in a Green Announce email as soon as practicable after the candidates have been notified.

Record-keeping

102. SOC must liaise with the Party Secretary, Party Co-Convenors, and minute-takers to produce an accurate record of decisions at a General Meeting or SCM, which will be published as draft minutes within 8 weeks of the end of the General Meeting or SCM.

103. Any Member objecting to the draft minutes of the General Meeting or SCM must within 4 weeks of the draft minutes being published submit their objection in writing to SOC, including reasons and proposed amendments.
104. SOC must then revise the draft minutes as it sees fit and publish them as the unconfirmed minutes of the General Meeting or SCM.

SGM

105. Kaunihera, a Member Assembly or a majority of Provinces may call an SGM for a specific purpose or purposes, including for the purpose of section 64(3) of the Act.
106. SGMs should be called with at least 1 week Notice, unless SOC agrees there are exceptional circumstances to make shorter Notice appropriate.
107. SGMs should be called with the maximum practicable Notice to allow Electorates to discuss the issues.
    a. SGMs to cover matters such as Constitution amendments, election of AGM-elected positions and other similar matters will normally be held with at least 4 weeks' Notice. See also clause 12.2 of the Constitution regarding changes to the Constitution.
108. SOC will provide Members with Notices as if the SGM was an AGM, except for Notices that are not possible to provide in the time available after an SGM is called.
109. Notices will be amended by SOC as required to be appropriate for a SGM rather than an AGM.
110. SOC may set the process for matters related to the SGM where complying with the AGM processes are not possible, for example: the process and timing of the appointment of delegates.
111. Only matters notified in the agenda will be considered at an SGM.

SCM

112. Kaunihera should call an SCM with the maximum practicable Notice.
113. SOC will provide Notice of a final agenda as far as practicable in advance of the SCM.
114. Members of Kaunihera or SOC may attend an SCM.
115. Members who are delegates may attend an SCM.
116. People supporting the SCM including those who are not Members (for example Party staff, Parliamentary staff, and interpreters arranged by the Party or Parliament) may attend an SCM.
117. The SCM may decide to exclude non-Members by Consensus or, failing that, a 75% majority of the votes cast by of those delegates present.
118. Only the matter of whether to accept the proposed agreement(s) with one or more other political parties regarding the formation of a government will be considered at an SCM.
119. Decisions whether by Consensus or vote will be made by Electorate delegates only.
120. SOC may, including in advance of an SCM being called, set the process for matters related to the SCM where complying with the AGM processes are not or would not be possible, for example: the process and timing of the appointment of delegates.

Schedule 2: TE AWA BOARD CHARTER

(Amended 2025)

Part 1. Purpose

1. Purposes of the magazine

(1) The Green Party magazine Te Awa has the following purposes:

- (a) to build a sense of Green Party community and identity;
- (b) to provide a regular and readable way for national party bodies to communicate to the membership;
- (c) to address the communication gaps from the many discrete parts of the party (provinces, branches, sector groups, outreach campaigners, international secretary, general membership) to the membership at large.
- (d) to provide members with information, analysis and comment about the activities of national, provincial and local party bodies;
- (e) to encourage an internal culture of discussion;
- (f) to foster activism around green issues and links with the green movement;
- (g) to encourage participation in Green Party activities - campaigns, internal democracy and office-holding;
- (h) to educate on Green issues, policies and candidates;
- (i) to entertain and engage;
- (j) to present innovative ideas;
- (k) to integrate/include other publications where possible; and
- (l) to produce content that can be re-packaged for external use.

Part 2: Magazine Management Board

2. Functions of the Magazine Management Board

(1) There is a Magazine Management Board which is responsible for:
(2) appointing the Editor within two months of the Green Party Annual General Meeting;
(3) monitoring the performance of the Editor and if necessary removing them;
(4) developing and approving the annual budget of the Magazine;
(5) examining the proposed content of each issue prior to publication to determine if there is any content which would require the exercise of the Magazine Management Board's veto powers under section 6 or extraordinary powers under section 7;
(6) developing and approving an advertising policy; and
(7) approving the annual Production Plan submitted by the Editor covering such issues as number of pages, format, and frequency. The frequency should not be less than four times per year.

3. Membership of the Magazine Management Board

(1) The Magazine Management Board has seven voting members, outside of the pre-election period, consisting of:
   (a) One member each appointed by the Party Co-Convenors, Policy Co-Convenors, Caucus, and Te Ohu Kaimahi (each an 'Appointed Member'); and
   (b) A further three members elected annually at the Green Party Annual General Meeting; and.
(2) Members of the Magazine Management Board elected at Annual General Meeting hold office until the next Annual General Meeting unless they first resign or are replaced by Special General Meeting under Section 8 of the Green Party Constitution.
(3) An Appointed Member is expected to seek feedback from the body that appointed them.
(4) During the pre-election period the Campaign Committee appoints a further member of the Magazine Management Board with full voting rights.
(5) For the purposes of this section, the pre-election period is the six months prior to a scheduled national election, or, in the case of an early election, it is the period between the announcement of the early election and the election.
(6) The Editor is a non-voting member of the Magazine Management Board.

