

# **The Constitution**

## **of the**

# ***Australian Protectionist Party***

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### **1. THE AUSTRALIAN PROTECTIONIST PARTY**

- 1.1 The Australian Protectionist Party is a political party. The Party shall participate in cultural, political, and social activities, and in ideological and philosophical discourse, in order to secure the protection and betterment of the Australian nation.
- 1.2 This constitution is the governing document for the Party, and has jurisdiction over the Party's affairs at all levels, as well as over the relationship of the Federal Party to any associated State and Territory Parties (as well as any other Party bodies) which desire to use the Party name.
- 1.3 This Constitution may be altered or repealed or a new Constitution may be made if such is accepted by an Annual General Meeting or a Special General Meeting of the Party, following the rules provided in this Constitution; additionally, this Constitution may be altered on a 75% majority vote of the National Committee.

### **2. THE OBJECTS AND POLICIES OF THE PARTY**

- 2.1 The objects of the Party include the endorsement, nomination, promotion, and election of Members to the Australian national, state and territory Parliaments (i.e. to the House of Representatives and the Senate, and to the State and Territory Parliaments), to Local Government Councils (including city councils, shire councils, and other local government bodies), and to other bodies and organisations in general. Such Members shall support the primary policies of the Party and will present as general policies such policies as the Party endorses from time to time.
- 2.2 The primary policies of the Party shall be to:
  1. Protect our environment
  2. Protect our families
  3. Protect our freedoms
  4. Protect our jobs and industries
  5. Protect our people
  6. Protect our rural communities
  7. Protect our way of life

### **3. DEFINITIONS AND MISCELLANEOUS**

- 3.1 For ease of expression in this constitution, several words or phrases may be affected as follows:
- 3.2 This document, the Constitution of the Australian Protectionist Party, may be referred to in this document as the “Constitution”.
- 3.3 The Australian Protectionist Party may be referred to in the Constitution as the “Party”.
- 3.4 The masculine or feminine form of words used within the Constitution shall be taken to be applicable to both genders.
- 3.5 The incumbents of any chairing positions on any committee or at any meeting of the Party may choose whether to have themselves referred to as Chairman, Chairwoman, or Chairperson. Any usage of the term “Chairman” used within the Constitution shall be taken to be applicable to all chairing positions no matter whether the incumbent is operating under the term Chairman, Chairwoman, or Chairperson.
- 3.6 The Australian Capital Territory and the Northern Territory shall be taken to be included in the usage of the term “State”, except where the term “Territory” or “Territories” is already specified.
- 3.7 The term “Annual General Meeting” may be referred to in the Constitution as the “AGM”, and the term “Special General Meeting” may be referred to in the Constitution as the “SGM”.
- 3.8 Service of documents. A document may be sent by or on behalf of the Party to any Member by personally delivering the same or by sending it by post to the Member at the Member’s address shown in the appropriate the Party membership register. A document sent by post is deemed to have been served on or delivered to the Member at the time at which the letter would have been delivered in the ordinary course of post.
- 3.9 Notwithstanding any other sections of the Constitution, it is deemed that the National Committee, National Chairman, State Chairmen, State Committees, Branches, Senior Members, and Members of the Party as set at the foundation of the Party shall be regarded as valid, as shall any changes made thereto by majority vote of the National Committee.

### **4. MEMBERSHIP**

- 4.1 A Member of the Party shall be allocated into one of the categories of Membership of the Party, which shall be:
  - 4.1.1 General Membership, a basic membership category. General Members shall be those members who are over 18 years of age.
  - 4.1.2 Youth Membership, a basic membership category. Youth Members shall be those members who are under 18 years of age.
  - 4.1.3 Premium Membership, a basic membership category. Premium members shall be those members who make financial contributions towards the party in order to sustain its activities, with the basic level of such contribution being set by the National Committee.
  - 4.1.4 Senior Membership. Senior Members shall be those General Members who are deemed to be activist members by the committee of the Branch to which they belong. Those who request to change from Senior Membership status, or who are deemed to no longer be Senior Members, shall retain their basic membership.
- 4.2 All memberships of the Party shall be considered as provisional for a period of one year from the date of joining, unless otherwise determined by the National Committee.
- 4.3 All members of the Party shall retain membership for life, unless they resign or their membership is terminated in accordance with the Constitution.
- 4.4 The National Committee may charge subscription fees to raise money to cover organisational requirements, but these subscription fees shall be voluntary and non-payment will not disqualify any person from retaining their basic membership; although there may exist categories of membership that are dependent upon financial contributions or membership fee payments, and in such cases non-payment may necessitate reclassifying

