



**CONSTITUTION
and
RULES**

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NAME

- 1) The name of the Party shall be the "New Zealand Labour Party" ("the Party").

PRINCIPLES

- 2) The Party accepts the following democratic socialist principles –
 - g. All political authority comes from the people by democratic means, including universal suffrage, regular and free elections with a secret ballot.
 - h. The natural resources of New Zealand belong to all the people and these resources, and in particular non-renewable resources, should be managed for the benefit of all, including future generations.
 - i. All people should have equal access to all social, economic, cultural, political and legal spheres, regardless of wealth or social position, and continuing participation in the democratic process.
 - j. Co-operation, rather than competition, should be the main governing factor in economic relations, in order that a greater amount and a just distribution of wealth can be ensured.
 - k. All people are entitled to dignity, self-respect and the opportunity to work.
 - l. All people, either individually or in groups, may own wealth or property for their own use, but in any conflict of interest people are always more important than property, and the state must ensure a just distribution of wealth.
 - m. Te Tiriti o Waitangi/The Treaty of Waitangi is the founding document of New Zealand, and that the Treaty should be honoured in the Party, government, society and the whanau.
 - n. Peace and social justice should be promoted throughout the world by international co-operation and mutual respect.
 - o. The same basic human rights, protected by the State, apply to all people, regardless of race, sex, marital status, sexual orientation, gender identity, age, religious faith, political belief or disability.

OBJECTIVES

- 3) The Objectives of the Party are based on the above principles. These Objectives are –
 - a. To elect competent men and women to Parliament and local authorities through free elections for the purpose of giving effect to Party policy and principles.
 - b. To build and sustain an economy which can attract and retain the intelligence, skills and efforts of all citizens.
 - c. To ensure the just distribution of the production and services of the nation for the benefit of all the people.
 - d. To promote and protect the freedoms and welfare of all New Zealand citizens.
 - e. To educate the public in the principles and objectives of democratic socialism and economic and social co-operation.

POLICY

- 4) The Policy of the Party shall be based on matters approved by the Annual Conference and shall be:
 - a. Based on the values, principles and objectives of the Party;
 - b. Based on and consistent with the Policy Platform; and
 - c. Contained in the Manifesto issued prior to each General Election, which shall be the official policy of the Party until the next Manifesto is issued, provided that any matter rising subsequent to an Annual or Special Conference and not provided for in the existing Manifesto shall be determined by the Policy Council.

MEMBERSHIP

- 5) The Party shall consist of members of Labour Electorate Committees or members of branches (ordinary and special), members of affiliates and supporters of the Party.
- 6) A party branch member means any person 15 years of age or over who is not a member of any other political party, or any other group or organisation which is declared by the Annual Conference or New Zealand Council to be incompatible with membership of the Party, who subscribes to the Constitution and policy of the Party and is admitted as a member. When a membership application is received, Head Office reports approval or decline of a membership to the Labour Electorate Committee. If Head Office approves membership then the person becomes a member unless the Labour Electorate Committee disputes the membership. In the event of any dispute on admittance the New Zealand Council will review the information provided and make a decision which shall be final and binding on all parties.
 - a. Any unwaged member contributing \$60 or more to the Victory For Labour Fund in any one (1) year will be considered for membership of the Party.

- b. Any waged member contributing \$120 or more to the Victory For Labour Fund in any one (1) year will be considered for membership of the Party.
 - c. A contribution of \$240 or more to the Victory For Labour Fund in any one (1) year will be considered for family membership (as defined in these Rules) of the Party.
- 7) A Labour Electorate Committee member means any person 15 years of age or over who is not a member of any other political Party, or any other group or organisation which is declared by the Annual Conference or New Zealand Council to be incompatible with membership of the Party, and who subscribes to the Constitution and policy of the Party. This person must be admitted by the Labour Electorate Committee in the electorate in which they reside. However, in the event of any dispute on admittance the decision of the New Zealand Council shall be final and binding on all parties.
 - 8) Family membership exists where one or more members of a family unit, being a family group living together in the same residence, wish to join the Party; such a family is entitled to pay a single family membership fee set from time to time by the New Zealand Council. Each individual family member must consent to membership.
 - 9) Members must be a member in the electorate in which they reside, except as provided for in Rule 9)a.
 - a. Members wishing to be a member in another electorate require a dispensation from the Labour Electorate Committee in that electorate. Members in receipt of such dispensation cannot be counted for any purpose relating to the computation of numbers under this Constitution, but such members are eligible for any position in the electorate in which they are a member, with the exception of the provisions of Rule 320. All dispensations granted shall be subject to ratification annually by the New Zealand Council.
 - b. A person seeking membership of the Party must appear in the electoral roll in which he/she resides or prove application to register in the electoral roll of the electorate in which he/she resides. A person under the age of eighteen (18) years seeking membership need not meet this test.
 - 10) An affiliated member means a member of an industrial or other organisation approved by the New Zealand Council of the Party which subscribes to the Constitution and Policy of, and affiliates with, the Party, provided that a person whose membership of any political party or organisation disqualifies him or her from being a Branch or LEC member shall not be permitted to take part in the affairs of the Party.
 - 11) A registered supporter is a person who agrees to have their name listed as such. Registered supporters shall be able to receive communications and to attend Party meetings and functions, except when they are held in committee. A registered supporter cannot be a member of another political party.

