

What Women Want (Australia) National CONSTITUTION

**RATIFIED BY THE NATIONAL BODY OF
WHAT WOMEN WANT (AUSTRALIA) Inc., July 26 2007**

The National Constitution Of WHAT WOMEN WANT (AUSTRALIA)



WHAT WOMEN WANT AUSTRALIA INC., (ARBN 13160204248)
WHAT WOMEN WANT (AUSTRALIA) was incorporated as a non-profit association
on the 16th day of March 2007(INC 9887178)

Email: info@whatwomenwant.org.au

Website: www.whatwomenwant.org.au

Address: PO Box 625 Scone NSW 2337 Australia

NATIONAL CONSTITUTION OF WHAT WOMEN WANT (AUSTRALIA) Inc

Introduction to the Constitution

This document is the constitution of the national body of What Women Want (Australia) Incorporated. It defines the organisational structure and sets out the extent of the autonomy of the national body.

This constitution requires all member bodies and members of What Women Want (Australia) to agree to:

- a. abide by this constitution;
- b. participate in developing national policies and campaigns;
- c. share similar decision making procedures and membership criteria and procedures;
- d. support affirmative action and practice participatory, democratic and accountable internal decision making processes;
- e. share the costs of the national organisation through the payment of levies.

1 - Name and Constitution

- 1.1 The name of the party is What Women Want (Australia).
- 1.2 This constitution identifies the principles and the rules governing the conduct of the party's affairs and defines the powers of the constituent bodies and the roles of the positions defined within.
- 1.3 All other party documents are subordinate to this constitution with the exception of the Charter of What Women Want (Australia).

2 - Constitutions: State Parties and their Constituent Groups

- 2.1 What Women Want (Australia) will be a national confederation of member bodies/state parties comprised of Regional/Electorate Groups and Local Branches. The composition of each Member Body's constituent group is to be defined by the Constitution of that Member Body. The State Constitutions must be compatible with the National Constitution.
- 2.2 A constitutional review panel will be elected to ensure compatibility of the constitution is achieved. This panel will comprise one delegate from each State. It will evaluate constitutional proposals and make recommendations about them to the National Council and to the State Parties concerned.
- 2.3 Subject to clause 6.2, where a Member Body or constituent group's constitution is in contradiction to the National Constitution.

3 - The Charter of The National Constitution of What Women Want

3.1 The Charter is the document of agreement which defines the basic principles and aims of What Women Want (Australia).

3.2 To change the Charter an amendment must either be decided by consensus at a National Conference or be supported in a vote by at least 75 per cent of eligible party Members.

3.3 For the result of such a vote to be valid, at least 51 per cent of Members must have participated. The vote will be by postal vote.

4 - Objectives

What Women Want (Australia) primary objectives are::

4.1 to raise awareness of the issues and concerns of women;

4.2 to be a registered political party pursuant to the Commonwealth Electoral Act and to be the sole source of recognition of related parties of the confederation of What Women Want (Australia);

4.3 to encourage other political parties to adopt our policies and principles by electoral strategies and direction of voting preferences;

4.4 to promote and assist other associations and organisations (whether incorporated or not) and persons in working for the objectives of What Women Want (Australia);

4.5 to make, publicise and strive to implement policies on national and global issues as described in the Charter of What Women Want (Australia);

4.6 to co-ordinate mutual support and joint actions on behalf of the members;

4.7 support affirmative action and practice participatory, democratic and accountable internal decision making process;

4.8 What Women Want (Australia) are committed to the principle of women and men having equal status within society and will practice gender equity and equal opportunity principles;

4.9 At no time will any Member be discriminated against due to gender, age, race, ethnicity, class, religion, disability, sexuality or marital status.

5 - Structure of What Women Want (Australia)

5.1 What Women Want (Australia) will be a national confederation of State Parties - Member Bodies and will comprise individual Members who form the following bodies:

5.1.1 Local Branches

5.1.2 Electorate and/or Regional Groups

5.1.3 The State Parties - Member Bodies

5.1.4 State Councils

5.1.5 The National Council

5.1.6 Working Groups and Election Campaign Committees

5.2 Where there is no State Body or Member Body formed in a State individual members may apply for membership of the National Body of What Women Want (Australia).

6 - Relationships between Groups

6.1 What Women Want (Australia) will operate as a national organisation in conjunction with a confederation of State Parties comprised of constituent groups as described in sub-clauses 5.1.1 and 5.1.2. The structure of and relationship between constituent groups at the State level may be defined by the constitution of the State Party concerned.

6.1.1 For a State Party to form an application must be made to National Council to approve the proposed formation. Where approval is granted for a State to become a member body of What Women Want Australia the State constitution must abide by a) the WWW Charter and this National constitution; b) the electoral acts state and federal and c) become incorporated with the relevant incorporations association for the state/territory they will register.

6.2 Within What Women Want (Australia) Member Bodies and their constituent groups will have the autonomy to make decisions relating to their own affairs according to their State Constitution provided that:

6.2.1 these decisions are consistent with the Charter of What Women Want (Australia);

6.2.2 they remain within What Women Want (Australia) policy framework; and

6.2.3 they take into account National and State campaign priorities and election strategies.

6.3 Notwithstanding the provisions of 6.2, where a State Party or one of its

constituent group promotes a policy that differs from the national policies of What Women Want (Australia) this difference must be made clear in any public announcement.

6.4 To ensure that decision making involves members the National Council and State Council agenda items for future meetings should be, where possible, discussed at all relevant preceding group and branch meetings.

6.5 An up-to-date calendar of dates of meetings of National Council, National Conference, State Councils and State Conferences should be printed in the national bulletin and state newsletters.