- non-paying members to a different membership category. However, it is appropriate that only the current subscribers receive newsletters and other materials from the Party on a regular basis or as determined by the Party.
- 4.5 Any person whose Membership ends, whether through resignation, membership termination, or from passing away, shall not be liable to pay any past or present subscriptions or fees to the Party. However, any Party assets or Party monies held by such person must be returned to the Party as soon as is possible, or as determined by the National Committee.
- 4.6 Senior Membership.
- 4.6.1 Only Senior Members, as the activist base of the Party, shall be entitled to vote in the meetings, elections, and decisions of the Party. Only Senior Members may hold or exercise any Office in the Party or be nominated as Parliamentary candidates. The Chairman (no matter how referred to or named) of any Party meeting may require proof of Senior Membership before allowing such Members to vote on any motion.
- 4.6.2 Senior Members, and only Senior Members, shall be entitled to hold and use proxies of other Senior Members in all meetings, decisions, and votes. Such proxies shall only be valid if they are in writing, state the applicable date or dates (or time period), and are signed by the relevant Senior Member granting his or her proxy vote. Such proxies shall count towards quorums of meetings.
- 4.6.3 Senior Members shall not comprise more than 10% of the overall membership of any Branch; however, the National Committee may change such percentage, but such change must apply universally to all Branches.
- 4.6.4 The National Committee shall be the final arbiter of the status of Senior Membership, although the National Committee may delegate that role to any or all of the State Committees to oversee the status of Senior Membership in their respective states.
- 4.7 Any person who supports all of the primary policies of the Party may make application to become a Member of the Party. Any such application for membership shall be considered by the National Committee and may be accepted or rejected by the National Committee at its absolute unfettered discretion.
- 4.8 Members' right of access to and publication of Party information and records shall be limited to that which is required to be provided and made public under the legislation of the Commonwealth, States, and Territories unless otherwise determined from time to time by the National Committee.
- 4.9 Party membership, or any right of a Member, shall not be terminated or suspended except in accordance with and subject to the express provisions of this Constitution.
- 4.10 A Member shall cease to be a Member of the Party in the following circumstances:
- 4.10.1 On the Member's written resignation, passing away, or at the discretion of the National Committee on conviction of an indictable criminal offence.
- 4.10.2 The National Committee may terminate membership for any of the following reasons:
- a) That the Member has acted or failed to act, in the opinion of the National Committee, in a manner which, in the opinion of the National Committee, is prejudicial or detrimental to the Party.
  - b) That termination of the membership is, in the opinion of the National Committee, in the best interests of the Party.
  - c) That the Member has, in the opinion of the National Committee, abused, threatened, vilified, insulted, or defamed another Member.
  - d) That the Member has acted contrary to, or failed to act in accordance with, the Constitution and Rules of the Party (including the Member's State or Territory Constitution and Rules).
  - e) That the Member has acted in a manner which, in the opinion of the National Committee, has caused, or was intended or likely to cause, disruption at a Party meeting.
- 4.10.3 That the Member has made a false or misleading statement concerning the Party or its affairs, interests or Member/s.
- 4.10.4 That the Member has acted dishonestly or deceptively.

- 4.10.5 That the Member has made public, or contributed to the publication of, information about or belonging to the Party which the Member was not authorised by the Party to make public.
- 4.11 Suspension of Membership
- 4.11.1 Where the National Committee considers termination of a Membership on any of the grounds in the preceding section, it may decide to suspend the Membership (in lieu of termination) where, in the opinion of the National Committee:
- a) The offence is trivial and unintentional.
  - b) The offence is not serious and the Member apologises to any aggrieved Members for misconduct and makes good any loss.
  - c) Suspension is in the best interests of the Party and/or while investigation of an alleged reason for termination of membership is investigated.
- 4.11.2 Where the National Committee resolves to suspend a Member, the suspension imposed may be for a period of up to 12 months, and the National Committee may suspend any or all rights of the Member for that period.
- 4.11.3 Where a State or Territory Committee is satisfied that a membership in that State or Territory should be terminated or suspended by the National Committee, it may, by a resolution carried by a majority vote and notice to the Member of the same, suspend any or all Party Membership rights of the Member for a period not exceeding one month. The State Secretary shall immediately and in writing inform the National Secretary of the suspension setting out the full reasons and providing copies of all documents relating to the suspension and, at the discretion of the State or Territory Committee, may recommend what action the National Committee should take in respect of membership termination or suspension.