LIFE MEMBERSHIP

- 12) The New Zealand Council may grant Life Membership for long, loyal and/or meritorious service to the Party. A minimum of twenty-five (25) years membership is required.

ORGANISATION

- 13) The Party organisations shall consist of:
 - a. General Branches and Special Branches
 - b. Affiliates
 - p. Labour Electorate Committees
 - q. Labour Local Body Committees
 - r. Regional Organising Hubs
 - s. Labour Regional Councils
 - t. The New Zealand Council which shall, subject to this Constitution, be the Executive body of the Party, operating through the General Secretary and Head Office
 - u. The Policy Council
 - v. Te Kaunihera Maori, Special Advisory Committees and Sector Councils
 - w. The Annual Conference, which shall be the supreme governing body of the Party.

BRANCHES

- 14) General Branches:
 - a. Special Branches, such as:
 - i) Women's Branches
 - ii) University Branches

- iii) Youth Branches
 - iv) Maori Branches
 - v) Pacific Island Branches
 - vi) Industrial branches
- b. Headquarters Branch.

Creation of New Branches

- 15) When ten (10) or more persons desire to form a new Branch of the Party they shall make application through their local Labour Electorate Committee for recommendation to the New Zealand Council. The ten (10) or more persons, being founder members of a branch, must be resident in that particular electorate. Dispensations from this Rule are not available for those wishing to participate in the establishment of a new branch.
- 16) When ten (10) or more persons desire to form a new Branch of the Party, an application for approval for the formation of the new branch must be made to the Labour Electorate Committee, with a copy of the application to be sent to Head Office. The Labour Electorate Committee must make a prompt recommendation to the New Zealand Council either recommending approval or decline of the application. In the event of a recommendation of decline, the New Zealand Council must consult further before final approval. In the event of a recommendation of acceptance, the New Zealand Council continues to be the final arbiter as to whether the branch shall be accepted or not. In the event of the Labour Electorate Committee recommending declining the application, then reasons for their decision must be forwarded to the branch formation people. The Council shall then decide whether or not the Branch is registered. The application must be accompanied by the registration fee as set by Annual Conference for each founder member registered, together with a list of their names and addresses.
- a. General Branch: This shall consist of at least ten (10) persons fifteen (15) years of age or over who qualify for membership in accordance with Rule 6 of this Constitution.
 - b. Special Branch: This shall consist of at least ten (10) financial members of the Party who wish to be constituted to deal with special community interests such as the following;
 - ii) Women's Branch: This shall consist of at least ten (10) women fifteen (15) years of age or over who qualify for membership in accordance with Rule 6.
 - iii) University Branch (and others of a similar nature): This shall consist of at least ten (10) persons, who shall be members of the institution and who qualify for membership in accordance with Rule 6.
 - iv) Youth Branch: This shall consist of at least ten persons, between the ages of fifteen (15) and twenty-five (25) years, who qualify for membership in accordance with Rule 6.
 - v) Maori Branch: This shall consist of at least ten (10) members of the Maori race, fifteen (15) years of age or over, who qualify for membership in accordance with Rule 6.
 - vi) Pacific Islands Branch: This shall consist of at least ten (10) members of the Pacific Island races, fifteen (15) years of age or over, who qualify for membership in accordance with Rule 6.
 - vii) Industrial Branch
 - c. Headquarters Branch: This branch is formed for the purpose of enrolling as members, persons residing in a place where no branch of the Party exists. The membership confirmation process, stipulated in Rule 29 for this Branch, requires only membership approval by the New Zealand Council.
- 17) No person shall be a member of more than one (1) General Branch of the Party or more than one (1) Branch constituted to deal with identical special community interests (e.g. two (2) Youth Branches, two (2) Industrial Branches), provided that at the time of first joining the Party or upon annual renewal, a member shall elect and designate no more than two (2) branches at which they will exercise their voting rights.
- 18) Branch secretaries shall forward all memberships to Head Office before 31 December each year. As soon as practical after 31 December, Head Office shall provide all Branches and their Labour Electorate Committee with a copy of their total financial and un-financial membership confirmed for that year.
- 19) In March of each year, after Annual Meetings, Branch secretaries shall complete for Head Office a return which identifies:
- a. Level of male/female membership;
 - b. Positions held by male/female members, including officers and delegates to Labour Electorate Committee and Regional/Annual Conferences;
 - c. Specific seminars or courses or meetings held in the previous twelve months that aimed to achieve the greater involvement of women.
- 20) Subject to the provisions of this Constitution, each Branch shall have control of its own affairs, but all resolutions and statements on policy and public questions shall be referred to the Labour Electorate Committee for endorsement before publication.

BRANCH RULES

21) The following Rules shall apply to all Branches, both General and Special.

Branch Name

22) The name of the Branch shall be "The Branch of the New Zealand Labour Party".

Branch Functions and Objectives

- 23) The functions of branches are to:
- a. Debate policy and participate in Party policy development
 - b. Become involved in community issues
 - c. Campaign in local and general elections
 - d. Recruit members and supporters
 - e. Raise funds for the Party
 - f. Engage in social and other activities, which are conducive to building a strong and effective branch, and campaign where appropriate in partnership with community organisations.
- 24) The objectives of the Branch shall be those prescribed in the Constitution of the Party. The Branch shall enforce the Constitution in all matters and observe loyally the resolutions and decisions of Annual Conference, of the New Zealand Council, and of the local Labour Electorate Committee. If a Branch considers that a Labour Electorate Committee decision is interfering unnecessarily with its domestic affairs, it shall have rights of appeal to the New Zealand Council.

