

CONSTITUTION
OF THE
AUSTRALIAN CYCLISTS PARTY
INCORPORATED

December 12, 2013

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Part 1 - Preliminary

1. Definitions

(1) In this constitution:

Director-General means the Director-General of the Department of Services, Technology and Administration.

Ordinary Committee member means a member of the Committee who is not an office-bearer of the association.

Secretary means:

(a) the person holding office under this constitution as secretary of the association, or

(b) if no such person holds that office - the public officer of the association.

special general meeting means a general meeting of the Party other than an annual general meeting.

the Act means the *Associations Incorporation Act 2009*.

the Regulation means the *Associations Incorporation Regulation 2010*.

(2) In this constitution:

(a) a reference to a function includes a reference to a power, authority and duty, and

(b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

(4) The **Privacy Act** refers to: The *Privacy Act 1988* - an Australian law that regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information.

Part 2 – Name and objectives of the association

2. Purpose and Activities

- 1) The name of the association is the Australian Cyclists Party Incorporated (the “Party”).
- 2) For the purpose of registration with any Federal, State or Territory electoral commission or body, the name of the Party is the Australian Cyclists Party.
- 3) The purpose of the Party is to:
 - a) advocate for those who cycle and to promote cycling in all of its forms, and
 - b) increase and improve the quality of, and access to, cycling infrastructure.
- 4) The activities of the Party will be conducted in the furtherance of its purpose, and include:
 - a) Standing candidates for election to parliaments in Australia to campaign for the policy, legal and infrastructure improvements required to achieve the purpose of the Party;
 - b) Doing all other things ancillary to, or necessary for, the furtherance of the Party’s purpose.

Part 3 - Membership

3. Membership generally

- (1) A person is eligible to be a member of the Party if:
 - (a) the person is a natural person
 - (b) the person is on the Australian Electoral Roll
 - (c) the person has applied and been approved for membership of the Party in accordance with clause 4.
- (2) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the Act was made.

4. Application for membership

- (1) An application for membership of the Party:
 - (a) can be made by any person in writing in the form decided by the Committee or required by the respective electoral commission and including electronic forms and transmission, and;
 - (b) must be lodged with the secretary, and;
 - (c) must be accompanied by the prescribed membership fee, and;
 - (d) must be in accordance with the regulations of the respective Electoral Commission(s) including but not limited to the member being a registered member of only one party.

- (e) may be rejected if the member has been expelled previously as per clause 12
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the Committee which is to determine whether to approve or to reject the application.
- If the membership has been rejected, the secretary must:
- (a) notify the unsuccessful applicant, in writing by email or post, that the Committee has rejected the application, and;
 - (b) return any membership fee paid by the applicant.
- (3) The secretary will, on payment by an accepted applicant of the amounts referred to in subclause (1) (c) within the period referred to in clause 5 (d), enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the Party.

5. Cessation of membership

A person ceases to be a member of the Party if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the Party, or
- (d) fails to pay the annual membership fee under clause 9 (2) within 3 months after the fee is due.

6. Membership entitlements not transferable

A right, privilege or obligation that a person has by reason of being a member of the Party:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

7. Resignation of membership

- (1) A member of the Party may resign from membership of the Party by first giving to the secretary written notice of at least one month (or such other period as the Committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the Party ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

8. Register of members

- (1) The public officer of the Party must establish and maintain a register of members of the Party specifying the name and postal or residential address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
 - (a) at the main premises of the Party, or
 - (b) if the Party has no premises, at the Party's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the Party at any reasonable hour.
- (4) A member of the Party may obtain a copy of any part of the register that is not subject to the Privacy Act or any other regulation and on payment of a fee of not more than \$1 for each page copied.
- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

9. Fees and subscriptions

- (1) A member of the Party must, on admission to membership, pay to the Party a fee of \$1 or, if some other amount is determined by the Committee, that other amount.
- (2) In addition to any amount payable by the member under subclause (1), a member of the Party must pay to the association an annual membership fee of \$2 or, if some other amount is determined by the Committee, that other amount:
 - (a) except as provided by paragraph (b), before 1 July in each calendar year, or
 - (b) if the member becomes a member on or after 1 July in any calendar year - on becoming a member and before 1 July in each succeeding calendar year.