## **5. THE NATIONAL COMMITTEE**

- 5.1 The National Committee shall consist of:
- 5.1.1 The State Chairmen and Territory Chairmen of the Party.
- 5.1.2 Additional Members, who may be appointed from the Party membership by the National Committee, upon a 75% majority vote of the National Committee. These appointed Members shall generally retain office at election time; however any or all of these appointed Members may be removed from the National Committee at any time (including before or after elections) upon a 75% majority vote of the National Committee. Past, present or future State Chairmen may be appointed as additional members to the National Committee; such members shall not lose their status as appointed members if and when they become State Chairmen or are no longer State Chairmen; however, all such members (even if a current State Chairman) shall only have one vote upon the National Committee (notwithstanding the casting vote of the National Chairman, as detailed elsewhere in this Constitution).
- 5.2 The National Chairman shall be elected by the Members of the National Committee. Only a Member of the National Committee may be elected as the National Chairman.
- 5.3 The National Committee should elect a National Secretary and a National Treasurer from the Members of the National Committee; in the absence of the appointment of a National Secretary and/or National Treasurer, the National Chairman may take upon those roles and duties, or may delegate them.
- 5.4 The Committee may appoint other officers from the Members of the National Committee as deemed appropriate. The National Committee should, but is not obliged to, elect a National Vice-Chairman, who would fulfil the role of National Chairman should the National Chairman become incapacitated or be unavailable.
- 5.5 If no National Chairman or National Vice-Chairman exists (due to resignation from office, passing away, or immediately following a Party election), or is absent from duties on a long-term basis, a National Committee meeting may be called by arrangement of a majority of national committee members, or if such has not occurred within two weeks of the permanent absence of the National Chairman and National Vice-Chairman, then a National

- Committee meeting may be called by the eldest available member of the national committee. Prior to an election, it shall be permissible for the national committee to set a date and details for a national committee meeting following the election, although the members of the national committee may, following the election, change such date and details upon a majority vote.
- 5.6 The National Committee shall have the power to establish, alter, or withdraw any positions elected or appointed by the National Committee, and to appoint, or remove, any Senior Member with respect to those positions, so long as such action does not contravene any other section of the Constitution.
  - 5.7 The National Committee may delegate any of its rights or powers to any other Committee of the Party or to any of the membership of the Party from time to time as it deems appropriate.
  - 5.8 All rights and powers of the Party are vested in the National Committee. These rights and powers shall be exercised in accordance with and subject to the express provisions of this Constitution and shall include, but not be limited to:
    - 5.8.1 The general management of the affairs of the Party.
    - 5.8.2 The appointment of all officers of the Party, and the determination of their responsibilities, including the appointment of State and Territory officers to be responsible for the registration of the Party in each State and Territory.
    - 5.8.3 Determination of the method of selection of all Parliamentary candidates.
    - 5.8.4 Control of all assets and finance of the Party and the allocation of their use either directly or by delegation.
    - 5.8.5 Control of access to and use of all the Party's information including Party membership lists and all other modes of general contact with listed Members.
    - 5.8.6 Acceptance and rejection of membership applications and terminations of membership.
    - 5.8.7 Amendment of this Constitution and the Rules made thereunder (subject to the provisions of this Constitution).
    - 5.8.8 The initial establishment of any State and Territory constitutions. The establishment and disbanding of Branches.
    - 5.8.9 Subject to any rules specified in the Constitution, the determination of the method by which elections for National Committee, and any other elected office holders of the Party, are conducted and, at the discretion of the National Committee, the method may be by postal ballot.
    - 5.8.10 The use of the Party's name within the Commonwealth of Australia.
    - 5.8.11 The incorporation, if any, of the Party. Any amendments to Incorporation shall be made in a manner determined by the National Committee. If the Party as a whole, or one of its components (e.g. a state branch), becomes incorporated, but subsequently becomes unincorporated for whatever reason then such event shall not invalidate the continuing existence and validity of the Party (or any component thereof) nor shall such event invalidate this Constitution.
    - 5.8.12 Promulgation of rules to assist in the administration of the Party affairs and to further assist the Party in the promotion of its objectives and core policies provided that such rules are not contrary to or inconsistent with the express provisions of this Constitution.
  - 5.9 The first National Committee shall be the National Committee in place at the time this Constitution is adopted by that National Committee.
  - 5.10 Elections for the National Committee
    - 5.10.1 Elections for the positions of State Chairmen and Territory Chairmen, who shall automatically be members of the National Committee, will be held every two years, in every even-numbered year. However, notwithstanding the foregoing, the first National Committee shall serve from the founding date of this Party for a period of up to four years, as it determines, and may hold an election for all State Chairmen within that period.
    - 5.10.2 A State Chairman from each State and Territory of Australia in which the Party has a State or Territory Committee shall be elected by a vote of all Senior Members in that