Branch Organisation

- 25) The Branch shall be responsible to the local Labour Electorate Committee for all General Election organisation allotted to it and shall endeavour to implement any decisions of the Labour Electorate Committee relative thereto.
- 26) Where a Labour Electorate Committee, Labour Local Body Committee or Labour Regional Council decides to contest any Local Body Election within the area under its jurisdiction all Branches within such area shall render such assistance as may be required by the local Labour Electorate Committee, Labour Local Body Committee or Labour Regional Council.
- 27) Except where an Electorate Committee assumes this responsibility for the Branches in the electorate, the Branch shall raise such amounts as may be determined from time to time by the New Zealand Council and shall remit same as required. For local election purposes the Branch shall also assist the Labour Electorate Committee to meet its financial commitments.
- 28) Branches shall not, without the prior consent of the New Zealand Council, affiliate with or send delegates to any organisation not affiliated with the Party.

Branch Admissions to Membership

- 29) The membership of any person desiring to join the Party shall be subject to confirmation at a duly constituted meeting of the Labour Electorate Committee following receipt of registration at Head Office as follows:
- a. An application for membership must be submitted to Head Office;
 - b. Head Office must report approval or decline of the application expeditiously to the Branch and/or Labour Electorate Committee.
- 30) Postal enrolment of Labour Party members may be permitted subject to the conditions in Rule 29.

Branch Transfers

- 31) A Party member coming to reside within another Labour Electorate Committee area may be granted full privileges of membership in that LEC area on production of a clearance from the LEC to which membership fees for the current year have been paid.

Branch Membership Fees

- 32) The annual subscription shall be due on 1 January in each financial year. Members who join after 30 June shall pay half the annual subscription in the initial year.

- 33) Members who are more than three (3) months in arrears shall be deemed un-financial and shall not be permitted to take part in the affairs of the Party until such arrears are paid.

Branch Officers

- 34) The officers of the Branch shall be the Chairperson, Vice-Chairperson and Secretary-Treasurer, who shall be elected by and from the members of the Branch. A separate office of Treasurer may be created if warranted and desired.
- 35) The Branch may elect an Administrative Committee to carry out the operational requirements of the Branch. Any such Administrative Committee must report to the Branch on its activities on a regular basis or as required.
- 36) At least 50% of the officers of the branch must be women.

Branch Vacancies

- 37) Vacancies shall be filled by by-elections.

Branch Meetings

- 38) The Chairperson, if present, shall preside at all formal meetings of the Branch. In the absence of the Chairperson from any meeting, the Vice Chairperson shall preside. In the absence of both the Chairperson and Vice-Chairperson, the members present shall elect one of their number to chair the meeting. The Chairperson shall have a deliberative vote and a casting vote.
- 39) Branches will hold a minimum of three (3) formal meetings each year: an Annual General Meeting, a meeting to elect delegates to Regional Conference and a meeting to debate policy proposals and elect delegates to Annual Conference. Other informal meetings can be held to focus on branch and Party goals. Annual Meetings shall be held in February or March of each year.
- 40) A Special Formal Meeting may be called by:
- a. The Chairperson and Secretary;
 - b. A Resolution of an Ordinary Meeting;
 - c. The Secretary on receipt of a requisition signed by not less than one-fourth (25%) of the members;
 - d. A direction from the local Electorate Committee.
- 41) Meetings shall be devoted to Branch business including:
- a. The raising of finance as required by Rule 27;
 - b. Discussions on policy;
 - c. Political, educational and cultural topics;
 - d. Matters of local public interest.
- 42) Branches within a Labour Electorate Committee area may arrange combined meetings.
- 43) Branches shall have the right to communicate with all other branches and affiliates within the Party subject to the cost being borne by the originating Branch.
- 44) The Standing Orders of the Party will only apply to formal meetings of the Branch.

Branch Meeting Quorum

- 45) A quorum for Branch meetings shall consist of at least five (5) members.

Winding Up of a Branch

- 46) If a Branch does not formally meet for twelve (12) successive months and/or fails for any period of twelve (12) consecutive meetings or more to be represented at its Labour Electorate Committee meetings, and efforts by the Labour Electorate Committee or other bodies have failed to revive it, the books and assets of the defunct Branch shall be recovered by any person authorised by the General Secretary. Failure to file accounting and membership returns for a period of two (2) successive years will be considered sufficient evidence to declare the Branch defunct.
- 47) Should a Branch wish to disband or go into recess, the books and assets of such Branch shall be forwarded by the Secretary to the General Secretary.