6.6 All State Parties will send to the National Secretary copies of any newsletters, publications and media statements emanating from and media reports about the State Party or one of its constituent groups.

6.7 The National Secretary will send to all the State Secretaries copies of newsletters, publications and media statements emanating from and media reports about the national organisation of What Women Want (Australia) and the various State Parties.

7 - Office Bearers

7.1 Office Bearers of the national organisation of What Women Want (Australia) will be the National Convenor, National Secretary, National Treasurer and Deputy National Convenor.

7.2 Office Bearers for the national organisation will be resident within Australia. Should an Office Bearer be outside Australia at the time of the National Meetings or National Conference, a temporary Office Bearer will be appointed to fill the vacancy.

8 - The National Convenor

The duties of the National Convenor comprise:

8.1 Perform the following tasks with regard to all National Council meetings and National Conferences:

8.1.1 In conjunction with the National Secretary, ensure that the appropriate notice of meeting, agenda and motions on notice are provided in good time.

8.1.2 Ensure that a facilitator is appointed for each meeting.

8.1.3 Ensure that the business of each meeting is properly addressed.

8.2 Present an Annual Report to the Annual National Conference.

8.3 Contact other available National Council Members to convene a quick response to urgent and pressing political matters. (Ref. clause 33 - Urgent

Decision Making)

8.4 Perform such other duties as the National Council may from time to time determine.

9 - The National Deputy Convenor

The National Deputy Convenor is an office bearer and may from time to time act as a replacement for the National Convenor.

The duties of the National Deputy Convenor comprise:

9.1 Whenever required and requested, assist the National Convenor with carrying out the duties described in sections 8.1 - 8.3.

9.2 Substitute for the National Convenor at Council meetings and Conferences if they cannot attend.

9.3 Perform such other duties as the National Council may from time to time determine.

10 - The National Secretary

The duties of the National Secretary comprise:

10.1 In conjunction with the National Convenor, give notification of all meetings of National Council and National Conferences in good time.

10.2 Prepare the agenda of meetings, table correspondence and record the attendance of all persons present.

10.3 Ensure that minutes are kept of all meetings of the National Council and that an update of the minutes is sent to all State Secretaries within 28 days.

10.4 Maintain and update a draft agenda for the next National Council meeting and ensure that all State Parties are kept informed of this agenda.

10.5 Coordinate the correspondence of the National Council.

10.6 Maintain the Party Register. This duty can be delegated to the Membership Officer.

10.7 Keep custody, during the term of office, of all books, documents, records and registers of What Women Want (Australia), except those which are the responsibility of the National Treasurer. The custody of all records is to be transferred in full to the incoming National Secretary when a change of office occurs.

10.8 Record the use of the Common Seal.

10.9 Perform such other duties as the National Council may from time to time determine.

11 - The National Treasurer

The duties of the National Treasurer comprise:

11.1 Responsibility for the receipt of all monies paid to the National organisation, the issuing of receipts and the deposit of those monies in accounts as determined from time to time by the National Council.

11.2 Responsibility for monies paid by What Women Want (Australia) with the authority of the National Council.

11.3 Ensure that all cheques are signed by an Office Bearer of What Women Want Australia (Inc).

11.4 Submit to the Annual National Conference the financial report, balance sheets and financial statement, and submit those particulars to each meeting of the National Council.

11.5 Keep custody of all securities, books and documents pertaining to the financial records of the National business of What Women Want (Australia) and ensuring that all records are transferred to the incoming National Treasurer when a change of office occurs.

11.6 Ensure that bookkeeping will be carried out by a skilled bookkeeper, paid if necessary, who is accountable to the National Treasurer.

11.7 Advise and assist State Parties in financial matters.

11.8 Perform such other duties as the National Council may from time to time determine.

12 - Party Agent

12.1 The National Council or the National Conference will select a person to act as a Party Agent as defined in the *Commonwealth Electoral Act 1918*.

13 - Membership

13.1 Natural persons are eligible to be Members provided that:

13.1.1 they have read and agreed to the Charter of the party and agreed to abide by its constitutional rules;

13.1.2 they pay an annual membership fee;

13.2 Members who move from one state to another will be accepted as members of What Women Want (Australia) in the new state subject to any local provisions.

13.3 State parties may establish rules regarding the suspension or expulsion of members, including appeal rights as pursuant to section 32. All decisions regarding the suspension or expulsion of members and appeals against these decisions will be

handled by the State parties concerned, except where no State party exists, whereby all decisions will be made by National Council as pursuant to section 32.

13.4 The Secretary or the Membership Officer shall keep and maintain a register of members and make the register available for inspection by members at reasonable times.

14 - Membership Entitlements

All Members are entitled to the following benefits:

14.1 to be eligible to be elected as Office Bearers to the national organisation, to a state party and to one of its constituent groups;

14.2 to participate in discussion, debate and decision-making in What Women Want (Australia) meetings, according to the Constitutional agreements of What Women Want (Australia);

14.3 upon being accepted as a Member, to request a copy of The Charter and the Constitution of What Women Want (Australia);

14.4 upon request, to receive a copy of the audited accounts of the previous year. The request is to be made in writing, will be subject to a reasonable charge to cover printing and postage, and will be provided in a reasonable time;

14.5 to communicate about matters pertaining to What Women Want (Australia) with the entire membership through What Women Want (Australia) publications within reason constrained by space, cost and time limitations;

14.6 to receive the recognised Members' bulletin of What Women Want (Australia);

14.7 to participate in policy formation according to the Constitution;

14.8 to seek nomination for Public Office as a candidate for What Women Want (Australia); and

14.9 at any reasonable time to inspect without charge the books, records and security of What Women Want (Australia);

15 - Member Organisations

15.1 Member bodies may have a category of Member Organisations

15.2 Although such Member Organisations may be accorded certain rights and privileges in the constitution of the member bodies, they are not members of the national organisation and shall not have any rights and privileges accorded by the National Constitution.