State or Territory. The National Committee shall appoint a Returning Officer to oversee the elections of the State Chairmen, however in the absence of such an appointment the National Chairman shall act as the Returning Officer or he may delegate that position and responsibility to another Senior Member. If the National Committee decides, it may appoint a Returning Officer in one or more States to oversee the election of a State Chairman in that State.

5.10.3 The basic method of electing a State Chairman shall be:

- a) To call for nominations by post (this shall be day 1 of the election process) from all of the Senior Members of the Party in the relevant State or Territory, stating the closing date of nominations (which shall be day 21). The day after the close of nominations (day 22), each nominee shall be informed of the names of any other Members who have nominated for the same position.
- b) To post ballot sheets to all Senior Members (to be posted by day 42 inclusive). Enclosed with the ballot sheets posted to the Senior Members shall be an A4 size sheet (which may be printed upon on both sides) from each candidate if they provide such to the Returning Officer. Each candidate may be present at the filling of the postal material and its posting (to be conducted on the same day) due to be sent to the Senior Members in his State, or may appoint another Senior Member to be present.
- c) Postal ballots must be received by the Returning Officer by day 56 (inclusive) in order to be valid. No envelopes received bearing the position title of "Returning Officer" shall be opened until the day of the counting of votes. The votes shall be counted on day 57, and each candidate may be present at the opening of the envelopes and the subsequent counting of votes, or may appoint another Senior Member to be present.
- d) The preferential method of voting shall be used in all elections for positions where there are multiple candidates or choices. The votes of the candidate or choice which receives the lowest amount of votes shall be redistributed to the next preferred candidate or choice (which has not already been eliminated) until a majority of valid votes is achieved.
- e) On day 57 the winning candidates shall be announced by the Returning Officer, and they shall then automatically be declared Members of the National Committee (thus replacing any previous State Chairmen). However, for those candidates who are the sole nominees for a position, they shall automatically be declared Members of the National Committee (thus replacing any previous State Chairmen) by the Returning Officer on day 22. If all State Chairman positions are declared on day 22, then the new National Committee shall be declared elected by the Returning Officer; however, if not all State Chairman positions are declared on day 22, the new State Chairmen may not be replaced in their positions by the current National Committee.

5.11 If the National Committee determines that a State Chairman is permanently absent, or otherwise requires replacing for any other reason, the National Committee may replace that State Chairman upon a 75% majority vote.

5.12 The National Committee may, upon a 75% majority vote, call for nominations and cause an election for the position of any State Chairman of any State or Territory.

5.13 Meetings and Decisions of the National Committee

5.13.1 Decisions of the National Committee, unless specified otherwise in this Constitution, shall be decided by a simple majority of National Committee Members and, in case of a tied vote, the Chairman shall have the deciding vote. National Committee Members shall be entitled to use proxy votes in the voting process.

5.13.2 A meeting of the National Committee may be called by the Chairman or upon the request of one-half of the National Committee Members. All National Committee Members shall be informed of such meetings which shall be conducted in a manner determined by the Chairman. The manner may be by telephone, facsimile, post, a physical meeting of Committee Members, or any combination of these alternatives. Where a physical meeting of Committee Members is called, fourteen days notice is required; however, National Committee Members may attend by proxy or telephone.

