



# **Constitution 2022**

Adopted by the New Zealand First Party Annual General Meeting 2022





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## **New Zealand First Party Constitution**

New Zealand First was formed in 1993 to represent those New Zealanders concerned about the social and economic direction of our country after the economic reforms of the 1980's.

Today, New Zealand First protects the interests of all New Zealanders, ensuring balance and stability, through pragmatic, common sense decision making.

Looking toward the future, it is essential for New Zealand First to be an enduring voice of common sense that protects our natural and cultural heritage, defends the people, and builds a prosperous nation for all New Zealanders.

New Zealand First recognises that an ideology of extremism leads to policies for the few which is why pragmatism and balanced decision making from the centre is needed to provide the best policies for all. New Zealanders have a right to a fulfilling and satisfying life by the application of policies that secure equal access to education, housing, health, employment and to the law.

We will ensure, either in opposition to or in support of, that the government must always serve in the interests of all New Zealanders.

New Zealand First will grow the Party by connecting with like-minded kiwis and encouraging them to join, contribute, and support our movement. Gaining representation in Parliament is the only way that we can advocate for our policies and be part of political conversation to put New Zealand and New Zealanders first.

## **New Zealand First Pillars**

Our 15 founding principles lay the base of New Zealand First's policy programme to advance the social and economic direction of our country. Since 1993, New Zealand First has proven to consistently focus our efforts on five main pillars:

- Democracy and equal citizenship
- Building a prosperous nation
- Protecting community and country
- Sovereignty and responsible government
- Self-sufficiency and pragmatic environmentalism



## **New Zealand First Founding Principles**

In 1993 New Zealand First was founded on 15 fundamental principles. These lay the base of the Party's policy programme and guided our decision making whether in opposition or government.

### **1. To put New Zealand and New Zealanders First**

### **2. Open accountable Government with less government**

Parliament will be reduced to 80 Members and the numbers of consultancies and Government Advisors will be cut by over 50%. Only on a vote of confidence in a government (in which New Zealand First is a member) will New Zealand First's Members of Parliament be required to vote with the party. On all other issues not covered by party policy, an MP's first duty is to the Electorate and the Nation.

### **3. Economic policy**

Economic policy will comprise a strategy for export-led economic development to add value to our resources, relying on independent business expertise with Government support to encourage economic success.

### **4. Employment**

The employment of New Zealanders is our first planning priority. High unemployment is not acceptable. We regard such human and economic waste as a blight on this country's productivity.

### **5. Education**

Money spent on Education will be treated as an investment, not as expenditure. Educational advancement is both in the national and in the individual interest. Educational investment is critical for economic and social recovery.

### **6. Health**

Health will cease to be a balance sheet item. Health will be a critical investment in New Zealand's human resource. Our policies will rebuild New Zealand's public health service.

### **7. Taxation**

Our long-term objective is New Zealanders paying less tax. We intend to simplify and enforce the tax laws so that they apply equally to all taxpayers. Incentives for increased research and development and export growth are the priorities.

### **8. Immigration**

Whilst this country, with such a small population, will continue to require an infusion of overseas skills and expertise, immigration will cease to be used as an excuse for our failure to train, skill and employ our own people.

### **9. The Welfare State**

The Welfare State must be an umbrella to meet genuine and deserving need. Government has a duty to properly determine those needs and respond to them. That said, social welfare must no longer neglect assisting recipients to become independent of the State.



## **10. Foreign Policy**

Our foreign policy objective will be good government at home and being a reliable neighbour in our region. New Zealand foreign aid will focus on the region in which we live. New Zealanders' desire for a non-nuclear future will be respected.

## **11. Environment**

Wise Governments view the preservation and enhancement of the environment as sound economics. All environmental policies will be proactive with a view to creating employment and sustainable wealth whilst improving one of our few competitive advantages.

## **12. New Zealand Resources**

Strategic state asset sales will cease. If considered appropriate and only where absolutely necessary, management by private contracts under public ownership will replace the policy of state asset sales.

## **13. Honest Government**

An independent anti-corruption commission will be established to enable New Zealanders to have confidence that their institutions are working properly.

## **14. Electoral Reform**

Electoral reform will be determined by the electors. The Government's duty will be to ensure the fair representation of all views and the holding of appropriate referenda.

## **15. Towards a Better Democracy**

All policies not contained in the party manifesto, where no national emergency clearly exists, will first be referred to the electorate for a mandate.



## Interpretations

In this constitution unless the context otherwise requires:

- 1.1. "Attend" includes presence of a person at the transaction of business by means of telephone or other electronic technology.
- 1.2. "Board" means the controlling body of the Party.
- 1.3. "Candidate" includes an Electorate candidate and a List candidate.
- 1.4. "Committees of the Party" means any regional, hub, electorate, and branch committee as well as Young New Zealand First
- 1.5. "Constitution" means this Constitution and includes the Preamble.
- 1.6. "Convention" includes the Annual General Meeting of the Party provided for under paragraph 18.
- 1.7. "Current year" means the year or part of a year between the Convention in any year and the Convention to follow in the subsequent year.
- 1.8. "Deputy Leader" means the Deputy Leader selected under paragraph 56.
- 1.9. "List Selection Supervisor" means the person appointed as the List Selection Supervisor by the Board. "Electorate" means a constituency as defined by the Representation Commission as an Electorate under rule of this Constitution.
- 1.10. "Electorate Representatives" means members selected as per paragraph 50.1.e.
- 1.11. "Financial Year" means the financial year of the Party that runs from 1 April to 31 March.
- 1.12. "In writing" includes communication by email.
- 1.13. "Judicial Officer" means the person appointed under paragraph 29.
- 1.14. "Leader" means the Leader of the Party selected under paragraph 56.
- 1.15. "List Ranking Committee" means the List Ranking Committee established under paragraph 50.
- 1.16. "Local Committee" means any hub, electorate, or branch committee.
- 1.17. "Member" and "full member" means a person who qualifies for and is a member under paragraph 6.
- 1.18. "Month" means a calendar month.
- 1.19. "Parliamentary Division" means all the New Zealand First members of Parliament as defined in paragraph 57.
- 1.20. "Party" means the New Zealand First Political Party.
- 1.21. "Party Membership List" means the list of full members of the Party kept by the membership secretary who have not been removed from it under paragraph 8.
- 1.22. "Party Secretary" means the Party Secretary appointed by the Board.
- 1.23. "Party Treasurer" means the Party Treasurer appointed by the Board.
- 1.24. "Permanently reside" and "permanent residence" means the place at which the member is enrolled to vote according to the latest published official electoral role for parliamentary elections.
- 1.25. "President" means the President of the Party elected by the party convention.
- 1.26. "Selection Committee" means the committee provided for under the Constitution for the selection of candidates for any parliamentary general election or by-election.
- 1.27. "Voting Delegate" includes Electorate voting delegates and all Electorate Chairpersons and Electorate Secretaries.
- 1.28. "Working day" is any day not being a Saturday, Sunday, or public holiday.



# **New Zealand First Party Organisation**

## **2. Name and Colours**

- 2.1. The name of the Party is New Zealand First.
- 2.2. The Party colours are black and white.