15.3 Member Organisations of What Women Want (Australia) are not entitled to:

15.3.1 vote in any ballot of What Women Want (Australia);

- 15.3.2 be represented in any of the national bodies of What Women Want (Australia); or
- 15.3.3 have a representative hold any national office.

16 - Joining Procedure

16.1 An individual may apply for membership by completing a membership form which will have the following components:

- 16.1.1 Name of Applicant.
- 16.1.2 Residential Address, including postcode, of Applicant.
- 16.1.3 Postal address, including postcode, of applicant, as well as phone, fax and email contacts if applicable.

16.2 An application for membership must be handed on to the Local Branch or Regional/Electorate Group Secretary who will place the member's name on the Local Branch or Regional/Electorate Groups's Register of Members once the application has been accepted.

16.3 The Local Branch or Electorate Group Secretary must advise the State Secretary of the name and address of new Members. The State Secretary will periodically pass on an updated copy of the State membership register to the National Secretary.

16.4 In the event that there is no State Body an application for membership can be forwarded directly to the National Secretary.

16.5 Membership details will not be passed on to any outside organisations without the written permission of the Member.

17 - Membership Fees

17.1 Each Member will pay membership fees to their Local Branch or Electorate / Regional Group which will be required to pass on an agreed amount per membership to the State and National Councils. The National Council in consultation will determine the amount of the national fee. Each State Council will determine the amount of its state fee. (Under circumstances of financial hardship, a constituent group may pay the membership fees of one of its Members in lieu of agreed services rendered).

17.2 In the event that the membership fee of any Member is not paid by the due date, the Member will remain financial for no longer than three months, after which membership will lapse.

17.3 Annual National membership fees owed by each state party will be paid to the National organisation by a date or dates as set out in the by-laws.

17.4 There will be no special joining fees or rejoining fees.

17.5 After acceptance of membership, membership fees are not refundable.

17.6 In the event that there is no State Body. The National membership fee can be paid by the member to the National Council.

18 - Officer Bearers: State Parties and Constituent Groups

18.1 The powers and responsibilities of Office Bearers for State Parties and their constituent groups are to be defined within the constitutions of the relevant body.

19 - Spokespersons

19.1 The only persons with authority to make public statements on behalf of What Women Want (Australia) are:

19.1.1 Spokespersons appointed by the National Council;

19.1.2 Members of What Women Want (Australia) in the Federal Parliament; and

19.1.3 Endorsed Candidates for Federal Parliamentary Elections.

19.2 Appointments under clause 19.1.1 will be for a specified tenure or, if no term is specified by National Council, will be until the next National Conference.

20 - Working Groups

20.1 The National Council may establish Working Groups and in so doing will determine their membership, terms of reference and duration.

20.2 Working Groups will at all times be accountable to the National Council and are constrained to follow The Charter, policy frameworks and general mandates of What Women Want (Australia).

21 - Election Campaign Committees

21.1 The National Council may from time to time establish committees to conduct campaigns in support of candidates endorsed for public office, in conjunction with local campaign committees.

21.2 The Election Campaign Committees will appoint a campaign coordinator.

21.3 The Election Campaign Committees will at all times be accountable to the National Council and are constrained to follow the Charter, policy frameworks and general mandates of What Women Want (Australia).

21.4 The Election Campaign Committees will provide all necessary information to the Convener, the Secretary and the Treasurer, Party Agents and Registered Officers

for the purposes of compliance with the relevant Electoral Acts.

21.5 Each Election Campaign Committee will keep its own separate set of record books.

21.6 Accurate financial records must be returned to the Australian Electoral Commission (for Federal and Local government elections) or State Electoral Commissions (for State and Local government elections) for them to check. The following will each need to be recorded separately:

- 21.6.1 all gifts as defined in section 287 of the *Commonwealth Electoral Act 1918*;
- 21.6.2 record of election expenses;
- 21.6.3 claims for reimbursement of electoral expenses up to the amount allowed.

21.7 Financial records relating to election campaign expenses will be kept for up to four years (minimum for one year) after an election.

22 - The National Council

22.1 A body of Members known as the National Council is empowered by Members with the task of coordinating and organising the policies, functions, and administration of What Women Want (Australia) at a national level.

22.2 The National Council will comprise one delegate from each State Party and Office Bearers of the National Council. Any State Party whose number of members, as paid up to the national treasurer, surpasses 300 is entitled to nominate one extra Delegate. The group of Parliamentary Members of What Women Want (Australia) in the Senate and the House of Representatives will be entitled to send one delegate.

22.3 Office Bearers of the National Council will be the National Convenor, Deputy National Convenor, National Secretary and National Treasurer. Office Bearers are members of the National Council. Office Bearers need not be delegates. Office Bearers have speaking rights.

22.4 The National Council will convene at least 3 times a calendar year either by available communications technology or in person.

- 22.4.1 A National Conference is regarded as fulfilling the requirement for a National Council for the purposes of clause

22.5 The National Council will convene meetings in person at least once per year, in addition to the National Conference.

22.6 National Council Members will normally have at least twenty-one days

notice of any face to face or teleconference meetings. In no circumstance will notice be less than fourteen (14) days.

22.7 Delegates to National Council will be nominated by their State Party. Each State Party will have a procedure set out in its State Constitution for electing its National Council Delegates. Delegates may be mandated, substituted or revoked by the State organisation at any time.

22.8 A quorum for a National Council meeting will consist of 60 per cent of the Delegates to the National Council.

22.9 Proxy votes will be permitted at National Council and must be presented in writing to the session Facilitator. Only Delegates may hold proxy votes.