10. Members' liabilities

The liability of a member of the Party to contribute towards the payment of the debts and liabilities of the Party or the costs, charges and expenses of the winding up of the Party is limited to the amount, if any, unpaid by the member in respect of membership of the Party as required by clause 8.

11. Resolution of disputes

- (1) In the first instance, a dispute between a member and another member (in their capacity as members) of the Party, or a dispute between a member or members and the Party, are to be referred to the Committee for resolution.
- (2) If resolution by the Committee is unsuccessful the dispute is to be referred to a community justice centre for mediation under the *Community Justice Centres Act 1983*.
- (3) If a dispute is not resolved by mediation within 3 months of the referral to a community justice centre, the dispute is to be referred to arbitration.
- (4) The *Commercial Arbitration Act 1984* applies to any such dispute referred to arbitration.

12. Disciplining of members

- (1) A complaint may be made to the Committee by any person that a member of the Party:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the Party.
- (2) The Committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the Committee decides to deal with the complaint, the Committee:
 - (a) must cause notice of the complaint to be served on the member concerned, and
 - (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the Committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The Committee may, by resolution, expel the member from the Party or suspend the member from membership of the Party if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the Committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Committee for having taken that action .
- (6) The expulsion or suspension takes immediate effect.

Part 4 - The Committee

13. Powers of the Committee

Subject to the Act, the Regulation and this constitution and to any resolution passed by the Party in general meeting, the Committee:

- (a) is to control and manage the affairs of the Party, and
- (b) may exercise all such functions as may be exercised by the Party, other than those functions that are required by this constitution to be exercised by a general meeting of members of the Party, and
- (c) has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Party.

14. Composition and membership of Committee

- (1) The Committee is to consist of:
 - (a) the office-bearers of the association, and
 - (b) at least 3 ordinary Committee members,
 - (b) each of whom is to be elected at the annual general meeting of the association under clause 15 for a period of two years.
- (2) The total number of Committee members is to be 7.
- (3) The office-bearers of the association are as follows:
 - (a) the president,
 - (b) the vice-president,
 - (c) the treasurer,
 - (d) the secretary.
- (4) A Committee member may hold up to 2 offices (other than both the president and vice-president offices).
- (5) Each member of the Committee is, subject to this constitution, to hold office for two years and up until the conclusion of the second annual general meeting following the date of the member's election, but is eligible for re-election twice.

15. Election of Committee members

- (1) Nominations of candidates for election as office-bearers of the Party or as ordinary Committee members:
 - (a) must be made in writing, signed by 2 members of the Party and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - (b) must be delivered to the secretary at least 28 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
- (3) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (4) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.

- (5) The ballot for the election of members of the Committee is to be conducted at the annual general meeting in such usual and proper manner as the Committee may direct.
- (6) A person nominated as a candidate for election as a Committee member of the Party must be a member of the Party.

16. President

- (1) The president is the designated Appointed Officer and acts as the Party Secretary liaison with the respective electoral commissions as required or unless otherwise appointed by the Committee.

17. Secretary

- (1) The secretary must, as soon as practicable after being appointed as secretary, lodge notice with the Director-General of his or her address.
- (2) It is the duty of the secretary to ensure that the following records are kept:
 - (a) all appointments of office-bearers and members of the Committee, and
 - (b) the names of members of the Committee present at a Committee meeting or a general meeting, and
 - (c) all proceedings at Committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

18. Treasurer

It is the duty of the treasurer of the Party to ensure:

- (a) that all money due to the Party is collected and received and that all payments authorised by the Party are made, and
- (b) that correct books and accounts are kept showing the financial affairs of the Party, including full details of all receipts and expenditure connected with the activities of the Party.