## **3. Office**

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

## **4. Objects and Non-profit nature**

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





#### 4.2. Non-profit

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

#### 5. The New Zealand First Charter.

The New Zealand First Party shall focus its objectives on ensuring representation in Parliament by;

- 5.1. Preparing the Party for elections and conducting well-organised campaigns at any time that it is required.
- 5.2. Building membership by engaging with and persuading New Zealanders to become members of the Party.
- 5.3. Raising funds to support the effective operation of the Party administration, committee operation, and campaign funding.
- 5.4. Recruit, support and select quality New Zealand First candidates for any election the Party contests.

## Membership

#### 6. Classification of Members

- 6.1. **Full Member** - Every member is a full member of the party once the member's application is accepted by the party and the members name recorded on the party membership list and has paid the annual subscription.
- 6.2. **Life Member** - A life member is elected to membership for the remainder of their life in recognition of exceptionally distinguished service rendered to the party under paragraph 7 and is a full member to be known as a life member who shall be deemed to be a full member without liability for payment of the annual subscription. There shall be no more than 20 life members at any time.
- 6.3. **Young New Zealand First Member** - is a member aged from 18 to 30 years.

#### 7. Members

- 7.1. Any natural person may apply to be a member of the party.
- 7.2. To join the party, the applicant may complete a membership application, online or offline, and must provide contact details including:
  - a. Full name



- b. Address
  - c. Email address
  - d. Phone number
  - e. Other electronic addresses (optional)
  - f. State if they are enrolled as an elector. (Note: not being enrolled or eligible to enrol, as an elector does not prohibit the person joining the Party).
  - g. Pay the annual subscription fee as set by the Board.
- 7.3. A written application may be accepted for consideration by the Board, the membership secretary, applications posted to the party's postal address, any member of the Party committees, and any persons authorized by the Board.
- 7.4. The Board may accept the application at its absolute discretion in any manner it decides to approve.
- 7.5. The Party Secretary shall on a member's application being accepted cause the members name to be entered into the party's membership list and ensure the member is registered with the appropriate Electorate Committee who shall contact the new member and invite them to party meetings and functions. A member cannot be recorded as a member of more than one Electorate at any time, and a member cannot be recorded as a member of more than one Branch at any time. A member may renew their membership online using the party's website or in writing provided they pay the annual membership fee.
- 7.6. Members are obliged to keep the record of their contact details current with the Party.
- 7.7. If a membership application is declined the Party Secretary shall cause the membership fee to be refunded.
- 7.8. Only full members who are eligible to enrol as an elector may participate and vote to select candidates who apply to stand for Parliament on the Party list.
- 7.9. Membership application and approval is additionally subject to provisions set out in Section 10 of this document.

### **Life Membership**

- 7.10. Life Members shall be elected at the Convention. Only a full member may be nominated.
- 7.11. Nominations for Life Membership must be made in writing, signed by a proposer who is a full member and countersigned by a seconder who shall also be a full member, and shall be submitted to the Board not less than 28 days before the Convention.
- 7.12. Nominations for Life membership must be approved by a vote of more than 90 percent of the Board before being put before the Convention. Only upon receiving at least a three-fifths majority of the members voting at the Convention shall a nominated full member be elected a Life Member by the Party.

### **8. Subscription**

- 8.1. The amount of the annual subscription payable by members is the sum set by the Board and ratified by the membership attending the Party at its Convention. Once ratified by the party at convention the annual subscription shall remain fixed until the Board recommends a new membership fee for ratification by the convention.



- 8.2. If the Party at Convention does not ratify the annual subscription initially recommended by the Board, it must instead refer the matter back to the Board for further consideration, following which the Board may make a second recommendation to the same Convention, or alternatively may defer the matter to the following year's Convention. In the case of the Convention not ratifying the Board's initial recommendation, the Board may delegate its power to reconsider and to make a second recommendation to the same Convention, to any three members of the Board present at the Convention. If the Convention does not ratify the second recommendation, then the annual subscription shall remain unchanged.
- 8.3. The annual subscription is payable on the first day of January (the renewal date) each year.
- 8.4. Renewal notices for every member, as at the renewal date, shall be sent to each member by the membership secretary during the four months following the renewal date, requiring payment by the end of the second month (the due date) following the month during which the renewal notice is sent. Renewal notices may be sent by post or by email or both or given in person. A member may pay the subscription whether they have received a renewal notice or not.
- 8.5. Any excess over the amount of the annual subscription will be a donation to the Party.
- 8.6. If the annual subscription of any member of the Party is unpaid after the due date, then that member shall not be a full member from the due date (unless the Board shall otherwise determine for any special circumstances it considers applying) and shall not be entitled to exercise or enjoy any right of membership during the period the annual subscription remains unpaid.
- 8.7. If the annual subscription of any member of the Party remains unpaid on the 31st day of December in the financial year following the renewal date, then the member will be removed from the Party membership list, until an annual subscription (without any prerequisite liability to pay any arrears of past unpaid subscriptions for previous financial years) is paid for the financial year during which payment is made.

## **9. Political Affiliation**

- 9.1. A member shall not stand as a candidate with the name New Zealand First in whole or in part as their party affiliation for any local government election without Board approval.
- 9.2. The Board must take any action it thinks necessary (including legal action) to protect the name New Zealand First whenever it considers that the name has been, or is being, or is likely to be, or may be, misappropriated misused or misrepresented by any person.

## **10. Termination of Membership**

- 10.1. A member may terminate membership by voluntary written resignation or by email addressed to the Party membership secretary.
- 10.2. Membership is ipso facto terminated by the death of a member or by their permanent incapacity.



- 10.3. Membership of New Zealand First shall automatically terminate if a member seeks/obtains membership of another political party in New Zealand,
- 10.4. If it appears to the Board that the conduct of any member has been offensive, undesirable, inconsistent with the welfare and interests of the Party, or contrary to the Constitution, the Board shall, on receiving a written complaint, or on its own initiative, resolve to consider that member's continuing membership of the Party. A hearing shall be convened by the Board to consider the complaint.
- 10.5. Within 14 days of its resolution the Board shall notify the member concerned in writing by personal service or by mail or by email of:
  - a. The nature and details of the complaint.
  - b. The date, time, and place for the of hearing; and
  - c. The member's right to be present and to be heard in person or at the member's option by telephone or electronic means.
- 10.6. The hearing must take place within 14 days of the date of the Board's notification under paragraph 10.5.
- 10.7. The member is not entitled to be represented at the hearing but may be supported there by a full member who shall not directly take part in the hearing.
- 10.8. Subject always to the provisions of this constitution, the hearing under paragraph 9.4 will be conducted in private and otherwise in accordance with the usually accepted rules of natural justice.
- 10.9. If the Board determines that the member's behaviour was so offensive, undesirable, inconsistent with the Party's welfare or interests, or contrary to the Constitution, that the reputation or good standing of the party or the best interest of the Party so requires, then the Board may, by a majority decision of the Board members present and voting at the meeting, resolve to impose any one or more of the following penalties on the member concerned:
  - a. Censure the member in writing.
  - b. Suspend the member from some or all the rights and privileges of membership, for such a period as the Board shall think fit, to be specified in a notice sent to the member concerned in writing by personal service or by mail or by email. Should no date of commencement of suspension of membership be specified in the notice then the date of commencement shall be the date the notice was sent.
  - c. Permanently terminate the member's membership of the Party as at the date (not being a retrospective date) to be specified in a notice sent to the member concerned in writing by personal service or by mail or by email. Should no such date be specified in the notice then the date of termination shall be the date the notice was sent.
- 10.10. If a member of the Board makes a written complaint under paragraph 10.4, the complainant must be excluded from participation in the hearing and from voting on the issue.
- 10.11. If a member's membership is terminated in any way under this paragraph 10, and the member is a New Zealand First Member of Parliament, then the member will upon notification under this paragraph 10 ipso facto cease to be a member of the New Zealand First Parliamentary Division and caucus.