22.10 Decisions of the National Council will be made primarily by consensus. As a last resort at least a two-thirds majority vote will be required to change the status quo. This has to be preceded by a procedural motion according to clause 29.4. Delegates abstentions may be recorded but will not count as votes for or against.

22.11 When the National Council meets by electronic mail or by fax, the conduct of the meetings will be conducted according to relevant by-laws.

22.12 The National Secretary will keep minutes of the National Council's decisions. A copy of all decisions of National Council will be forwarded within 28 days to each State Secretary.

22.13 The National Council can exercise all the powers of the National Conference but is subject to the directions of National Conferences and national votes.

22.14 The powers of the National Council include the following:

22.14.1 to establish Working Groups and a National Election Campaign Committee;

22.14.2 to employ such persons under such conditions as the National Council may from time to time determine;

22.14.3 to authorise particular Members to sign cheques on behalf of What Women Want (Australia)

22.14.4 to raise funds and incur debts in the name of What Women Want (Australia);

22.14.5 to authorise Members to raise funds and incur debts in the name of What Women Want (Australia) to a specified limit.

23 - Annual National Conference

- 23.1 The National Council will convene an Annual National Conference not more than five months after the close of the financial year.
- 23.2 The Annual National Conference is the Annual General Meeting of the national body of What Women Want (Australia). It is open to all Members as observers.
- 23.3 The Annual National Conference has all the powers of the National Council.
- 23.4 At least 30 days notice of the date, place and time of the Annual National Conference and the nature of the business proposed to be dealt with at the conference, will be given to Members via the State Secretaries.
- 23.5 The National Council will appoint a Returning Officer in due time for the Annual National Conference;
- 23.6 Business will include, but not be limited to, the following items of business:
- 23.6.1 presentation of the Annual Report by the National Convenor;
 - 23.6.2 presentation by the National Treasurer of the audited financial statements for the previous year;
 - 23.6.3 discussion of proposed amendments to the National Constitution;
 - 23.6.4 discussion of party policy and campaign strategies subject to constitutional requirements; and
 - 23.6.5 amendments of the constitutional by-laws
- 23.7 The powers of the National Conference include the following:
- 23.7.1 to recommend the adoption of policy on behalf of What Women Want (Australia) subject to constitutional provisions. Where there is a consensus of all the delegates to the conference, a policy will be adopted as official policy immediately.
 - 23.7.2 to nominate spokespersons who may publicly articulate policy.
 - 23.7.3 to establish and disband Working Groups
 - 23.7.4 to employ such persons under such conditions as the National Conference may from time to time determine
 - 23.7.5 to establish National Election Campaign Committees
 - 23.7.6 to authorise particular Members to sign cheques in conjunction with the Convenor on behalf of What Women Want (Australia)
 - 23.7.7 to raise funds and incur debts in the name of What Women Want (Australia).
 - 23.7.8 to authorise Members to raise funds and incur debts in the name of What Women Want (Australia) to a specified limit.

23.7.9 to agree by a two-thirds majority on amendments to the National Constitution.

23.7.10 election of National Office Bearers.

23.8 If there is a consensus of the National Council, the Annual National Conference may be postponed for one year only. In this case all the required business of the Annual National Conference will be dealt with at the next meeting of the National Council.

24 - Special National Conferences

24.1 A Special National Conference can be called for in any of the following ways.:

24.1.1 a resolution passed by majority State Councils;

24.1.2 a petition signed by 10 per cent of the membership;

24.1.3 a decision of the National Council.

24.2 In the event of such actions, the National Convenor will call together a Special National Conference. There will be at least 30 days notice to Members via the State Secretaries of the date, place and time of the Special National Conference and the resolutions proposed to be dealt with at the conference.

24.3 A Special National Conference is only empowered to decide on matters referred to it by the resolution, petition or decision of National Council as set out in this section.

25 - Delegates to National Conferences

25.1 Delegates to National Conferences will be in accordance with the following formula:

25.1.1 Normally each State will have a minimum of four delegates and a maximum of ten delegates to National Conferences. Each 50 Members beyond 200 Members, as paid up to the national treasurer, entitles a State Party to one extra delegate (eg.: 210 = 4, 310 = 6 and 510 = 10).

25.1.2 If a State has less than 10 Members, it will be entitled to only one delegate.

25.1.3 The group of Federal elected representatives will be entitled to send to the National Conference up to 3 delegates who are Federal Members of Parliament.

25.1.4 Each group of State elected representatives will be entitled to send one delegate who is a Member of that State's Parliament.

25.1.5 From each State, elected local government representatives will

be entitled to send one delegate.

25.1.6 Unless they are delegates, National Office Bearers are not entitled to vote. They will have speaking rights and they are entitled to block consensus.

25.2 The National Conference will be a conference open to all Members of What Women Want (Australia). It will be a decision of the delegates to the National Conference whether non- delegated Members may be permitted to speak.

25.3 With the approval of the National Council, people may be invited to address the conference who are not Members of What Women Want (Australia).

25.4 States will select their delegates according to their own constitutions

25.5 Subject to giving prior written notice to the National Secretary, States may substitute delegates to a National Conference on a session by session basis.

25.6 Proxy votes will be permitted at National Annual Conferences and must be presented in writing to the session Facilitator. Only Delegates may hold proxy votes.

26 - Cost Sharing of National Organisation

26.1 The costs of sending the specified number of allowed delegates to National Conferences will be shared nationally.

26.2 The costs of official teleconferences and other communication means will be shared nationally when national coordination is discussed.

26.3 The expenses of working groups and the expenses of National Office Bearers and delegates to the National Council will be a shared national expense.