19 Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the Party to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the conclusion of the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the Committee occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member of the Party, or

- (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (d) resigns office by notice in writing given to the secretary, or
- (e) is removed from office under clause 20, or
- (f) becomes a mentally incapacitated person, or
- (g) is absent without the consent of the Committee from 3 consecutive meetings of the Committee, or
- (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
- (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

20. Removal of Committee members

- (1) The Party in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the Committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Party, the secretary or the president may send a copy of the representations to each member of the Party or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

21. Committee meetings and quorum

- (1) The Committee must meet at least 3 times in each period of 12 months at such place and time as the Committee may determine. Meetings may be held using, and Committee members may attend meetings by, technology (including by telephone or computer).
- (2) Additional meetings of the Committee may be convened by the president or by any member of the Committee.
- (3) Oral or written notice of a meeting of the Committee must be given by the secretary to each member of the Committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 4 members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.

- (6) No business is to be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to be dissolved..
- (7) At a meeting of the Committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the Committee as may be chosen by the members present at the meeting is to preside.

22. Delegation by Committee to sub-Committee

- (1) The Committee may, by instrument in writing, delegate to one or more sub-Committees [(including Branch Committees)] (consisting of such member or members of the Party as the Committee thinks fit) the exercise of such of the functions of the Committee as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the Committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-Committee [(including a Branch Committee)] under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-Committee [(including a Branch Committee)] in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the Committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-Committee [(including a Branch Committee)] acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Committee.
- (6) The Committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-Committee [(including a Branch Committee)] may meet and adjourn as it thinks proper.

23. Voting and decisions

- (1) Questions arising at a meeting of the Committee or of any sub-Committee [(including any Branch Committee)] appointed by the Committee are to be determined by a majority of the votes of members of the Committee or sub-Committee [(including any Branch Committee)] present at the meeting.
- (2) Each member present at a meeting of the Committee or of any sub-Committee [(including any Branch Committee)] appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an

equality of votes on any question, the person presiding may exercise a second or casting vote.

- (3) Subject to clause 21 (5), the Committee may act despite any vacancy on the Committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-Committee [(including any Branch Committee)] appointed by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-Committee [(including any Branch Committee)].

Part 4 - General meetings

24. Annual general meetings - holding of

- (1) The Party must hold its first annual general meeting within 18 months after its registration under the Act.
- (2) The Party must hold its annual general meetings:
 - (a) within 6 months after the close of the Party's financial year, or
 - (b) within such later time as may be allowed by the Director-General or prescribed by the Regulation.

25. Annual general meetings - calling of and business at

- (1) The annual general meeting of the Party is, subject to the Act and to clause 21, to be convened on such date and at such place and time as the Committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the Committee reports on the activities of the Party during the last preceding financial year,
 - (c) to elect Committee members,
 - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

26. Special general meetings - calling of

- (1) The Committee may, whenever it thinks fit, convene a special general meeting of the Party.
- (2) The Committee must, on the requisition in writing of at least 10 per cent of the total number of members, convene a special general meeting of the Party.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and

- (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the Committee fails to convene a special general meeting to be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Committee.

27. Notice

- (1) Notice will be given in one or more of the following forms as approved by the Committee: email, post, or via the Party's website.
- (2) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Party, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying:
- (a) the place, date and time of the meeting, and;
 - (b) the nature of the business proposed to be transacted at the meeting, and;
 - (c) if the meeting is to be held in two or more places, the technology that will be used to facilitate this.
- (3) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Party, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 25 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

28. Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) 25% of members or 30 members (whichever number is the lowest) present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, at least 4 of the Committee members present are to constitute a quorum.

29. Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the Party.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

30. Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the Party stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31. Making of decisions

- (1) A question arising at a general meeting of the Party is to be determined by either:
 - (a) a show of hands, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- (3) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions set in a Ballot Protocol adopted by the Committee.

32. Special resolutions

A special resolution may only be passed by the Party in accordance with section 39 of the Act.