AFFILIATES

- 48) An affiliate of the Party is any Trade Union or other organisation, which has applied for membership, subscribes to the Constitution and Policy of the Party, and has been approved by the New Zealand Council.
- a. Affiliate membership of the Party shall be decided by a majority of votes cast of the affiliate and the basis for affiliation should be in accordance with the percentage of the votes cast. The New Zealand Council shall have the authority to verify the affiliate membership by requiring the affiliate to produce a certificate from the affiliate's auditor.
 - b. The formal determination of the majority vote and the percentage expressed against the votes cast in Rule 48)a. shall be in accordance with each affiliate's own rules and procedures as well as meeting the requirements of Rule 48)a.
 - c. All members of an affiliate proposing to affiliate must be given adequate notice and an opportunity to vote on the question of affiliation.
 - d. The question of affiliation must be decided by either a ballot of the members of the affiliate proposing to affiliate or, in the absence of a ballot, by a method of formal determination communicated by the General Secretary of the particular affiliate to the General Secretary of the Party and such method is certified by the General Secretary of the Party as being satisfactory for the purposes of proving proper procedures for formal determination of the question of affiliation.
 - e. To meet all the requirements of a formal determination to affiliate, the General Secretary of the Party must receive written certification from the General Secretary of the Union, or other organisation proposing to affiliate, that:
 - i) The affiliate's rules on the question of affiliation have been followed.
 - ii) The Party's Rules on the question of affiliation have been followed and the percentage in favour of affiliation expressed against the votes cast in accordance with Rule 48) a.
- 49) Each affiliate will allocate their membership to each electorate on the basis of membership records by 31 December each year and notify the New Zealand Council by forwarding the list to Head Office. This allocation is determined as follows:
- a. The total Labour vote recorded at the previous General Election is divided by the actual Labour vote recorded at a particular electorate to determine the percentage figure.
 - b. The percentage figure calculated in Rule 49) a. is then divided into the registered total affiliated numbers nation-wide for a particular affiliated union or other organisation, to yield the notional number of affiliated members in a particular electorate.
 - c. This notional number calculated in Rule 49) b. provides the basis for calculating entitlements for participation purposes for affiliates in each electorate.
 - d. In the case of a non-Trade Union affiliate, the New Zealand Council may resolve to allocate their membership to each electorate on the basis of actual membership in each electorate adjusted by the percentage determined in Rule 49) a. provided they are an organisation that has a prior existence and a clear and independent role apart from their relationship from the Party.
- 50) The names and addresses of members of affiliates shall be made available to the General Secretary of the Party for the purposes of inspection only, in connection with verifying the eligibility of affiliated members to take part in the constitutional processes of the party at electorate level. Such lists remain the property of the affiliate.

LABOUR ELECTORATE COMMITTEES (LEC'S)

- 51) A Labour Electorate Committee shall be formed in each electorate. Where a Labour Electorate Committee wishes to operate as the primary organisational unit (the member-based unit) within the electorate, the following steps shall be undertaken to enable the New Zealand Council to rule on the matter:
- a. An application shall be made in writing to New Zealand Council with supporting arguments for the change;
 - b. On receipt of the application, New Zealand Council will conduct a postal ballot of all financial members of the electorate to establish the majority preference for the preferred organisational structure;
 - c. New Zealand Council will consider the application, supporting arguments and the result of the ballot, and inform the electorate of its decision and when it comes into effect.
- 52) A Labour Electorate Committee shall, subject to this Constitution, be the governing body within its electorate and shall loyally observe the decisions of the Annual Conference and the New Zealand Council.

LEC Name

- 53) The name of the Committee shall be "The Labour Electorate Committee of the New Zealand Labour Party".

LEC Membership

- 54) A Labour Electorate Committee shall consist of either:
- a. Financial members who are appointed as delegates by Branches and affiliates; and a Women's Liaison Officer; and a Youth Officer co-opted on to the Labour Electorate Committee as a delegate (known as a Branch-based LEC); *or*
 - b. representatives who are financial members, resident in the electorate and who are elected by financial members, in the electorate; and affiliates; and a Women's Liaison Officer co-opted to the LEC as a representative; and a Youth Officer co-opted to the LEC as a representative (this alternative structure is known as a Membership-based LEC).

LEC Organisation

- 55) The Labour Electorate Committee shall be responsible for the electoral organisation within the area under its jurisdiction.
- 56) At least 50% of the officers of any Labour Electorate Committee must be women. Where, after or during any election or group of elections to office, this requirement is not met, or it becomes apparent this requirement cannot be met:
- a. Where necessary, the post of the last elected officer will remain vacant; *and*
 - b. Remaining positions will not be filled; *and*
 - c. A new election or elections will be held until the requirement is met.
- 57) Each Labour Electorate Committee will use all reasonable endeavours to encourage diversity in general (whether in regard to race, sex, marital status, sexual orientation, gender identity, age, religious faith, political belief, disability or any other basis) and ensure that the Party is representative of all within New Zealand.
- 58) The LEC may elect an Administrative Committee to carry out the operational requirements of the LEC. Any such Administrative Committee must report to the LEC on its activities on a regular basis or as required.
- 59) As soon as changes to electorate boundaries are finalised, each Labour Electorate Committee shall ensure that:
- a. Branch or LEC secretaries transfer members in accordance with Rule 30.
 - b. Lists of known supporters and registered supporters are made available.
 - c. There is an equitable distribution of assets to the new electorate committees and branches.
 - d. In branch-based electorates, branches are organised in accordance with Rules 15 and 16 so that every member has an opportunity to be represented on the Labour Electorate Committee of the electorate where the member resides.
- 60) The Labour Electorate Committee shall ensure that all members, branches and affiliates under its jurisdiction are fully conversant with their duties and implement such instructions as may be issued from time to time. The membership-based Labour Electorate Committee shall encourage and support the establishment of membership-based interest groups in the electorate to facilitate such business as:
- a. Discussions on politics;
 - b. Political, educational and cultural topics;
 - c. Social interaction;
 - d. Election organisation activity;
 - e. Raising of finance;
 - f. Matters of local public interest;
 - g. Campaigning where appropriate in partnership with community organisations.
- 61) The Labour Electorate Committee shall create and support at all times a Labour Youth Section, which shall consist of members within the electorate who are between the ages of fifteen (15) and twenty-five (25) years inclusive. The Labour Youth Section, with the active support of the Labour Electorate Committee, shall bring together young people so as to afford them opportunities of enjoying social functions, obtaining experience in public speaking and procedure at meetings, understanding the functions of government, and to play their part in the furtherance of the aims and objectives of the Party.
- 62) The Secretary of each Labour Electorate Committee shall, in December of each year, notify all members, branches and affiliates, including any not currently sending or appointing delegates to the LEC, that delegates/representatives to represent them on the Labour Electorate Committee should be elected to enable them to assume office immediately after the adoption of the Annual Report and Balance Sheet at the Annual Meeting of the Labour Electorate Committee.