27 - Registered Officers of What Women Want (Australia)

27.1 Every four years, beginning in 2007, What Women Want (Australia) will elect a Registered Officer for What Women Want (Australia) parent registration, at that year's Annual National Conference. Until that time the Registered Officer will be appointed by the National Council

27.2 Each State Party will elect a Registered Officer according to its own constitution.

27.3 Each state party will have the power to nominate candidates to stand in Federal elections. Registered Officers or Deputy Registered Officers may not nominate candidates to the Electoral Commission in a state other than their own State.

27.4 The Registered Officer for What Women Want (Australia) National Body at the direction of the National Council, will arrange the approval of candidates in states or territories where no registered related party exists.

27.5 The Registered Officer in each State will also automatically assume the position and powers of a Deputy Registered Officer at the national level. Registered Officers will be accountable to their respective parties to carry out all such duties as set out in State and Commonwealth legislation.

27.6 Candidates for the position of Registered Officer must be a party Member.

27.7 If the Registered Officer of the parent registration resigns from the position in writing, or ceases to be a Member of the party, or refuses to fulfill their designated responsibilities, then the National Council or National Conference may accept the Registered Officer's resignation or discharge the Registered Officer and elect a new Registered Officer for the period until the due time for the next election of Registered Officer as specified in Clause 28.1.

27.8 These Officers will be entrusted to carry out the duties required of them by the various Acts that govern the regulation of political parties.

28 - Election of National Office Bearers

28.1 After July 2008 National Office Bearers will be elected annually by a secret ballot of delegates to the Annual National Conference. An option "seek further nominations" is a valid vote. Until that time the National Office Bearers are the committee of management as per the *Associations Incorporations Act 1984*, as endorsed at the Inaugural General Meeting of What Women Want (Australia), by consensus motion.

28.2 The vote will be by an optional preferential system.

28.3 The newly elected office bearers assume their duties at the close of the Annual Conference when they were elected.

28.4 Office Bearers who have been elected at Annual National Conferences for two consecutive terms in the same positions will not be eligible for re-election to that position at the next election. Office Bearers who have served three consecutive terms in any position will not be eligible for re-election to national office at the next election, but will be eligible for subsequent elections. These restrictions on eligibility for elections to national office can be waived if there is a consensus of delegates to the National Conference to do so.

28.5 Notwithstanding clause 28.3, in a year when a federal election is to be expected the change of office bearer duties may be delayed until such election has been held. Such an arrangement must be made with the agreements of both the resigning officer and the elected one.

28.6 Candidates for National Office will have consented in writing or in person to stand for such office.

28.7 If the Office Bearer is unable or refuses to act to fulfill their designated responsibilities, or without apology or leave fails to attend those meetings, they have a duty under the bylaws to attend, or if the Office Bearer resigns from the position in writing or ceases to be a Member of the party, the National Council may declare the position vacant and appoint an interim Office Bearer for the period until the next Annual National Conference.

29 - Decision Making in Meetings

29.1 Decisions at all meetings of What Women Want (Australia) will be made primarily by consensus. Sufficient time will be allowed for discussion of different views, including provision for non decision making meetings.

29.1.1 The meeting facilitator will ensure that an agreed time frame will be adhered to for consensus decision making as indicated by the members.

29.2 Working Groups should be set up to work on particular issues and to assist in the decision making process in reference to these issues.

29.3 Except where this constitution requires a decision to be made by consensus only, if after a reasonable period of time, disagreement persists over a particular proposal, and a decision cannot be deferred, a procedural motion may be put that a vote be taken. A procedural motion will be deemed carried by a two-thirds majority.

29.4 If a procedural motion is carried to vote on a proposal, a vote will be taken. To change the status quo a vote on the proposal requires a two thirds majority.

29.5 Voting will be conducted by a show of hands except in the case of contested elections, which will be determined by ballot. Voting of all delegates will be recorded. Delegates' abstentions will not count as votes.

29.6 All meetings of What Women Want (Australia) are open to all members and invited members of the general public. At delegated meetings the degree of participation of non-delegates can be constrained as detailed elsewhere in this constitution as well as at the discretion of the meeting Facilitator\Convenor.

30 - Decision Making through Postal Votes

30.1 A national, state, electorate/region or local branch meeting may decide to poll its Members through a postal ballot. For a motion to succeed it needs to be approved by greater than 50 per cent of the valid votes cast.

30.2 A meeting may decide on how the motions and supporting arguments will

be put on a ballot paper.

30.3 Provision will be made for important or contentious issues for State Parties and the national organisation to be resolved by all Members. A vote may be convened if initiated by 10 per cent of the individual membership, or 30 per cent of properly constituted constituent groups, or three State Councils. For the results of the vote to be valid a minimum of one-fifth of the membership must have participated in the vote.

30.4 The National Council will appoint a returning officer for national postal ballots when necessary.

31 - Dispute Resolution

31.1 Where dispute emerges in any group of What Women Want (Australia) it will be the responsibility of that group to initiate dispute resolution procedures. If this fails to resolve the dispute, it may be necessary to bring the issue to the attention of an arbitrating body

32 - Separation from What Women Want Australia

32.1 The membership of a member-group (i.e. state party) of What Women Want may only be terminated by the resignation, non-financial, inactive or expulsion processes described below.

32.2 The membership of a member of What Women Want may only be terminated by the death, resignation, non-financial, inactive or expulsion processes described below.

32.3 Resignation.

32.3.1. A member-group, having passed a resolution in favour of resigning from What Women Want in accordance with their own organisational rules, shall provide written notice to the National Secretary of What Women Want. The Secretary shall present this notification to the next meeting of the National Council, from which date the resignation is considered effective.

32.3.2. Individual Members (natural persons) shall notify the Membership Officer in writing of their resignation which will become effective immediately upon its receipt.