## **The New Zealand First Board**

### **11. Management of the Party**

- 11.1. The governance and management oversight of all the Party's affairs (not including the affairs of the Parliamentary Division) shall be vested in the Board which shall have the power to do all acts and things consistent with this constitution that it considers proper or expedient for accomplishing the objects and carrying on the affairs of the Party including the power to:
- a. Appoint the Party Secretary (on the joint recommendation of the Leader and President).
  - b. Manage and expend the funds and property of the Party (including the power to invest) and incur such liabilities on behalf of the Party as it may think necessary or expedient to further the objects or purposes of the Party.
  - c. Engage or appoint and remove employees and contractors, to define their duties and powers, and to fix and determine their salaries and emoluments.
  - d. To make, alter and repeal resolutions and rules consistent with this constitution, which are necessary for the well-being of the Party.
  - e. To delegate its functions (without abdication of responsibility) as it thinks fit, including the engagement of outsourced providers.

### **Proceedings of the Board**

- 11.2. The Chair of the Board will be the President, (in the President's absence a member of the board elected to chair the meeting) and the President shall be the spokesperson for the Board.
- 11.3. The Board shall meet for the dispatch of business at times and places specified by the President but shall meet in conjunction with each annual Convention, and (including the meeting in conjunction with the Convention) at least quarterly in person or by telephone conference, in between each successive Convention.
- 11.4. A quorum of the Board shall be 50% of its members and may be in person or by telephone conference or other electronic means.
- 11.5. The Board shall otherwise regulate its own procedure.
- 11.6. The Board may from time to time establish any committees that are required. The function of committees is to carry out the instructions of the Board.

### **12. Constitution of the Board**

- 12.1. The Board members shall be:
- a. The President.
  - b. The Party Secretary.
  - c. The Leader.
  - d. The Deputy Leader.
  - e. Five members elected at the Annual General Meeting.
  - f. Representatives from the Members' Council as per paragraph 33.3
  - g. Any members co-opted by the Board.
- 12.2. A Board member may resign by notice in writing to the President; and the office of a board member shall be deemed to be vacated permanently if the holder;
- a. Ceases to be a member.



- b. Dies.
  - c. Is permanently incapacitated, or (unless the Board resolves to waive this provision) is temporarily incapacitated for an extended period of no longer than three months.
  - d. Resides overseas for an extended period longer than three months (unless the Board resolves to waive this provision).
  - e. Is absent from three consecutive Board meetings without apologies.
- 12.3. If an elected board member's position is vacated, then the Board may appoint any full member who is qualified to be nominated for election to the position for the remainder of the vacating Board member's term.
- 12.4. Co-opted members are appointed if there is a skill or experience requirement that cannot be otherwise fulfilled by another board member. Co-opted members may be invited to, speak at, and participate in Board members but do not have voting rights.

## **Members of the Board**

### **13. President**

- 13.1. The President shall be elected annually at the Convention and shall be eligible for re-election at each Convention thereafter.
- 13.2. The President, or in the President's absence the Party Secretary, shall preside at the Convention and any Special Meetings of the Party.
- 13.3. The President (or in the President's absence a person appointed by the Board shall furnish at each Convention a full report on the operation of the Party.
- 13.4. The President shall, ex-officio, be a member of all committees of the Party. The President has the right to attend any Party meeting.

### **14. Board Members**

- 14.1. Five board members shall be elected annually to the Board by the Party AGM.

### **15. Board to appoint a Party Secretary.**

- 15.1. The Party Secretary may be appointed by the Board and is a fully participating member of the Board.
- 15.2. The Party Secretary must be a full member and will be engaged on a contract for services or on a contract of service upon such terms and conditions the Board shall think fit.
- 15.3. A Member of Parliament shall not be appointed as the Party Secretary.
- 15.4. The Party Secretary shall see that the funds of the Party are properly accounted for and that proper books of account are kept.
- 15.5. The Party Secretary shall maintain the Party's relationship with the Electoral Commission and hold responsibility for the required filing of all legal returns and declarations and all other obligations on behalf of the Party under the Electoral Act 1993 and other applicable electoral legislation and Regulations.
- 15.6. The Party Secretary, in conjunction with the President, shall oversee the candidate process, including selection and the administering the List Ranking Process as per paragraph 53.



## **16. Nominations for Board**

- 16.1. A Board appointments committee will be established by the Board to identify the skills and experience needed from candidates to satisfactorily fulfil the governance expectations required of all Board members and to certify the suitability of Board candidates. The Board may decide in its discretion to exclude a candidate to stand for Board if it is deemed that their candidacy may be detrimental to the Party and any candidate who is bankrupt, has a criminal record, or who is disqualified as a director under the Companies Act.
  - 16.2. The Board appointments committee will be made up of Board members who are not standing for re-election, members of the Members' Council who are not standing for election, or any other full member co-opted by the Board to provide a Board Appointments Committee of not more than five members.
  - 16.3. A Board approved notice calling for nominations for the Board approved nomination forms and Board approved candidate declaration forms shall be circulated to the Party branches and electorates at least 50 days before the annual Convention.
  - 16.4. Each Electorate shall be entitled to nominate one person, but not more than one person, for election as President and one person for election as a Board member.
  - 16.5. Nominations must be delivered to the Party Secretary no later than 28 days before the first day of the annual Convention.
  - 16.6. To be eligible to be nominated for election to the Board, a candidate must have been a full Member of the Party at the date of nomination for at least six months, and not be a member of parliament.
  - 16.7. Nominations shall be in writing, signed by not less than two full members of the electorate making the nomination.
  - 16.8. The nomination form must bear the full name current address and signature of the candidate as evidence of consent to the nomination and must be accompanied by a completed declaration form.
  - 16.9. Election shall be by secret ballot if there is more than one nomination for any Board position. Every voting delegate (or substitute) shall have one vote.
  - 16.10. The candidates receiving the five highest number of votes shall be elected to the five positions of office. An elected Board Member shall serve from the day after the end of the Convention at which the officer is elected, until the Party at Convention replaces the member.
  - 16.11. All elected Board members whose term is ending at the annual Convention shall be eligible for re-election at that Convention for another term.
- 17.** An annual honorarium may be paid to the Party President. The amount of each honorarium will be set from time to time by the Board; and the amount set may be any sum the Board thinks fit. The Board members will not discuss either their deliberations, or the Board's decision made under this paragraph, with any member or other person; and the Party President may not take part in either the Board's deliberations or in the voting on the amounts of the honoraria to be set.