- 63) The names of such delegates/representatives shall be forwarded to the Labour Electorate Committee Secretary in time for circulation to the constituent organisations before the Annual Meeting of the Labour Electorate Committee.
- 64) Failing receipt of such notification the organisation concerned shall be notified of this and asked to appoint delegates/representatives immediately.
- 65) The Secretary of each Labour Electorate Committee shall, immediately following the Annual Meeting of the Labour Electorate Committee, furnish New Zealand Council with a return which identifies:
 - a. Level of male/female membership;
 - b. Positions held by women including executives and delegates to Labour Regional Council;
 - c. Specific seminars or courses or meetings held in the previous twelve-month period that aimed to achieve the greater involvement of women.

LEC Officers

- 66) The officers shall be the Chairperson, Vice-Chairperson and a Secretary-Treasurer, or a Secretary and a Treasurer, and such other officers as the Labour Electorate Committee may from time to time decide, all of whom shall be elected by and from the members of the Labour Electorate Committee.

LEC Executive

- 67) The executive shall consist of officers ex officio and six (6) other members elected by and from members of the Labour Electorate Committee.
- 68) If an Executive member is absent without leave from three (3) consecutive meetings of the Executive, the position shall be declared vacant.

LEC Vacancies

- 69) Vacancies shall be filled by by-elections.

LEC Meetings

- 70) The Chairperson shall preside at all formal meetings of the Labour Electorate Committee and of the Executive. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both Chairperson and Vice-Chairperson, the members present shall elect one of their number to Chair the meeting. The Chairperson shall have a deliberative vote and a casting vote.
- 71) The Labour Electorate Committee is required to hold at least four (4) formal meetings a year to fulfil its constitutional requirements: an Annual Meeting; a meeting to elect delegates to Regional Conference and discuss Regional Conference business; a meeting to debate policy proposals, elect delegates to Annual Conference and discuss Conference business; and one other.
- 72) The Labour Electorate Committee shall hold at least three (3) other ordinary meetings throughout the year to discuss other issues, including recruitment, membership matters, fundraising, campaigning and policy. These meetings can be held at one address or held by way of a teleconference call.
- 73) Except where otherwise resolved by the Labour Electorate Committee, ordinary meetings shall be held monthly. These meetings can be held at one address or held by way of a teleconference call.
- 74) Additional Special Formal Meetings may be called by:
 - a. The Chairperson and Secretary;
 - b. A Resolution of a Formal Meeting;
 - c. The Secretary on receipt of a requisition signed by not less than one-fourth (25%) of the members;
 - d. A direction of the New Zealand Council.
- 75) Special Formal Meetings shall be convened by circular notice delivered or posted to each delegate/representative so as to be received not less than forty-eight (48) hours prior to the time of the meeting. The notice shall state the business for consideration.
- 76) Party members and registered supporters not accredited as delegates/representatives may attend Labour Electorate Committee formal meetings as observers, but may speak only with the consent of the meeting.
- 77) A roll containing the names and addresses of each delegate/representative and the date of admittance, or in the case of representatives the date of election, shall be kept by the Secretary. The attendance of each member shall be recorded and checked against the roll at each of the four (4) formal meetings detailed in Rule 71.

- 78) In the year following the Annual General Meeting of the Labour Electorate Committee, should any delegate/representative be absent without leave or without an accepted apology from two (2) consecutive meetings of the four (4) formal meetings of the Labour Electorate Committee (as detailed in Rule 71):
- i) The Secretary shall notify the organisation concerned and, failing a satisfactory explanation, request it to appoint another delegate/representative;
 - ii) The Secretary shall notify the LEC and representative concerned of the intention to invoke Rules 68 and 78) i., failing a satisfactory explanation.
- 79) The Standing Orders of the Party will only apply to formal meetings of the LEC.