32.4 Non-financial

32.4.1. Should a member- group (state party) or member (natural person) fail to pay the requisite membership fee within three months of the due

date of payment of such fees, and there has been at least two written reminders from the Secretary or treasurer of What Women Want (the 'Treasurer') to do so, then the Secretary shall present this information to the next meeting of the National Council, from which date the membership of the member or member- group shall be considered expired.

32.5 Disciplining of members including expulsion and suspension from membership from What Women Want; Where the Committee of Management is of the opinion that a member-group or member:

- 32.5.1 Has persistently refused or neglected to comply with a provision or provisions of this constitution; or
- 32.5.2 Infringes any of the rules, by-laws or orders of The National Council, National Conference or National plebiscite or commits any act which, in the opinion of The National Council, is against the principles and aims of What Women Want
- 32.5.3. Has persistently and wilfully acted in a manner prejudicial to the interests of What Women Want, the Committee of Management may by resolution:
 - (A) propose to expel the member-group or member from What Women Want; or
 - (B) propose to suspend the member-group or member from membership of What Women Want for a specified period.

32.6 Where the Committee passes a resolution under section 32.5 the Secretary shall within fourteen (14) days cause a notice in writing to be served on the member-group or member:

- 32.6.1. setting out the resolution of the Committee, the details relating to the alleged offence, and the grounds on which it is based;
- 32.6.2 stating that the member-group or member may address the Committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty eight (28) days after the service of the notice;
- 32.6.3 stating the date, place and time of that meeting;

32.6.4. indicating courses of action, if any, that could rectify the situation;
and

32.6.5 informing the member-group or member that the member-group or member may do either or both of the following:

(A) attend and speak at that meeting;

(B) submit to the Committee at or prior to the date of that meeting written representations relating to the resolution.

32.7. At a meeting of the Committee held as referred to in 32.5 the Committee shall

32.7.1 give to the member-group or member an opportunity to make oral representations;

32.7.2 give due consideration to any written representations submitted by the member-group or member at or prior to the meeting; and

32.7.3 by resolution determine whether to confirm, vary, or to revoke the resolution.

32.8 Where the Committee confirms, or varies a resolution under section 32.7 the Secretary shall within seven (7) days after that confirmation or variation, by notice in writing, inform the member-group or member of the fact and of the member-group's or member's right of appeal under section 32.10

32.9 A resolution confirmed by the Committee under section 32.8 does not take effect:

32.9.1 until the expiration of the period within which the member-group or member is entitled to appeal against the resolution where the member-group or member does not exercise the right of appeal within that period; or

32.9.2 where within that period the member-group or member exercises the right of appeal, unless and until the National Council confirms the resolution as pursuant to section 32.10

32.10 Right of Appeal of Disciplined members

32.10.1 Member-group or member may appeal to a meeting of the National Council against a resolution of the Committee which is confirmed under section 32.8. within fourteen (14) days after notice of the resolution is served on the member-group or member by lodging with the Secretary a notice to that effect.

32.10.2. Upon receipt of a notice from a member-group or member under section 32.8 the National Secretary shall place this matter on the agenda for the next meeting of the National Council.

32.10.3 The Secretary shall write to the member-group or individual member,

- i). detailing the alleged offence,
- ii). indicating courses of action that could repair the situation; and
- iii). requesting, within a reasonable time, a written response.

32.10.4 The Secretary shall distribute copies of the letter and the response to all member-groups with a request for each member-group to consider the matter. Each group, upon making a decision on the matter, shall forward written documentation of its decision to the Secretary.

32.10.5 The Secretary shall report to the next meeting of the National Council referred to in section 32.10, the member-groups decided for or against the proposal. Should 75 percent of member-groups be reported as in favour of the proposal, the membership of the individual or group in question is confirmed and shall be given immediate effect.

33 - Urgent Decision Making

Functions and Powers of the Urgent Decision Making Group:

33.1 An Urgent Decision Making Group will be established to make decisions for What Women Want (Australia) regarding any matter of such urgency that must be resolved before the next scheduled meeting of the National Council.

33.2 Decisions made by the Urgent Decision Making Group will be consistent with The Charter and the policies of What Women Want (Australia) and will be made based on available information.

33.3 All decisions will have effect until the next meeting of the National Council and will be subject to ratification by that meeting.

Structure of the Urgent Decision Making Group:

33.4 The group will comprise the National Convenor, the Deputy National Convenor, the National Secretary, the National Treasurer and one representative from each State and Territory Party. The National Convenor is required to attempt to contact all members.

33.5 A quorum will be four decision making members.

Proceedings of the Urgent Decision Making Group:

33.6 Meetings of the Urgent Decision Making Group will be initiated by any member of the Urgent Decision Making Group In conjunction with the National Convenor. The Urgent Decision Making Group will meet only when essential.

33.7 In matters relating to particular regions or particular issues, the Urgent Decision Making Group will consult where possible with members or bodies who may be directly affected by the decision.

33.8 Decisions of the Urgent Decision Making Group will be consensus decisions only.

33.9 The Convenor of the Urgent Decision Making Group will report decisions made by this group to the next meeting of the National Council. The National Council may decide to ratify the decision, take further actions or issue guidelines for future decision making. The Convenor will also report on attempts made to contact those members of the Urgent Decision Making Group who were not contacted.

CANDIDATES AND REPRESENTATIVES

34 - Endorsement

34.1 Each constituent group will normally select public office candidates in Federal, State and Local government elections for seats that its electorate area covers.

34.2 Where there is no relevant constituent group, the State Council may select candidates for such seats.

34.3 The State Council, or its delegated selection committee, will normally select candidates for the Federal Senate and for Upper Houses wherein a state-wide electorate is involved.