4. Replacing members of the Magazine Management Board

(1) Appointed Members may be replaced at any time by their respective appointors.
(2) Members elected at Annual General Meeting may be replaced only at a Special General Meeting called for that purpose under Section 8 of the Green Party Constitution.
(3) If an Appointed Member resigns, the body that appointed the Appointed Member is responsible for appointing a replacement.
(4) If a member of the Magazine Management Board resigns, and that member had been elected at the previous Annual General Meeting, then a Member Assembly is responsible for appointing a replacement in a timely manner.
(5) A member appointed under subsection (4) exercises full rights as if elected at Annual General Meeting and holds office until the next Annual General Meeting.

5. Operation of the Magazine Management Board

(1) The quorum for a meeting of the Magazine Management Board is at least two Appointed Members and at least two members elected at Annual General Meeting, or their replacements appointed under Section 4.
(2) Meetings of the Magazine Management Board may be called by the Convenor of the Board or by any three members.
(3) The Magazine Management Board shall operate on a consensus basis as defined in Section 14 of the Green Party Constitution except when the Magazine Management Board or its members exercise powers defined under sections 6 and 7.
(4) The Magazine Management Board shall appoint a Convenor who is responsible for:
(5) calling meetings of the Magazine Management Board; and
(6) the receipt of the final draft of the magazine from the Editor prior to the publication of each issue, and for the timely distribution of this draft to the other members of the Magazine Management Board.

6. Veto powers of the Magazine Management Board

(1) The Magazine Management Board may veto the publication of specified magazine content if:
(2) they believe that the publication of the specified content would expose the party to serious political or legal risk; and
(3) the vetoing has the support of a majority of members of the Magazine Management Board, including at least two of those members of the Magazine Management Board elected at Annual General Meeting, or their replacements appointed under section 4, and at least two Appointed Members.
(4) The Magazine Management Board may only exercise its powers under this section within 72 hours of the receipt by its Convenor of the final draft of the magazine from the Editor.

7. Extraordinary powers of Magazine Management Board members

(1) When any three individual members of the Magazine Management Board believe that specified content should be vetoed for reasons of serious political or legal risk, and they are unable to win sufficient support for this view to exercise the powers under section 6, they may refer the matter to Kaunihera for resolution.
(2) This should only be done when the members believe that there is risk of serious damage to the Party.
(3) Kaunihera must respond within 7 days of receiving the request.
(4) While awaiting a decision from Kaunihera the disputed content may not be published.
(5) The members of the Magazine Management Board may only exercise their powers under this section within 72 hours of the Convenor of the Magazine Management Board receiving the final draft of the magazine from the Editor.

Part 3: Editor

8. Appointment of Editor

(1) The Editor is appointed by the Magazine Management Board within the two months following the Green Party Annual General Meeting.
(2) Editors are ordinarily appointed for a period of 12 months but this can be varied by the Magazine Management Board.
(3) The Magazine Management Board may appoint more than one person to the position of Editor.

9. Powers and Responsibilities of Editor

(1) The Editor has editorial control over the layout and content of the magazine except for the powers of the Magazine Management Board and its members to intervene as per sections 6 and 7.
(2) The Editor is to prepare an annual Production Plan for approval by the Magazine Management Board covering such issues as number of pages, format, and frequency for approval by the Magazine Management Board. The frequency should not be less than four times per year.
(3) The Editor is responsible for passing the final draft of each issue of the magazine to the Convenor of the Magazine Management Board at least 72 hours prior to the magazine being sent to the printers or otherwise distributed.
(4) The Editor may request at any time that the Magazine Management Board amend the Production Plan or Annual Budget.

Schedule 3: REMITS THAT BIND THE PARTY

Post-election process

Agrees that the following process will apply to post-election negotiations by the Green Party after a general election:

1. Tatau Pounamu, comprising 16 members endorsed by both the Parliamentary Caucus and a Member Assembly, has responsibility for overseeing negotiations with one or more other political parties regarding the formation of a government after a general election;
2. Tatau Pounamu selects an Ihu to conduct the negotiations directly;
3. All decisions concerning the negotiations (including what agreement, if any, would potentially be taken to a Specially Convened General Meeting (SCM)) are taken by Tatau Pounamu;
4. Any agreement with one or more political parties that includes confidence and supply votes will be referred to an SCM;
5. The Party Co-Convenors will start the process of forming Tatau Pounamu no later than the AGM in election year.

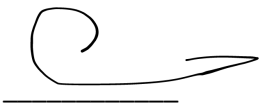
Standing political positioning

Agrees that, until such time as we are in a position to lead a government, the Green Party will campaign on the basis of the following political position:

(i) The Green Party is an independent and distinct party, which in order to urgently advance Green Party policy goals, will attempt to work constructively with, and challenge, whichever party leads the government after an election;

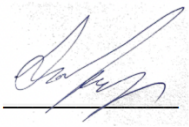
(ii) To enable any party or parties to form a government, we would need significant progress on Green Party environmental, economic and social policies, and initiatives that give effect to the Green Party Charter.

Signed:



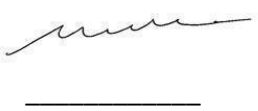
Charlotte Huckson

Kaiwhakahaere



Sam Ferguson

Party Co-Convenor



Miriam Ross

Party Secretary