## The Convention and Annual General Meeting

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

### 19. Remits

- 19.1. Remits for the Convention must be submitted through and approved by Electorate Committees or if no committee exists, the responsible regional committee.
- 19.2. Any remits approved for the Convention by an Electorate Committee must reach the Party Secretary not later than 28 calendar days prior to the first day of the Convention, provided however that the Remit Committee may in its discretion admit late remits if it finds good reason for doing so.
- 19.3. Remits must be provided on the approved remit form and must be concise and clearly state whether they are proposals for amendment of the Constitution, or are policy proposals, or are notices of motion on other matters.





- 19.4. The Board will appoint a Remit Committee which shall evaluate and decide on remits to appear at the next Convention or at a subsequent Convention and may rule any remit or may redraft any remit to assist with its relevance or suitability for the Convention at which it is to be considered and to assist with its understandability; and the Remit Committee may consolidate remits on the same or similar subjects to assist with its comprehension and may group them into subject areas, and may list them in order of priority for consideration.

## **20. Special General Meetings**

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

## **21. Rules for Party Annual General Meetings, the Convention, and Party Special General Meetings**

- 21.1. At least 100 voting delegates and their substitute delegates must be present to constitute a quorum before a Special General Meeting (SGM), or the Annual General Meeting (AGM), or the Convention, can transact any business.
- 21.2. If a quorum is not present within an hour after the time appointed for an SGM, AGM, and/or the Convention meetings, they will either:
  - a. Be dissolved if the members present decide; or
  - b. Stand adjourned until the time and place fixed by the Chairperson of the adjourned meeting.
- 21.3. At all such meetings every voting delegate (or their substitute delegate), every member of the Board, and every member of the Parliamentary Division shall on each question have one vote and none of them shall have more than one vote.
- 21.4. In the case of an equality of votes, the Chairperson shall have a casting vote.
- 21.5. Except for contested elections of office holders or as otherwise provided by the Constitution, voting shall be on voices or a show of hands, or if the Chairperson and any two members present and entitled to vote shall so require, by secret ballot.
- 21.6. Any declaration by the Chairperson as to the result of the voting and its entry into the Minutes of the meeting shall be conclusive evidence of the issue being passed or rejected. The results of an election of Board members shall not be released or otherwise be made known to the meeting, however if an unsuccessful candidate specifically requests that the information be released, and the meeting by resolution approves this, then the information will be released to that unsuccessful candidate only.
- 21.7. The Minutes of each meeting shall be kept and distributed to branches and electorates prior to the next meeting.



## Finance and procedure

### 22. Common Seal

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

### 23. Finances

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

### 24. Auditor

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



## **25. Indemnity and Party Property**

- 25.1. Members of the Board may apply to the Board for reimbursement by the Party of reasonable disbursements, expenses, liabilities, and losses incurred by them in or about the discharge of their duties in good faith. The Board may in its discretion authorise payment of all or any part of all or any such applications or may decline payment of all or any part of all or any of them.
- 25.2. No member of the Board shall have any personal liability for any of the debts of the Party nor for any claims expenses disbursements damages engagements or other liabilities or losses of any kind whatsoever which are incurred by the Party provided that such member has not negligently improperly or dishonestly caused or contributed directly or indirectly to any such debt or any such liability or loss.
- 25.3. Board members may request insurance cover at any time to cover any future period during which a member will serve as a Board member in respect of any such debts or any such liabilities or losses, however the Board has no duty to provide any such insurance cover and may in its sole discretion decline to obtain it.
- 25.4. All property (including money) accruing from any activity undertaken in the name of or on behalf of the Party, or by any member (including a parliamentary candidate or member of the Parliamentary Division) belongs to the Party and must be immediately transferred to the Party Treasurer on demand and is always subject to the control of the Board.

## **26. Power to Sell Property and Borrow**

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

## **27. Winding Up**

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



## **28. Eligibility for Office**

- 28.1. Unless allowed under any specific provision in the Constitution, a person who is not a full member of the Party shall be ineligible to hold any office or serve on any committee or as a delegate to any Party meeting.
- 28.2. In addition, every member of the Electorate Selection Committee (paragraph 46) must be:
  - a. A member of the electorate concerned; and
  - b. A full member of the Party of at least six months standing.
  - c. The Board may in its discretion waive any of the requirements in the Constitution as to length of time of membership of the Party for any purpose in relation to eligibility for office.
  - d. A member may only be elected to office in the branch and in the electorate in which they have their permanent or principal place of residence, provided that the Board may authorise a member to serve as an office holder in a branch or electorate other than where they have their permanent or principal place of residence if the branches or electorates as the case may be covering both the place where they have their permanent or principal place of residence and the place where the member wishes to serve agreed.
- 28.3. No member may hold office in more than one branch, one electorate, and one hub provided however that in special circumstances the Board may authorise a member to do so for specified branch, electorate, or hub positions and for no longer than one year unless the Board decides otherwise.
- 28.4. A member who wishes to serve as an office holder in an electorate or branch which is not their permanent place of residence shall apply in writing to the board for approval.

## **29. Judicial Officer**

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



### **30. Disputes**

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

### **31. Mediation**

- 31.1. The Judicial Officer may, on receipt of notice of a dispute, request the President to appoint a mediator. If mediation fails within the time to be set by the Judicial Officer, then the appointed mediator shall advise the Judicial Officer who shall then proceed with the dispute's resolution process.
- 31.2. Every constituency as defined by the Representation Commission shall constitute an electorate for the purposes of this constitution.



## Party Organisation

### 32. Board Secretary, Membership Secretary, Party Treasurer, and General Manager

- 32.1. The Board may appoint a Board Secretary to assist the President with the administration of Board activity such as meeting and agenda setting, handling correspondence, minute taking, and recording Board decisions or any other tasks as determined by the Board.
- 32.2. The Board may appoint a Membership Secretary to assist the Board and committees with membership matters such member applications, maintenance of the central membership lists, and handling committee and member enquiries regarding membership information or any other tasks as determined by the Board.
- 32.3. The Board may appoint a Party Treasurer or any composition of roles to assist the Board and Party Secretary with financial matters such as administration of the Party Bank accounts, assisting with donation or electoral returns, ensuring compliance of Party financial policy and controls, payments of accounts or any other tasks as determined by the Board.
- 32.4. The Board may appoint on a contract of service a General Manager to oversee any operational functions such as administration of the Party communication, marketing, or information technology systems, managing volunteers or any employees or contractors taken on by the Board or any other tasks as is determined by the Board.

## New Zealand First Members' Council

### 33. Members' Council Organisation

- 33.1. The Members' Council is a conduit for, and responsible for the management of, Committees of the Party. Its purpose is to
  - a. Assist with the administration, organisation, and coordination of the Party.
  - b. Communicate and coordinate with Committees of the Party.
  - c. Produce an annual plan in line with directions set by the Board with reference to an activity calendar, membership growth and fundraising targets.
  - d. Report on matters and activity of their respective areas.
  - e. To elect representation to the Board as per paragraph 33.3
  - f. To assist with the facilitation of regional, hub, electorate, and branch Annual General Meetings
- 33.2. The Members' Council shall comprise of
  - a. The Chair of each Regional Committee as elected by paragraph 35.11
  - b. The Chair of Young New Zealand First
  - c. The Party President
  - d. The Party Secretary
  - e. Any other officers that the Board may determine necessary for the function of the Council.
  - f. A Secretary appointed by the Council.