34.4 The National Council may formulate guidelines to regulate the selection of candidates, but not to override a fair and democratic process.

34.5 All proposed candidates must be Members of What Women Want (Australia).

34.6 In the absence of State Council member bodies the National Council will select candidates for the Federal Senate and the Federal House of Representatives.

35 - What Women Want (Australia) in Public Office

1. 35.1 The actions and activities of all Members of What Women Want (Australia) in public office will be consistent with the Charter of What Women Want (Australia).
- 35.2 An elected Member of Parliament will also adhere to the policies of What Women Want (Australia):
 - 35.2.1 except that where, in the opinion of the elected member, their duty to the constituents is in conflict with What Women Want (Australia)' national policy then elected Members may vote according to their duty to their constituents;
 - 35.2.2 and where, the views of elected Members are in conflict with What Women Want (Australia)' policy, then the elected Member may vote according to their conscience.
- 35.3 When an elected Member recognises a conflict between either their conscience or their duty to the electorate and What Women Want (Australia)' national policy, then such an elected representative will furnish a statement accounting for this position to their electorate, the State Council of their home state and the National Council for their information.
- 35.4 When an elected Member votes against What Women Want (Australia)' national policy, then they will at the earliest opportunity furnish a statement to the National Council and the State Council of their home state accounting for the reason why they so voted.

36 The 'Party Room' of the Federal Parliamentarians

- 36.1 All What Women Want (Australia) Federal parliamentarians will be members of What Women Want (Australia) Federal Party Room (subject to clause 35.3);
- 36.2 The Federal Party Room will follow in respect of decisions relating to expulsion the procedures for Decision-Making in Meetings set out in clauses 29.1- 29.6 and for Dispute Resolution, set out in Clauses 31.1
- 36.3 The Federal Party Room has the power to expel from the Party Room a parliamentarian whose actions are causing or are likely to cause severe damage to the party and may refer the matter to the relevant state/territory party to consider whether the person should be expelled or suspended from the party;
- 36.4 The decision to expel a member can be appealed by any member of the Federal Party Room or the expelled member or following a meeting of the Australian What Women Want (Australia) Urgent Decision Making Group. Following an appeal the Coordinating Group is required to review the decision about expulsion. Any appeal must be made within 7 days of the decision to expel and the review must be

completed within 7 days.

36.5 If a Federal parliamentarian has been expelled from the Party Room, the relevant state party should make a determination within four weeks as to whether the state party should commence expulsion proceedings according to their constitution against the member.

37 - Direction of Preferences

37.1 Subject to clause 37.4 Direction of preferences for elections for single Member electorates, or for local government elections, will be made by the relevant constituent bodies of Electorate/Regional groups in conjunction with Local Branch members. A dispute between constituent bodies will be resolved by State Council.

37.2 Subject to clause 37.4 Direction of preferences for multi-member electorates, such as the Senate and some state Houses, will be decided by the State Council member bodies in conjunction with Electorate/Regional Groups or its authorised campaign committee.

37.3 The State Council may delegate responsibility for allocation of preferences to the National Council or its authorised campaign committee.

37.4 In the absence of State Councils and member bodies comprising Local Branches and Electorate /Regional Groups and /or where a national preferencing decision is integral to the progress of the national body, the direction of preferences for the Senate and the House of Representatives will be the responsibility of the National Council or its authorised campaign committee.

38 - Formulation and Adoption of Policy

38.1 Policies which concern only one Local Branch, Electorate/Regional Group or State Party may be decided by the relevant group. Copies of all policies adopted by Local Branches, Regional/ Electorate Groups and State Parties will be forwarded immediately to the Secretaries of the State Parties and the national organisation.

38.2 National policies will be formulated with the maximum possible participation of the Members.

38.3 Policy frameworks will be adopted as official policy by the consensus of a National Conference. If consensus cannot be achieved and there is an urgency to make a decision then a vote can be taken and 75% is required for a decision. If there is not time to wait for National Conference, a National Council meeting can make an interim ratification, valid until the next National Conference. The National Council may appoint a policy working group for the purposes of such action. If an urgent decision is needed, the Urgent Decision Making Group can make a decision, to be

ratified at the following National Council meeting.

38.4 A petition supported by the signatures of not less than 10 per cent of the Members of the organisation, or supported by three State parties proposing an amended policy, will cause a policy to be reviewed.

39 - Funding

39.1 Substantial funding of the Party and Parliamentary Candidates will be open to public inspection. Substantial funding will be money, goods, or services (other than voluntary labour) that are, in total or by themselves, above a specified value in any one year. The value of this funding will be specified in the by-laws and will be subject to inflation.

39.2 Memberships fees will be set and distributed as defined in Clause 17.

39.3 National newsletter and/or bulletin subscription fees will be set by the National Council.

39.4 The funds of the party shall be derived from annual membership fees, donations and such other sources as agreed to by the National Council or National Conference.

40- Liability

40.1 The Member Bodies of What Women Want (Australia) are not partners and none of them will be liable in any way for the acts or defaults of any of the other Member Bodies.

40.2 Members will not be liable to contribute towards the payment of the debts and liabilities of What Women Want (Australia) or the costs, charges or expenses incurred in winding up of the party.

41 - Indemnity

41.1 Members of What Women Want (Australia) who act on behalf of What Women Want (Australia) with any written authority of a National Council, and who accept or incur any personal pecuniary liability, will be held indemnified against that personal liability in respect of such action.

42 - Property

42.1 The property and income of What Women Want (Australia) will be applied solely towards promoting the principles and achieving the objectives of What Women Want (Australia) and no part of that property or income may be applied or otherwise distributed, directly or indirectly, except in good faith for that purpose.