LEC Annual Meetings

- 80) The Annual Meeting of the Labour Electorate Committee shall be held in April and shall be conducted by the delegates/representatives for the year to which the Annual Report and Balance Sheet apply. The Annual Meeting shall be counted as one (1) of the four (4) formal meetings required to be held by a Labour Electorate Committee.
- 81) Immediately after the adoption of the Annual Report and Balance Sheet, the delegates appointed or the representatives elected for the ensuing year shall constitute the Labour Electorate Committee for the purpose of electing the new officers.
- 82) The test of eligibility to participate as a voting delegate at the Annual Meeting of a branch-based Labour Electorate Committee shall be:
- a. Each individual delegate representing a branch or an affiliate must demonstrate that the branch or affiliate has duly authorised delegates to represent the Branch or affiliate for the ensuing year at the Labour Electorate Committee.
 - b. The number of delegates entitled to participate at the Annual Meeting of the Labour Electorate Committee shall be determined by calculating the average attendance by duly authorised representative delegates of a branch or affiliate from the attendance record of the four (4) formal meetings of the existing Labour Electorate Committee over the previous year as detailed in Rule 71. The annual average shall determine the number of delegates entitled to participate at the Annual Meeting. In other respects, Rules 236 and 237 apply.
- 83) The business to be transacted at the Annual Meeting shall consist of:
- a. Confirmation of the Minutes of the previous Annual Meeting;
 - b. Adoption of the Annual Report and Balance Sheet; and
 - c. Election of officers.
- 84) At the conclusion of the elections of Officers, the Labour Electorate Committee may resume with the new Officers installed for the purposes of concluding the formal meeting.

Joint Meetings of LEC's

- 85) Two (2) or more Labour Electorate Committees may arrange meetings to discuss matters of mutual interest including party vote campaigning, recruitment and policy.
- 86) Two (2) or more Labour Electorate Committees may form a joint committee to manage matters of mutual interest and to act as an organising body for shared activities. This committee shall be able to be delegated to manage financial matters with the agreement of the Labour Electorate Committees involved, with the understanding that should a Labour Electorate Committee wish to exit the arrangement, resources will be fairly and equitably divided.
- 87) Joint electorate meetings for any purpose may be convened from time to time by the New Zealand Council.

LEC Quorum

- 88) At all of the four (4) formal meetings of the Labour Electorate Committee a quorum shall consist of one-half (50%) of the number of the Committee or ten (10) members, whichever is the less. Provided all branches and affiliates have been informed of their right and opportunity to appoint delegates/representatives to the Labour Electorate Committee, only members formally appointed to the Labour Electorate Committee shall be counted for the purpose of determining the quorum under this Rule and Rules 314 and 315.
- 89) Five (5) members shall form a quorum at an Executive meeting of the Labour Electorate Committee.

- 90) The New Zealand Council shall be empowered to intervene in the management of a Labour Electorate Committee where it has reached the conclusion that there has been a clear breach of the Rules.

ACCOUNTABILITY OF LEC'S, BRANCHES, HUBS AND SECTORS

- 91) Each branch will develop annual goals and report on those to their Labour Electorate Committee.
- 92) Each Labour Electorate Committee will develop annual goals, monitor achievements against those goals and report on progress to the Regional Organising Hubs and the relevant Regional Council.
- 93) Regional Organising Hub and all Regional Councils will develop annual goals, monitor achievements against those goals and report on progress to relevant Labour Electorate Committees, and to New Zealand Council through the relevant Regional Representative.
- 94) Each sector will develop annual goals, monitor achievements against those goals and report on progress to the New Zealand Council through the relevant Sector Representative or the General Secretary.
- 95) All such plans will be consistent with the relevant Annual Plan of the Party.

LOCAL GOVERNMENT STRUCTURES

- 96) On the request of Party organisations in a territorial Local Body administration area, and on the recommendation of the Labour Regional Council, or Regional Representative where no Regional Council exists, the New Zealand Council may approve the formation of a Labour Local Body Committee.
- 97) Where two (2) or more branches from different Labour Electorate Committees fall within a Local Body area to be officially contested by Party members, a Labour Local Body Committee shall be formed.
- 98) The conditions under which a Labour Local Body Committee is constituted shall be as best meets the needs of the constituent bodies within its area, and shall be subject to confirmation by the Regional Council and New Zealand Council.
- 99) The Labour Local Body Committee constitution shall include: Representation by constituent bodies including a method of affiliate representation; Provision for Ward Committees, if required; Method of funding; Candidate selection procedures.
- 100) The objects of the Labour Local Body Committee shall be:
- a. Local Body policy formation;
 - b. Liaison between the Party and elected representatives to ensure implementation of the policy;
 - c. The organisation of the conduct of Local Body elections for which it is granted jurisdiction; and
 - d. To reach agreement with constituent bodies of the Labour Local Body Committee on the funding, fundraising and administrative functions of the Labour Local Body Committee.
- 101) The Labour Local Body Committee shall comply with all constitutional requirements of the Party with regard to nomination of delegates and notification.
- 102) The Annual Meeting of the Labour Local Body Committee shall be held in April of each year.
- 103) Each Affiliate will have representation on the Labour Local Body Committee within which its members reside. Delegate entitlement will be allocated according to the Constitution of the Labour Local Body Committee.
- 104) Where a Labour Local Body Committee exists it shall be the primary spokes-body on Local Body affairs in the area.
- #### **Local Body Elections**
- 105) Where a Labour Local Body Committee has jurisdiction over an area in respect of a particular local body election then it may delegate its authority in respect of that election to any one or more Labour Electorate Committee or Labour Ward Committee or Branch having members living in that area.
- 106) Where no Party body is contesting a Local Body election, Labour Members are free to stand independently.