- 33.3. Election of the Members' Council Chairperson shall occur at the first meeting following each Party Annual General Meeting.
- a. The Members' Council shall also elect one representative to the Board.
  - b. Any member as described in 33.2.a and 33.2.b may be eligible for office.

## **Committees of the Party**

### **34. Purpose of the Committees of the Party**

The Party shall establish democratic organisations for the express purpose of advancing the objects of the Party. The Committees shall

- a. Build membership through appropriate membership drives and ensure their participation and inclusion in Party events and matters.
- b. Raise funds for the purposes of; operational expenses of the committee, funding candidates during a general election, and contribution to the national election campaign during the general election
- c. Recruit volunteers and committee members
- d. Seek and support potential New Zealand First candidates
- e. Distribute party communications, policy, and political information.
- f. Engage with the community and organise events and activities.
- g. Support the party campaign and candidates during any general election or Board authorised by election.

### **35. Regional Structure and Young New Zealand First**

- 35.1. The Board shall establish Regions of which a Regional Committee will be elected to ensure the efficient operation and administration of the party's affairs.
- 35.2. The Board shall determine the boundaries of which electorates constitute a region.
- 35.3. Allocated regions may have different numbers of electorates within them.
- 35.4. The primary function of regions will be to;
  - a. Adhere to the purpose of the Committees of the Party as mentioned.
  - b. Establish electorate committees and if not possible, hub or branch committees within their boundaries.
  - c. Allow the establishment of branches of Young New Zealand First groups within their boundaries.
  - d. Support committees within their boundaries to increase their membership and fundraising activity.
  - e. To assist with the administration of the Party by supporting the directions of the Members' Council and the Board.
- 35.5. The Regional Committee Executive shall comprise of
  - a. The Regional Chairperson
  - b. The Treasurer
  - c. The Secretary
  - d. The Regional Membership Secretary
  - e. The Chairperson or a selected representative of every electorate committee, or if no electorate committee exists, hub committee, and if no hub committee exists, branch committee.
  - f. The Chairperson or a selected representative of a Young New Zealand First branch, if one has been established within its boundaries.
  - g. Any members co-opted onto the committee.



## Young New Zealand First

### 36. Young New Zealand First

- 36.1. Young New Zealand First shall operate nation-wide of which a national committee will be elected to ensure the efficient operation and administration of the party's affairs.
- 36.2. Only Young New Zealand First members as described in paragraph 6.3 are eligible for office.
- 36.3. The primary function of Young New Zealand First will be to;
  - a. Adhere to the purpose of the Committees of the Party as mentioned.
  - b. provide a voice for Young New Zealand First Members within the Party
  - c. provide a means for them to associate with each other.
  - d. develop policy proposals of relevance to the younger members of New Zealand.
  - e. To assist with the administration of the Party by supporting the directions of the Members' Council and the Board.
- 36.4. The Young New Zealand First National Committee shall comprise of
  - a. The Chairperson
  - b. The Treasurer
  - c. The Secretary
  - d. The Membership Secretary
  - e. The Chairperson or a selected representative of every Young New Zealand First Branch Committee.
  - f. Any members co-opted onto the committee.
- 36.5. A Committee shall normally meet not less than once every two months.
- 36.6. The members of a Committee shall hold an Annual General Meeting at a date in each year fixed by the Regional Committee to elect a Chairperson, Secretary, and Treasurer (the Committee Officers) and any number of Local Committee members.
- 36.7. The Annual Committee Meeting must be held before the Electorate Annual General Meeting and the Party AGM.
- 36.8. The Committee officers hold office from the end of the Annual General Meeting at which they are elected until the end of the next Annual General Meeting at which their successors are elected or at which they are re-elected.
- 36.9. A member shall not exercise any of the rights of a member (including voting rights) in more than one Branch committee.
- 36.10. The Annual General Meeting shall elect the National Committee for Young New Zealand First each of whom shall be full members of the party.
- 36.11. The Annual General Meeting shall also elect up to four voting delegates, who shall be full members as of 31st July each year and are permanently resident in the Electorate, to represent the Electorate at the Convention. In addition, the Chairperson and Electorate Secretary are also voting delegates for that purpose.
- 36.12. In addition, where Young New Zealand First is recorded by the Party Secretary as having more than 20 full Young New Zealand First members (the first 20), as of the 31st of July each year, it shall have an additional voting delegate for every 20 full members over and above the first 20, to represent Young New Zealand First at the Convention.





### **37. Regional Committee Annual General Meeting**

- 37.1. The Committee shall comprise the Committee members elected at the Annual General Meeting of the Region in accordance with this paragraph.
- 37.2. The Annual General Meeting of a Region shall be held at place and on a date fixed by the Board and may be held using electronic means.
- 37.3. The Board shall give at least ten days' notice to Party members permanently resident in the Region of the meeting to elect the officers of the Committee.
- 37.4. The Annual General Meeting shall elect an Executive Committee for the Regional Committee each of whom shall be full members of the party. The Executive Committee shall comprise a Chair, Deputy Chair, Secretary, Treasurer, and Membership Secretary. The Regional Secretary and Treasurer positions may be filled by one member; alternatively, the Chair may also be elected to be the Regional Secretary or Treasurer (but not both).
- 37.5. The Regional Committee shall be responsible for the management of their area as directed by the Board and always in accordance with the Constitution.
- 37.6. The Committee may appoint any member who is qualified to be elected to the Executive Committee, as a substitute to fill the office or offices of Chairperson, Deputy Chairperson, Secretary, and Treasurer in the event of a member elected to any such office(s) being unable to carry out the role, until the following Annual General Meeting.
- 37.7. The Regional Treasurer shall be responsible for the regional finances as directed by the Party Secretary or the Party Treasurer and shall be responsible to the Auditor of the party.
- 37.8. Each Committee shall keep a roll of members within its area utilizing the administrative system provided by the Board.
- 37.9. Regional Committee meetings and their Annual General meetings shall, as far as is practicable, follow the procedure for Annual General Meetings.

### **38. Local committees – Hub, Electorate or Branch committees**

- 38.1. The objective of the Party is to have at least one Electorate Committee operating in each Electorate.
- 38.2. The Regional Committee will establish and support Electorate Committees within its Region subject to the approval of the Board.
- 38.3. If establishing an Electorate Committee is not possible then a Hub (Committee across electorate boundaries) or a Branch (Committee within electorate boundaries) may be established with Board approval.
- 38.4. Committees must be established with at least six members who shall be full members permanently resident in the area and must fulfil all the requirements in paragraph 28.
- 38.5. Local Committees may be continued on a temporary basis where there are a smaller number of members.
- 38.6. A Hub Committee shall have at least one representative from each electorate committee, or if no electorate committee exists, a branch from within an electorate within its boundaries.
- 38.7. An electorate committee shall have at least one representative from each branch committee from within its boundaries.