43 - Public Officer and the Common Seal

43.1 The National Council will appoint a person who is resident in New South Wales to be the Public Officer of What Women Want (Australia) as required by the *Associations Incorporations Act 1984*. If the office is vacated the National Council will fill the vacancy at its next meeting.

43.2 The Public Officer will not be an endorsed Member elected to Public Office, nor an Office-bearer of What Women Want (Australia) nor the Auditor.

43.3 What Women Want (Australia) will have a Common Seal on which the name of What Women Want (Australia) will appear in legible characters.

43.4 The Common Seal of What Women Want (Australia) will not be used without the express written authority of the National Council and every use of the Seal will be recorded by the National Secretary.

43.5 The Seal may only be affixed by the Public Officer and duly witnessed by an Office Bearer.

43.6 The Common Seal of What Women Want (Australia) will be kept in the custody of the Public Officer.

44 - Auditor

44.1 Each year the National Council will appoint an Auditor.

44.2 The Auditor will not be a Member of What Women Want (Australia).

44.3 The Auditor will be a qualified accountant.

44.4 The position of Auditor may be honorary or the meeting may determine the sum of an honorarium.

44.5 The Auditor will submit a written report to the National Treasurer for presentation at the Annual National Conference.

45 - Constitutional Interpretation

45.1 The National Council will interpret the Constitution should a dispute arise over the meaning of any provision. National Conference may overturn an interpretation of the National Council.

46 - Constitutional Amendment and By-laws

46.1 An amendment will be carried if it is supported by at least two-thirds of the votes cast in a postal ballot provided that the total vote cast be at least 10 per cent of the full membership.

46.2 Subject to clause 6.2, the National Council has the power to make by-laws that clarify arrangements contained within this constitution. The National Council will keep a register of by-laws.

46.3 The National Council will alter or revoke by-laws at its discretion.

46.4 The National Conference is empowered to alter this Constitution by way of a special resolution. All alterations will be carried by consensus and should consensus be blocked then the proposed amendment will lapse. The proposed amendment may then be submitted to the membership for ballot as in clause 30.1.

47 - Dissolution

47.1 What Women Want (Australia) will not be dissolved except by a resolution passed in a postal ballot of all members in which two-thirds or more of the votes cast which favour the resolution and the total number of votes cast is at least 25 per cent of the full membership. Provided that the total number of votes cast is at least 25 per cent of the full membership, the dissolution of What Women Want (Australia) will be effective within 30 days after the result of the ballot, or whichever day is stipulated by the ballot.

47.2 If, when winding up What Women Want (Australia), any property of What Women Want (Australia) remains after satisfaction of the debts and liabilities of What Women Want (Australia) and the costs, charges and expenses of winding up, the property of What Women Want (Australia) will be distributed to State and Territory Parties or otherwise, another organisation having similar aims and principles to What Women Want (Australia).

National Constitution of What Women Want (Australia)

Dictionary

- **WHAT WOMEN WANT (AUSTRALIA):** is the abbreviation of What Women Want (Australia) Incorporated and unless otherwise stated refers to the National body.
- **MEMBER BODY:** Member bodies are State political parties (comprised of their various constituent groups) that agree to abide by The Charter and this constitution.
- **CONSTITUENT GROUPS:** those groups (Electorate/ Regional Groups and Local Branches) within each state which together make up What Women Want (Australia) of that state as outlined.
- **MEMBERS:** are "natural persons" - flesh and blood people, not organisations, companies, associations. Members of member bodies are automatically members of the national organisation of What Women Want (Australia).
- **NATURAL PERSONS:** a legal term meaning a single individual as opposed to a group or organisation.
- **RELATED PARTIES:** as defined in Part XI of the Commonwealth Electoral Act. Clause 123(2) of this Act states that "For the purposes of this Part, 2 political parties shall be taken to be related if:
 - a. one is a part of the other; or
 - b. both are parts of the same political party".
- **NATIONAL ORGANISATION:** is What Women Want (Australia) as it meets either as National Council or National Conference or when it makes a decision by national vote or by its defined policy making processes.
- **POLICY FRAMEWORKS:** Each policy of What Women Want (Australia) will have a policy framework as a preamble. These policy frameworks are not to be as broadly general as The Charter of What Women Want (Australia) but are to be sufficiently general to permit people's opinions to differ over the details of the policies.
- **STATE:** Where 'state' is mentioned it should be read as 'state and territory' unless otherwise stated.
- **TERM:** As defined as a period of time between National Conferences.
- **DEBT:** any amount of money owing, even briefly; eg. an account is a debt.
- **OPTIONAL PREFERENTIAL SYSTEM (of voting):** the voter's choice of candidates in a ballot and their choice of order of preference eg. 1 or 1, 2 or 1, 2, 3, etc.
- **FINANCIAL YEAR:** means the year ending on 30 June.

Constituent Groups :

- **LOCAL BRANCHES:** Local Branches may be comprised of members of a suburb, town, workplace, neighbourhood, or local geographic area. Where possible every effort will be made for the Local Branch to establish within local government areas. Local Branch members may be members of their Regional/Electorate Group. Local Branches are to be defined by State bodies.
- **ELECTORATE / REGIONAL GROUPS:** This is What Women Want (Australia) organisation based on a federal Lower House electorate. (In Tasmania the state Lower House electorates are the same as the federal ones.) The Regional/ Electorate Group will comprise all members in that electorate. The Electorate Branch may also be comprised of a variety of Local Branches.
- **STATE COUNCIL:** This is What Women Want (Australia) organisation based on a state. It will comprise representatives of each Local Branch and Regional/ Electorate Group according to the State's own constitution
- **NATIONAL COUNCIL:** This is What Women Want (Australia) organisation based on national representation according to the National Constitution.