- 107) Where no constituent body of the Party is contesting a Local Body election, no Party funds shall be spent on promoting candidates, subject to Rules 114 and 121.
- 108) The Local Body election policy shall not conflict with the Constitution and Policy of the Party and shall be determined by the constituent organisation of the Party authorised to contest the election.
- 109) Where a constituent body of the Party has been accorded the right to contest a Local Body election within the area under its jurisdiction, the necessary funding and organisational assistance required from Branches and/or Labour Electorate Committees which made up that body shall be supplied. Full consultation with these constituent bodies will precede agreement on the extent of such assistance.
- 110) Any person accepting nomination as a Party candidate shall sign a pledge, in the following form in the presence of not less than two (2) financial members:

"Having been nominated as a Candidate for selection in accordance with the provisions of the Constitution for the I hereby accept nomination and declare:

- a. I am not a member of any political party or any organisation, membership of which is declared by the Annual Conference or the New Zealand Council to be incompatible with membership of the New Zealand Labour Party ("the Party").
- b. I will wholeheartedly support the duly selected candidates of the Party in the(Local Body district).
- c. If selected as a candidate, I will not withdraw without the consent of the Party organisation controlling the election.
- d. I will faithfully observe the Constitution and policy of the Party and the policy of the Party for the.....(Local Body district).
- e. If elected, I will vote on all questions in accordance with the decisions of the Caucus of the (name of ticket)."

- 111) The selection procedure for Party candidates for any Local Body election shall be in accordance with the Constitution of that body or by a process deemed appropriate locally and approved by the Regional Council and endorsed by New Zealand Council. This selection process should be as close as possible to that followed by the Party at a national level.
- 112) Where the Party has duly endorsed a candidate or candidates in a ward or other constituency in a Local Body election or District Health Board election, no other Party member shall stand as a candidate in such ward or constituency without the authority of the Party organisation which has the campaigning rights for the conduct of that particular election.

Affiliation to Other Bodies

- 113) Any Party organisation contesting a Local Body election shall not, without the prior consent of the New Zealand Council, affiliate with, or send delegates to, any organisation not affiliated with the Party.
- 114) Grants or loans to any organisation not affiliated with the Party shall not be made without the prior consent of the New Zealand Council.

Representation Rights of Elected Members

- 115) All members of the Party elected to local government office on a ticket organised by the Party shall have, as of right, representation on their Labour Local Body Committee or the Party body which organised their campaign and shall be entitled to one vote.
- 116) All members of the Party elected to public office on a Party ticket, including those formally allocated campaigning rights by the New Zealand Council, shall be entitled to speaking rights at Annual Conference, and the Regional Conference in which their territorial Local Body is situated, and one vote if not representing a constituent organisation under the terms of Rules 218 and 335.

Local Government Sector Council

- 117) Where established in accordance with Rule 202, the Local Government Sector Council shall establish a network of people active in and interested in local government. It will meet at least once a year to elect Regional Representatives who will assist the promotion and advancement of understanding of local body matters in their area. It will provide advice and assistance to New Zealand Council on allocation of campaigning jurisdiction to constituent bodies of the Party and other matters relating to the conduct of Local Body affairs within the Party. The Sector Council will operate under a constitution agreed upon by the New Zealand Council of the Party.

Allocation of Local Body Election Campaigning Rights

- 118) In July of the year prior to local body elections, New Zealand Council will call for applications from constituent bodies for the rights to organise local body elections campaigns within their territorial area. Such bids need only be made when there is no functioning Labour Local Body Committee in that area.
- 119) Applications will close prior to the penultimate New Zealand Council meeting of the year so that the Local Government Sector Council can make recommendations on the allocation of rights to organise campaigns to the New Zealand Council meeting.
- 120) Each constituent body of the Party which applies for the right to organise a campaign will submit:
 - a. The area over which it claims jurisdiction;
 - b. The particular election for which it is claiming campaigning rights;
 - c. Elections within the area for which it does not wish campaigning rights; and
 - d. An outline of the type of ticket it intends to run.
- 121) The following priorities will be taken into account in the allocation of campaigning rights to constituent organisations of the Party:
 - a. Party tickets in the Party name;
 - b. Groups of Party members where no Party ticket exists;
 - c. Party teams in coalition with other groups.
- 122) Where they exist, Labour Local Body Committees will have the strongest claim to campaigning rights in any local body area, subject to the priority rights of the type of ticket they intend to run.
- 123) On the recommendation of the Sector Council, the New Zealand Council may define election areas in which no Party ticket will be run.
- 124) The New Zealand Council will, after consultation with the Local Government Sector Council, rule on any conflicts which may arise.
- 125) The Local Government Sector Council will ensure that there is adequate consultation and negotiation with the parties to any dispute before a recommendation to New Zealand Council is made.

HUBS AND LABOUR REGIONAL COUNCILS

- 126) The New Zealand Council shall have power to designate Regional Areas and, subject to consultation with the Labour Electorate Committees within those areas, may constitute Regional Organising Hubs for the purpose of co-ordinating Party policy and organisation within such areas. The New Zealand Council may review the areas which constitute Regional Organising Hubs as circumstances warrant it.
- 127) The New Zealand Council shall have power to designate Regional Areas and, subject to the consent of the Labour Electorate Committees within those areas, may constitute Labour Regional Councils for the purpose of co-ordinating Party policy and organisation within such areas. The New Zealand Council may review the areas which constitute Labour Regional Councils as circumstances warrant it.
- 128) The conditions under which a Labour Regional Council is constituted shall be such as best meets the needs of the constituent bodies within that area and shall be subject to confirmation by the New Zealand Council.