### **39. Local Committee Operation**

- 39.1. A Committee shall normally meet not less than once every two months.
- 39.2. The members of a Committee shall hold an Annual General Meeting at a date in each year fixed by the Regional Committee to elect a Chairperson, Secretary, and Treasurer (the Committee Officers) and any number of Local Committee members.
- 39.3. The Annual Committee Meeting must be held before the Electorate Annual General Meeting and the Party AGM.
- 39.4. The Committee officers hold office from the end of the Annual General Meeting at which they are elected until the end of the next Annual General Meeting at which their successors are elected or at which they are re-elected.
- 39.5. Each Branch shall be entitled to elect at least one Branch Delegate to represent them on the Electorate Committee.
- 39.6. A member shall not exercise any of the rights of a member (including voting rights) in more than one Hub, Electorate or Branch committee.
- 39.7. A member must do so only in one branch within the Electorate and Branch area in which they permanently reside, except where the Board and the Branches concerned have given prior approval for good reason for the member to exercise their rights in a different Branch within the same or a different Electorate. This also applies to Electorates or Branches within a Hub Committee.
- 39.8. Branch meetings shall, as far as is practicable follow the procedure for Annual General Meetings. Subject to the Constitution, the Board may issue directions as to the structure, management, and the powers of any committee(s).

### **40. Election of Committees of the Party**

- 40.1. The Committee shall comprise the Committee members elected at the annual general meeting of the Hub, Electorate or Branch in accordance with this paragraph.
- 40.2. The Annual General Meeting of a Committee shall be held at place and on a date fixed by the Board.
- 40.3. The Board shall give at least ten days' notice to Party members permanently resident in the meeting to elect the officers of the Committee.
- 40.4. The Annual General Meeting shall elect an Executive Committee for the Hub, Electorate, or Branch each of whom shall be full members of the party. The Executive Committee shall comprise a Chair, Secretary, and Treasurer. The Electorate Secretary and Treasurer positions may be filled by one member; alternatively, the Chair may also be elected to be the Electorate Secretary or Treasurer (but not both).
- 40.5. The Annual General Meeting shall also elect up to four voting delegates, who shall be full members as of 31st July each year and are permanently resident in the Electorate, to represent the Electorate at the Convention. In addition, the Chairperson and Electorate Secretary are also voting delegates for that purpose.
- 40.6. If no Electorate Committee exists, then the Regional Committee must facilitate a meeting to appoint voting delegates with approval of the Board.
- 40.7. In addition, where an Electorate is recorded by the Party Secretary as having more than 20 full members (the first 20), as of the 31st of July each year, it shall have an additional voting delegate, permanently resident in the Electorate, for every 20 full



members over and above the first 20, to represent the Electorate at the Convention.

- 40.8. Any member, who is a full member permanently resident in the Electorate, may be appointed to be a substitute delegate for any Convention, by the Electorate Committee, to replace any elected voting delegate who will not be attending the Convention, provided that the Party Secretary has been notified in writing or by email by the Electorate of the substitution at any time up to 7 working days before the first day of the Convention.
- 40.9. The procedure for the election of the voting delegates shall be determined by the Board. The members of the Electorate Committee hold office from the end of the Annual Meeting at which they are elected until the end of the next Annual Meeting at which their successors are elected or at which they are re-elected.
- 40.10. The Hub, Electorate, and Branch Committee shall be responsible for the management of their area as directed by the Board and always in accordance with the Constitution.
- 40.11. The Committee may appoint any member who is qualified to be elected to the Executive Committee, as a substitute to fill the office or offices of Chairperson, Deputy Chairperson, Secretary, and Treasurer in the event of a member elected to any such office(s) being unable to carry out the role, until the following Annual General Meeting.
- 40.12. The Committee Treasurer shall be responsible for the Electorate finances as directed by the Party Secretary or the Party Treasurer and shall be responsible to the Auditor of the party.
- 40.13. Each Committee shall keep a roll of members within its area utilizing the administrative system provided by the Board.
- 40.14. Hub, Electorate and Branch Committee meetings and their Annual General meetings shall, as far as is practicable, follow the procedure for Annual General Meetings.



## Candidates

### 41. Selection of Candidates to Stand for Parliament

- 41.1. The party shall select and support both Electorate and list candidates in By-Elections and General Elections as determined by the Board.
- 41.2. The Electorate and List candidates shall be selected in accordance with these rules.

### 42. Electorate Candidates

- 42.1. The party shall select and support Electorate candidates in all general elections in electorates that the Board approves.
- 42.2. The Board approval shall be based on the electorate reaching targets set by the Board as to membership, financial viability, and organisational structure.

### 43. Approval as a Candidate

- 43.1. A member nominated as an Electorate candidate must have been a full member for at least six months as at the date of nomination; and a member shall not be eligible for selection as a List candidate unless the member has been a full member for at least six months.
- 43.2. The Board may in its discretion waive any of the requirements in the preceding paragraph 43.1 herein.
- 43.3. The Board shall consider and at its discretion approve or decline to approve, every nomination for candidacy as an Electorate candidate before each nomination shall become thereby validated, and before the candidate shall be eligible for consideration and selection at the Electorate Selection Meeting. The Board has an absolute discretion to approve or disapprove any person before they can be selected to be an Electorate or List Candidate eligible for selection under these rules to be a candidate for New Zealand First.
- 43.4. Any person seeking to be nominated as a candidate to be an Electorate or List Candidate eligible for selection under these rules to be a candidate for New Zealand First must complete the application form provided from time to time by the Board. The Board in its absolute discretion may approve the applicant to stand for selection as a candidate for New Zealand First.
- 43.5. Alternatively, a member may complete an Expression of Interest application form prescribed by the Board and attend a course at the prospective Candidates College determined by the Board.
- 43.6. After the completion of the course at the Candidates College the Board may approve the Candidate as a candidate to stand as Electorate and List Members of Parliament.
- 43.7. The approval shall endure until the Board at its absolute discretion decides to revoke the same.

### 44. Obligations on Candidates

- 44.1. All candidates must always comply strictly with the Constitution and conduct themselves with proper regard for their status as representatives of the Party.
- 44.2. Each candidate must ensure that they:



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

#### **45. Nomination of Electorate Candidates**

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

#### **46. Selection of Electorate Candidate**

- 46.1. The List Selection Supervisor shall in consultation with the Party Secretary and the electorate secretaries issue a timetable for the calling of nominations and selection of candidates for each general election or by election.
- 46.2. Nominations shall be by two full members resident in the Electorate on the form.
- 46.3. specified by the Board and shall be signed by the nominee. The form shall be completed in full, and a copy shall be forwarded to the Party Secretary.
- 46.4. If the Electorate Committee receives two or more nominations, then the Electorate Chair shall call a meeting (the Electorate Selection Meeting) of all members in the Electorate to select the Electorate's Candidate.
- 46.5. All Electorate members shall be notified by the Electorate Secretary (who may delegate the giving of notice to the Party Secretary) of the Electorate Selection Meeting.
- 46.6. The Electorate Selection Committee shall constitute the three members selected at the Electorate Selection Meeting and 2 members appointed by the Board.
- 46.7. The first order of business of the Electorate Selection Meeting is to elect 3 Electorate members to the Electorate Selection Committee.
- 46.8. Once the Electorate Selection Committee is selected it shall hear a selection speech by every candidate whose nomination has been approved and validated by the Board and in accordance with a programme and agenda (including the specification of candidate speech duration and order of speaking).
- 46.9. Following completion of the candidate selection speeches the Electorate Selection Committee shall then vote by secret ballot to determine which candidate shall be selected. If a candidate does not achieve greater than 50 percent on the first poll, than the lowest polling candidate shall be dropped, and a new poll taken until one candidate achieves more than 50 percent of the vote.
- 46.10. The successful candidate shall then be announced at the meeting by the Electorate Chair the selected candidate unless later removed by the Electorate



Selection Committee under clause 37.4 shall be the party's candidate in the electorate.