- 5.13.3 A quorum for a National Committee meeting shall consist of half the National Committee. Proxy votes shall be counted towards the quorum.
- 5.13.4 The Secretary, or another person appointed by the National Committee, should take minutes of every National Committee meeting and shall send copies of the minutes of each meeting to all Members of the National Committee within seven days after the day of the conclusion of a meeting. The minutes may record which persons voted in favour, against and abstained in respect of each and every motion and resolution considered by such meetings.

## **6. PARTY SPOKESMEN**

- 6.1 The National Chairman shall be the official and defining spokesman of the Party, except when a replacement spokesman is appointed by resolution of the National Committee from time to time.
- 6.2 The National Committee may appoint other Members to speak on behalf of the Party from time to time as the National Committee deems appropriate.
- 6.3 No other Member shall make, or is authorised to make, any statement on behalf of the Party except as specified above in this section of the Constitution.

## **7. THE COMMON SEAL**

- 7.1 The National Committee shall have power to provide a Common Seal for the purposes of the Party and from time to time destroy the same and substitute a new seal in lieu thereof.
- 7.2 The common Seal shall be kept in the custody of the National Secretary.
- 7.3 The common Seal shall be used only by the authority of a resolution of the National Committee and shall be affixed to all necessary deeds, instruments, mortgages, contracts and other documents in the presence of any Member of the National Committee authorised by the National Committee for any of the above purposes.
- 7.4 A true and correct record shall be kept by the National Treasurer, unless otherwise determined by the National Committee, of all such instruments, deeds, mortgages, contracts, and other documents to which the seal is affixed.

## **8. ANNUAL GENERAL MEETING**

- 8.1 The National Secretary shall convene an Annual General Meeting of the Party to be held once a year on a date and at a place determined by the National Committee.
- 8.2 At the AGM of the Party the National Committee shall present to Senior Members all financial and other information required by any appropriate legislation to be presented at the AGM of the Party, together with other reports on Party affairs and activities that the National Committee wishes to present.
- 8.3 The National Secretary shall give Senior Members twenty-one days notice of the date, time, place, and agenda of the AGM of the Party. Senior Members may be notified by post. Accidental omission to notify any Senior Member of the AGM in due time or at all shall not render void or invalid any such meeting.
- 8.4 Each State Committee shall be entitled to place two items upon the agenda of the AGM, however if some items are similar the National Committee may combine such items as one. Other items may be placed upon the agenda of the AGM by decision of the National Committee.
- 8.5 The Chairman shall allow what in his opinion is reasonable time for Members to ask questions concerning the reports presented and the affairs of the Party generally.
- 8.6 All votes upon agenda items, and subsequent amendments, shall be binding upon the National Committee, so long as the agenda items do not contravene this Constitution.
- 8.7 At the discretion of the National Committee, upon a 75% majority vote, the AGM of the Party may be conducted by post in lieu of holding a physical meeting.

## **9. SPECIAL GENERAL MEETING**

- 9.1 The National Secretary shall call a Special General Meeting of the Party when authority is given by the National Committee. The SGM shall be convened on a date and at a place determined by the National Committee.
- 9.2 The subject matter to be discussed and voted upon shall be set out in the form of a Notice of Motion.
- 9.3 At least twenty-one days notice in writing of the meeting, and the Notice or Notices of Motion, shall be posted to every Senior Member. Accidental omission to notify a Senior Member in due time or at all will not render void or invalid any such meeting or any resolutions arising therefrom.
- 9.4 In the case of a resolution which does not amend this Constitution, the majority necessary to carry a resolution in a SGM shall be a simple majority of those present and entitled to vote. In the case of a resolution which amends this Constitution, the majority necessary to carry a resolution in a SGM shall be a seventy-five (75%) majority vote.
- 9.5 Only Senior Members shall be entitled to vote at a SGM, but any accidental breach of this paragraph shall not invalidate any election or resolution.
- 9.6 At the discretion of the National Committee, SGM Notices of Motion may be put to a vote by postal ballot, in lieu of calling a physical SGM, in a manner determined by the National Committee. A postal ballot conducted under this section is deemed to be, and the results shall have the same force as, a physical SGM. Where a postal ballot is conducted under this section:
  - 9.6.1 In the case of a resolution which does not amend this Constitution, the majority necessary to carry the resolution shall be a simple majority of all valid postal votes returned.
  - 9.6.2 In the case of a resolution which amends this Constitution, the majority necessary to carry a resolution shall be a seventy five percent (75%) majority of all valid postal votes returned.