33. Voting

- (1) On any question arising at a general meeting of the Party a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the Party has been paid.
- (4) A member is not entitled to vote at any general meeting of the Party if the member is under 18 years of age.

34. Proxy votes not permitted

Proxy voting must not be undertaken at or in respect of a general meeting.

35. Ballots

- (1) The Party in a general meeting may hold a ballot to determine any issue or proposal.
- (2) A ballot is to be conducted in accordance with Schedule 3 to the Regulation.

36. Use of technology for members meetings

A meeting of members may be held in two or more places linked together by any technology so long as it:

- (1) gives the members as a whole in those places a reasonable opportunity to participate in proceedings; and
- (2) enables the chair to be aware of proceedings in each place; and
- (3) enables the members in each place to vote on a show of hands and by written ballot.

Part 5 - Miscellaneous

37. Insurance

The Party may effect and maintain insurance.

38. Funds - source

- (1) The funds of the Party are to be derived from entrance fees and annual subscriptions of members, donations and, , such other sources as the Committee determines.
- (2) All money received by the Party must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The Party must, as soon as practicable after receiving any money, issue an appropriate receipt.

39. Funds - management

- (1) Subject to any resolution passed by the Party in general meeting, the funds of the association are to be used in pursuance of the objects of the Party in such manner as the Committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Committee or employees of the association, being members or employees authorised to do so by the Committee.

40. Change of name, objects and constitution

An application to the Director-General for registration of a change in the Party's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a Committee member.

41. Custody of books

Except as otherwise provided by this constitution, the public officer must keep in his or her custody or under his or her control all records, books and other documents relating to the Party.

42. Inspection of books

- (1) The following documents must be open to inspection, free of charge, by a member of the Party at any reasonable hour:
 - (a) records, books and other financial documents of the Party, excluding minutes of meetings of the Committee,
 - (b) this constitution,
 - (c) minutes of all general meetings of the Party.
- (2) A member of the Party may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.

43. Service of notices

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

44. Financial year

The financial year of the Party is:

- (a) the period of time commencing on the date of incorporation of the Party and ending on the following 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the Party, commencing on 1 July and ending on the following 30 June.

45. Non-profit

The assets and income of the Party shall be applied solely in furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the Party except as bona fide compensation for services rendered or authorised expenses incurred on behalf of the Party.

46. Dissolution

In the event of the Party being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members.

Part 6 - Electoral candidates

47. Selection of candidates

- 1) The Committee shall decide which state and federal elections will be contested.
- 2) In the case of the Commonwealth House of Representatives or state or territory legislative assemblies, the Committee shall decide which parliamentary seats will be contested.
- 3) All pre-selections shall be conducted by the Committee.
- 4) As soon as practicable prior to an election that the Committee has decided to contest is to be held, the Committee shall call a meeting or meetings to determine the procedures for the nomination of candidates for pre-selection for that election.
- 5) The Committee shall call for nominations for that election. On the close of nominations, the Committee may:
 - a. Determine that the Party will not contest an election or a parliamentary seat;
 - b. Declare any person seeking pre-selection to be unsuitable;
 - c. Call for further nominations;
 - d. Declare a person to be a candidate
- 6) A nominee seeking pre-selection will require five (5) valid nominations from existing Party members OR the nomination of a member of the Committee.
- 7) The pre-selection of nominees to be Party-endorsed parliamentary candidates shall be determined by a ballot of all members of the Committee.
- 8) In the event the Committee is not unanimous, a candidate will only be endorsed if 70% or greater of the Committee agree. Each member will have a single vote and the President will not have a casting vote.
- 9) The Committee shall publish and distribute to members a list of all preselected candidates for an election.
- 10) Only PARTY members with the approval of the Committee may be endorsed to stand as PARTY candidates.
- 11) All preselected candidates must provide a Statutory Declaration confirming their eligibility to stand as candidates, and to be sworn in to parliament, under the relevant laws of the Commonwealth or the states for which the election is to be held
- 12) The Committee may withdraw endorsement of a candidate at any time up to the election date.