#### **47. Conduct of Election by Electorate Candidate**

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

#### **48. Revocation or Withdrawal of Electorate Candidate**

- 48.1. Where the Board or the relevant Electorate Committee resolves that revocation of the candidacy of a selected Electorate candidate is necessary in the interests of the Party, and the candidate is unwilling to withdraw their candidacy at the Board's or the Electorate Committee's request, then the Board at the request of the Electorate Committee, or the Board on its own initiative, may resolve to direct of the Electorate Selection Committee to reconvene to discuss revocation of the candidate's candidacy. The members of the Electorate Selection Committee shall be the same as those who selected the candidate, provided that the Electorate Committee or the Board as the case may shall appoint substitute qualified members where any are unable or unwilling to serve.
- 48.2. If approval is given by the Board, then at least four days' notice of the meeting shall be given to the Electorate Committee and to the candidate who shall be invited to attend the meeting. At the meeting, the candidate shall:
  - a. Be informed of the reasons for dissatisfaction with the candidacy.
  - b. Be given a reasonable opportunity to be heard.
- 48.3. Following the hearing of the candidate, and at the completion of consideration of all the issues by the Electorate Committee (during which the candidate shall not be present) the Electorate Committee shall decide whether to revoke or confirm the candidate's candidacy by special resolution, which shall as soon as practicable be communicated in writing to the Board and to the candidate. If confirmed the candidate shall continue as the candidate for the Electorate. If revoked the candidate's candidacy shall be revoked as from the date and time of notification in writing.
- 48.4. The members of the Electorate shall also be informed as soon as practicable. In the event of a withdrawal or revocation of a candidate's candidacy the Board shall determine a new timetable for the selection of another candidate in accordance with the procedure set out for doing so in the Constitution, provided however if the



Board determines that there is insufficient time for the prescribed process for the selection of a new candidate under the Constitution and/or insufficient time to campaign, then the Board may instead direct that the member who was second in the ballot at the Candidate Selection Meeting shall be declared to be the new successful candidate for the election.

#### **49. List Candidates**

- 49.1. The Electorate Secretary shall advise the Board of the name of the selected candidate in the Electorate.
- 49.2. Each candidate shall supply the Board with a curriculum vitae including a photograph. 38.3) The Board shall list the candidates in alphabetical order and distribute that list and curricula vitae to The List Ranking Committee.

### **The Party List and List Ranking**

#### **50. List Ranking Committee**

- 50.1. The List Ranking Committee shall comprise:
  - a. The Leader.
  - b. The Deputy Leader.
  - c. The President.
  - d. The List Selection Supervisor.
  - e. Nine Electorate Representatives selected as per paragraph 50.2 - 50.5.
  - f. The Party Secretary who shall ensure the proper conduct of the meeting and the preparation of an accurate record of the LRC decision.
- 50.2. Each Electorate committee when requested by the Party Secretary may nominate one member (with minimum six years membership) who they consider can participate in the List Ranking Committee working in the best interests of the party.
- 50.3. The electorate nominee may not be a candidate, related or otherwise associated with a candidate, as they cannot be seen as impartial. The decision if a nominee is not seen to be impartial shall be at the sole discretion of the Party Secretary in consultation with the President.
- 50.4. The Party Secretary shall compile a list of the Electorate Nominees and together with the List Ranking Committee members in paragraph 50.1 shall select two nominees from the Electorate groups.
- 50.5. The electorate nominees so selected shall for the pending election be members of the List Ranking Committee.
- 50.6. All the members of the List Ranking Committee shall meet in person in one place, at a venue to be decided by the Party Secretary in consultation with the President.
- 50.7. The purpose of the List Ranking meeting is to rank the candidates for the Party List. Any of the members of the List Ranking Committee (other than the President and the Leader and the Deputy Leader) who is unable to attend the List Ranking Committee meeting may be replaced by a substitute member appointed by the Party Secretary after consultation with the Leader and President.

#### **51. Withdrawal of List Candidate**



- 51.1. Where the Board resolves that revocation of a List candidate's candidacy is necessary in the interests of the Party, whether or not the candidate is an Electorate candidate, and whether or not the candidate has withdrawn their candidacy as an Electorate candidate, and whether or not the process for revocation of the candidate's candidacy as an Electorate candidate has been commenced or completed, and whether or not the candidate is willing to withdraw their candidacy at the Board's request, the Board may convene a special meeting of the List Ranking Committee to discuss revocation of the candidate's Party List candidacy.
- 51.2. The Board shall give four days' notice to the candidate, who must be invited to attend the meeting. At the meeting, the candidate shall:
  - a. Be informed of the reasons for dissatisfaction with the candidacy.
  - b. Be given an opportunity to be heard.
- 51.3. Following the hearing of the candidate, and at the completion of consideration of all the issues by the List Ranking Committee (during which the candidate shall not be present) the List Ranking Committee shall decide whether to revoke or confirm the candidate's List candidacy by special resolution, which shall as soon as practicable be communicated in writing to the Board and to the candidate. If confirmed the candidate shall continue as a Party List candidate but the List Ranking Committee may if it thinks fit for any reason change the candidate's rank on the Party List. If revoked the candidate's candidacy shall be revoked as from the date and time of notification in writing.
- 51.4. If the revocation occurs after the Party List candidates have been chosen the total number of List candidates shall be reduced and the final ranking of the candidates on the Party List shall automatically be amended, unless the Board decides otherwise.

## **52. List Ranking**

- 52.1. The List Ranking Committee shall, at its complete discretion, and by a procedure that it collectively decides, determine the order of the candidates (other than the Leader and the Deputy Leader if they respectively are standing in the election) to be placed on the Party List.
- 52.2. In ranking the candidates, the List Ranking Committee shall consider: The ability, expertise, and experience of the candidates generally, and of the qualities that a candidate may contribute to the House of Representatives, the need for different genders, social groups, ages, and ethnic groups to be represented.
- 52.3. Position number one is allocated to the Leader if they are standing in the election.
- 52.4. Position number two is allocated to the Deputy Leader if they stand in the election.

## **53. Guidance to List Ranking Committee**

The Board may issue a report for the information of the List Ranking Committee giving guidance on policy and other political matters to be considered when ranking the candidates for the Party List.





#### **54. Final Party list**

- 54.1. The Party List decided in accordance with the foregoing provisions of the Constitution shall be final and binding on all candidates and Party members and shall remain the Party List until and unless the Board determines that the process will be repeated for a new Party List. The Board shall ensure that the Party List process is repeated, and a new party List is decided prior to every general election.
- 54.2. The convention of collective responsibility shall apply to the List Ranking Committee, and none of its members shall comment individually at any time concerning the decisions of the Committee.