## **10. STATE, TERRITORY, AND BRANCH ORGANISATIONS**

- 10.1 Establishment of State and Territory organisations
  - 10.1.1 The National Committee may establish State and Territory organisations of the Party to further the objectives of the Party. These organisations may include, but are not limited to, the following Party entities (Entities), no matter how they are referred to or named, which shall be governed by the Constitution and, where provided, a State or Territory Constitution approved by the National Committee in respect to the State or Territory in which the Entity exists:
    - a) Branch: A group of Party Members who agree to associate to further the objectives of the Party in a local area (usually a State, Territory or Federal Electorate).
    - b) Regional Committee: Delegates representing a number of Branches in a region.
    - c) Zone Committee: Delegates representing a number of Regional Committees.
    - d) State or Territory Committee: The committee having a general management responsibility for the affairs of the Party in a State or Territory.
  - 10.1.2 The name of each Entity shall begin with 'Australian Protectionist Party' followed by the description of the Entity approved by the relevant State or Territory Committee, if such exists, or by the National Committee.
  - 10.1.3 A State or Territory Committee may establish and abolish Regional Committees, Zone Committees, and other Entities. Any Member who is aggrieved by such action may appeal to the State or Territory Committee to have the action reviewed by the State or Territory Committee within two months of such appeal and, should the Member not be satisfied with the decision of that review, he may appeal to the National Committee for review of the action. In such cases, the decision of the National Committee in respect of the said action shall be final.
  - 10.1.4 The National Committee may, where it considers the action is necessary and in the best interests of the Party, terminate the term of office of any Office Bearer of the Party and appoint a caretaker Office Bearer to that Office until a new Office Bearer can be elected

or appointed. The time for such election or appointment shall not exceed three months. An Office Bearer whose term of office is terminated under this section is not eligible to be elected or appointed to any Party Office for a period of twelve months unless approved to do so by the National Committee.

## 10.2 Precedence of National Constitution

10.2.1 In the event of any conflict between the Constitution or Rules of any Party Entity and this Constitution (and any Rule made under this Constitution), then this Constitution (and any Rule made thereunder) shall take precedence.

10.2.2 Where the Constitution or Rules of any Party Entity are silent on any matter, the Entity shall be governed by this Constitution and any Rule made thereunder.

10.2.3 Each State and Territory Constitution, and the Constitution of any other bodies of the Party, shall contain the following clause: "This Constitution is established under the Constitution of the Australian Protectionist Party and is subject to compliance with the Constitution of the Australian Protectionist Party and any Rule made thereunder. Should there be any conflict between this Constitution and the Constitution of the Australian Protectionist Party, the Constitution of the Australian Protectionist Party shall take precedence. This clause may not be amended or deleted from this Constitution without the written approval of the National Committee of the Australian Protectionist Party. This organisation shall 1) abide by the decisions of the National Committee of the Australian Protectionist Party (being the body originally established on the 7<sup>th</sup> of September 2007, and including any subsequent changes to that body); 2) recognise that the usage of the name "Australian Protectionist Party" shall remain under the control of that National Committee, and shall abide by any directions issued by that National Committee in regard to the usage of the name; and 3) not remove or change this clause without the written and specific permission of that National Committee, nor conduct any binding vote regarding any such removal or change, and shall not make any change to the rules or constitution of this organisation in relation to this clause without the written and specific permission of that National Committee."

10.3 Where no State or Territory Constitution exists or is silent on any matter, Branches shall be governed by the following in the order of precedence given:

10.3.1 This Constitution.

10.3.2 Any rule made under this Constitution.

10.3.3 Any resolution of the National Committee.

10.4 In the event of the dissolution of any Entity the assets under the control of that Entity shall be disposed of as follows:

10.4.1 In the case of dissolution of a State or Territory Committee, all assets under the control of that State or Territory Committee shall be transferred to the National Committee of the Australian Protectionist Party.

10.4.2 In all other cases of dissolution of an Entity, including Branches, all assets under the control of that Entity shall be transferred to the State or Territory Committee of the State or Territory in which the dissolution of the Entity occurred or, in the event of no State or Territory Committee existing, all such assets shall pass to the National Committee of the Party.

10.5 The Secretary of an Entity shall keep true and complete minutes, signed by the Chairman and Secretary, of all proceedings of that Entity and shall make copies of such minutes available to the National Secretary, or a person nominated by the National Secretary, as directed by the National Secretary from time to time.

## 10.6 Finance

10.6.1 No member or Entity shall open an account with any financial institution where the account name contains the words "Australian Protectionist Party" unless the opening of such an account, the operating rules of the account and the account name are all approved in writing by the National Treasurer or the National Chairman.

- 10.6.2 Financial institution accounts operated by any Entity shall require the signature of at least two duly authorised Members of the Entity to debit such accounts, unless it is otherwise specified by a vote of a 75% majority of the National Committee.
- 10.6.3 Party Entities approved by the National Committee may open an account with any financial institution where the account name is styled “Australian Protectionist Party” or may open such account with the Entity name included e.g. “Australian Protectionist Party, Canberra Branch”.
- 10.6.4 The Treasurer of an Entity shall keep true and complete records of all revenue, property, assets, liabilities and expenditure of that Entity and shall provide such records to the National Treasurer (or a person nominated by the National Treasurer) in a form, and at all times, directed by the National Treasurer. The records kept shall include all source documents such as receipts, invoices, and other claims for payment, financial institution statements, certificates of ownership, etc. The National Treasurer (or a person nominated by the National Treasurer) may audit these records at any reasonable time and make copies of any or all records. Members shall cooperate and provide all information requested in relation to such audits.
- 10.6.5 In the event that the National Treasurer has reason to suspect that malpractice, maladministration, or other irregularity may have occurred in respect of a Party Entity, he may freeze the assets and financial institution accounts under the control of that Entity, or direct that such assets and accounts be frozen, until such time as the matter is resolved to the satisfaction of the National Treasurer or National Committee.
- 10.6.6 No member or Entity or Office Bearer of any Entity shall incur, or allow to be incurred, any debt or liability in the name of the Australian Protectionist Party or any Entity of the Party without prior written approval of the National Committee.

## **11. FINANCE**

- 11.1 After providing for all expenses and payments considered by the National Committee to be necessary or desirable the balance of the funds of the Party may be utilised or dealt with in such manner as the National Committee may determine for the furtherance of the objects of the Party.
- 11.2 The income and property of the Party shall be applied solely towards the promotion of the purpose and objects of the Party. No portion of the income or property shall be paid, transferred or distributed directly or indirectly to the Members of the Party. Nothing in this section shall prevent the reimbursement of approved expenses incurred on behalf of the Party, or the payment in good faith of remuneration to any officer or employee of the Party or to any person in return for services rendered to the Party, where such reimbursement or payment is approved in writing by an office bearer of the Party who is empowered to approve such payment or reimbursement under, and does so in accordance with, the provisions of this Constitution or Rule made thereunder.
- 11.3 Until otherwise determined by the National Committee, records of account shall be kept by the National Treasurer of the Party including detailed records of all receipts, payments assets and liabilities pertaining to the Party. The National Treasurer shall allow any Member of the National Committee access to these records at all reasonable times to inspect and make copies of any or all records.
- 11.4 Unless otherwise determined by the National Committee, the National Treasurer shall furnish all the Party financial and accounting reports and documents required by law or requested by the National Committee from time to time.
- 11.5 The National Committee at any time may appoint an auditor to audit the records of account of the Party. All Party office holders and Members shall give all reasonable cooperation and assistance in such an audit.
- 11.6 The National Committee may, if it deems necessary, charge a levy upon Branches whereby the Branches shall pay a levy proportional to the number of Senior Members in that branch; the proportional levy must be universally applied to all Branches and not just applied to selected Branches.

## **12. DISSOLUTION**

- 12.1 The Party may be dissolved only by a Special General Meeting resolution in accordance with this Constitution. The majority required to carry a dissolution resolution shall be the same as that required to amend this Constitution.
- 12.2 If, after the dissolution of the Party there remains, after the satisfaction of all its debts, liabilities, and debentures, any property whatsoever the same shall not be paid to or distributed among the Members of the Party but shall be given or transferred to some charitable object or objects, or to some other incorporated association which has objects similar wholly or in part to the objects of the Party, which prohibits a distribution of its income and property among its Members. Such charitable object or incorporated association shall be determined by the Special General Meeting of the Party at or before the time of dissolution.

**[end]**

The Constitution of the Australian Protectionist Party  
Created 7<sup>th</sup> of September 2007.  
As amended on the 3<sup>rd</sup> of March 2010