#### **55. Canvassing for Votes Prohibited**

- 55.1. No member (whether they are a candidate or not) shall be entitled to canvass for, or by any means to attempt to influence, the votes of the List Ranking Committee. All candidates must be informed of this rule.
- 55.2. Any candidate who in the sole assessment of the List Selection Supervisor canvasses for, or by any means to attempts to influence, the votes of the List Ranking Committee, shall be removed from the Party List by the Party Secretary whose decision shall be final and binding upon all candidates and members and upon the Board.
- 55.3. If a member is or becomes aware that a Party List candidate is canvassing for votes, the member may make a complaint to the List Selection Supervisor.



## Political Unit

### 56. Leader and Deputy Leader

- 56.1. The Party shall have a Leader and a Deputy Leader selected by the Parliamentary Division, or if no Parliamentary Division exists, the Board.
- 56.2. The Leader shall exercise all authority necessary for the effective organization of the Party's activities in Parliament.
- 56.3. The Leader is also responsible for:
  - a. Allocating portfolios and spokesperson's roles,
  - b. Appointment of roles important for Parliamentary functions such as the Chief of Staff and whips' roles,
  - c. Establishing committees of Parliamentary Members as necessary to support the Parliamentary Division.
  - d. Promoting, publicizing, and implementing Party policy in Parliament.
- 56.4. The Leader and Deputy Leader are ex-officio Members of the Board and all committees of the Party.
- 56.5. The Leader has the right to attend any meeting of the Party.
- 56.6. The Deputy Leader will exercise the authorities and responsibilities of the Leader delegated by the Leader; and during any period of absence for more than one week or during any period of incapacity of the Leader the Deputy Leader shall exercise the rights and responsibilities of the Leader which are determined by the Parliamentary Division.

### 57. Parliamentary Division

- 57.1. The Parliamentary Division is the members of the Party elected to the House of Representatives. The Parliamentary Division is responsible for executing the functions of Members of Parliament and for representing New Zealand First in parliament.
- 57.2. The Parliamentary Division and the Party organisation must keep each other informed on all political issues relevant to the Party and co-operate closely. It is the responsibility of the Parliamentary Division to maintain frequent communication with party organizations, to consult with members on relevant issues, and to assist the Board, as necessary.
- 57.3. The Parliamentary Division shall vote in accordance with Party policy as far as is reasonably practicable.
- 57.4. The Leader shall chair meetings of the Parliamentary Division.
- 57.5. If a member of the Parliamentary Division ceases to be a member of the Party that person ipso facto ceases to be a member of the Parliamentary Division.

### 58. Policy Development

- 58.1. Subject to the following provisions of this constitution, the policy of the Party shall be approved by the Convention or, subject to the following provisions of this constitution, by the Parliamentary Division through its democratic processes.
- 58.2. The policy function of the Convention is to receive and discuss remits submitted to it under paragraph 15 of the Constitution, and proposals submitted to it by the Parliamentary Division or by the Leader, and to make policy decisions for the



guidance of members and the Parliamentary Division provided however that the Convention shall only make policy decisions at a low level of detail and shall as far as practicable decide on generalised and fundamental policy positions and principles rather than detailed policy statements.

- 58.3. The policy function of the Parliamentary Division is to receive, observe, discuss, and as far as it considers is practicable through its democratic procedures to implement Party policy determined by the Convention; and it shall otherwise research, discuss, and develop detailed policy positions for public promotion and for its guidance in parliamentary debates and voting. Where the Convention has not decided fundamental policy positions for its guidance, the Parliamentary Division may do so based upon its understanding of Party principles.
- 58.4. The Board from time to time may establish a Policy Council comprising up to ten members. The membership shall be drawn from Party members, non-Party advisers, and members of the Parliamentary Division. The Leader and the Deputy Leader shall be additional ex-officio members of the Policy Council, which shall invite the member of the Parliamentary Division who is the spokesperson in an area of policy to be discussed, to all meetings on issues in that policy area.
- 58.5. Meetings of the Policy Council shall normally be held in person or by teleconference, and it may also conduct its business through exchanges of emails, the exchange of policy papers, and by such other means as it shall think fit.
- 58.6. The policy function of the Policy Council is to undertake research and to discuss and develop policy for recommendation to the Convention where appropriate, and to the parliamentary Division where appropriate. The Policy Council is required to decide its recommendations as far as possible on a consensus basis, and any dissenting member may provide a minority view to the Convention or to the Parliamentary Division as the case may be.
- 58.7. No member other than the Leader, the Deputy Leader or the relevant Parliamentary Division spokesperson may make any public policy statement on behalf of the Party, provided that during a general election campaign or during a by-election, a candidate standing for election for the Party may make authorised Party policy announcements on behalf of the Party at public meetings, and during interviews by the media, electioneering by door knocking, and on the candidate's printed electioneering material.
- 58.8. Promulgation by any member or any other person, of any policy as Party policy, which has not been authorised and approved according to the requirements of the Constitution is absolutely prohibited.



## **Constitutional Procedure**

### **59. Commencement**

This revision of the Constitution shall take effect from the close of the Convention at which it is adopted, being the 2021 Convention of the Party.

### **60. Constitutional Amendments**

- 60.1. The Party shall have a Constitution Committee comprising the judicial officer and two Members appointed by the Board from time to time. The judicial officer shall chair the Constitution Committee.
- 60.2. The Constitution Committee shall on the written request of the Board, any Party member, branch, electorate, or the Convention, give advice on all issues concerning the interpretation and operation of the Constitution. All such advice shall be final unless the Board resolves otherwise, giving reasons for so doing.
- 60.3. Any proposed amendment to the Constitution must be submitted to the Constitutional committee or may be initiated by the Constitutional Committee. To preserve the role and intent of the Party, no changes shall be made to the non-profit nature of the organization.
- 60.4. The Constitutional Committee shall submit a recommendation on any amendment that it considers desirable, to the Board. The Board may adopt or refer to the Constitutional Committee amendments recommended.
- 60.5. Where the Board resolves to adopt an amendment, it shall normally be referred to the Convention held next after the last general election for approval, provided however that the
- 60.6. Board may refer any amendment it has adopted to any Convention for approval if it considers that it is in the best interests of the Party to do so.
- 60.7. The Constitution shall not be amended unless the amendment is approved by a resolution passed by a two-thirds majority of the full members who are present and who vote either at the Convention or at a Special General Meeting convened for that specific purpose.
- 60.8. Every Member shall be deemed to have notice of and be bound by this Constitution and its amendments.

### **61. Matters Not Provided For**

If any issue arises which is not provided for by this Constitution, the Board shall determine it. Any determination made by the Board is binding on the Party and its members unless and until set aside by a resolution of the Convention.

### **62. Transition, Repeals and Savings**

- 62.1. All previous Constitutions, and all amendments to those Constitutions, are repealed as from the adoption of this constitution.
- 62.2. The repeal of any previous Constitution, and any amendments to those Constitutions shall not affect the validity, of anything already properly done under the provisions of those previous Constitutions and amendments.



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