Regional Organising Hubs

- 129) The conditions under which a Regional Organising Hub is constituted shall be such as best meets the needs of the constituent bodies within that area, and shall be subject to confirmation by the New Zealand Council.
 - a. Regional Organising Hubs shall consist of groups of electorates and parts of electorates, and will be the main campaigning units for the party vote.
 - b. All regions and electorates will take part in discussions to determine the geographical composition of the regional hubs. The boundaries of the hubs will be approved by New Zealand Council, and Regional Councils where they exist, and may be amended from time to time.
 - c. Regional Organising Hubs will develop budgets and lead campaigning plans for General Election party vote campaigns and local body election campaigns (in conjunction with Labour Local Body Campaigns where they exist) and report to Labour Electorate Committees and to New Zealand Council, and Regional Councils, where they exist, on progress against their plans. Each Regional Organising Hub will include party vote campaigning for both general and Maori seats in its plan and activities.

- d. Each Regional Organising Hub will establish a Hub Organising Group to administer the Hub. Membership of the Hub Organising Group will be determined by each Regional Organising Hub, and must include the local Members of Parliament and buddy MPs, regional representatives, representatives from each electorate or part-electorate and, in an election year the electorate campaign managers. Sector groups and special branches may also be represented.
- e. Regional Organising Hubs will have funds (in part contributed by participating electorates) and are required to have a Treasurer and to maintain properly audited accounts. The internal organisation and officers of the Regional Organising Hub will be developed on a case-by-case basis and will then be submitted for approval by New Zealand Council.

Labour Regional Councils' Name

- 130) The name of the Council shall be "The Labour Regional Council of the New Zealand Labour Party".

Labour Regional Councils' Objectives

- 131) The objectives of a Labour Regional Council shall be the co-ordination of Party activities within the region concerned with special reference to:
- a. Election organisations;
 - b. Fundraising;
 - c. The maintenance of efficient and effective electoral organisation in constituent bodies;
 - d. The promotion of suitable educational programmes and public understanding of Party policy;
 - e. The regional co-ordination of Party activity in local body elections; and
 - f. The organisation, in conjunction with regional conferences, of a report-back session open to all Party members, at which representatives from each of the New Zealand Council, Policy Council, the Parliamentary Labour Party and, where appropriate, local government shall report on the current activities and decisions of their respective bodies.

Labour Regional Councils' Organisation

- 132) Labour Regional Councils shall consist of delegates from constituent bodies and affiliates within the designated region.
- 133) Members of the New Zealand Council, and members of the Parliamentary Labour Party, resident within the region shall be ex-officio members of the Labour Regional Council.
- 134) The Labour Regional Council shall ensure that all Labour Electorate Committees, branches and affiliates under its jurisdiction are fully conversant with their duties and implement such instructions as may be issued from time to time.
- 135) The Labour Regional Council shall have the power to determine whether it shall affiliate with or send delegates to any organisation not affiliated with the Party.
- 136) The Secretary of each Labour Regional Council shall, in February of each year, notify all its constituent bodies that delegates to represent each organisation on the Council should be elected to enable them to assume office immediately after the adoption of the Annual Report and Balance Sheet at the May meeting of the Council.
- a. The names of such delegates shall be forwarded to the Labour Regional Council Secretary on or before the May meeting of the Council.
 - b. Failing the receipt of such notification, the organisation concerned shall be notified of this and asked to elect delegates immediately.
- 137) The secretary of each Labour Regional Council shall in September, and immediately following the Annual Meeting of the Labour Regional Council, furnish New Zealand Council with a return which identifies:
- a. Level of male/female delegates;
 - b. Positions held by women;
 - c. Specific seminars or courses or meetings held in the previous six (6) months that aimed to achieve the greater involvement of women.

Labour Regional Councils' Officers

- 138) The officers shall be:
- a. The Chairperson, who shall be elected by the delegates present at the Annual Meeting of the Labour Regional Council;
 - b. The Vice-Chairperson, who shall be elected by the delegates present at the Annual Meeting of the Labour Regional Council;

- c. A Secretary-Treasurer. If the position is an honorary one the Secretary-Treasurer shall be elected by delegates present at the Annual Meeting of the Labour Regional Council. If the position is a permanent appointment, the Secretary-Treasurer shall be elected by a General Meeting of the Labour Regional Council on terms and conditions determined by the Labour Regional Council in consultation with the New Zealand Council.

Labour Regional Councils' Executive

- 139) The Executive shall consist of the officers ex-officio, and not less than seven (7) other members elected by and from delegates to the Labour Regional Council.
- 140) If an Executive member is absent without leave from three (3) consecutive meetings of the Executive, the position shall be declared vacant and filled by a by-election.

Labour Regional Councils' Meetings

- 141) The Chairperson shall preside at all meetings of the Labour Regional Council and of the Executive. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of the Chairperson and the Vice-Chairperson, the members present shall elect one of their number to Chair the meeting. The Chairperson shall have a deliberative vote and a casting vote.
- 142) Except where otherwise resolved by the Labour Regional Council ordinary meetings shall be held monthly.
- 143) A Special Meeting may be called by:
 - a. The Chairperson and Secretary;
 - b. A Resolution of an Ordinary Meeting;
 - c. The Secretary on receipt of a requisition signed by not less than one-fourth of members;
 - d. A direction from New Zealand Council.
- 144) Special Meetings shall be convened by circular notice delivered or posted to each delegate so as to be received not less than forty-eight (48) hours prior to the time of the meeting. The notice shall state the business for consideration.
- 145) At all meetings of the Labour Regional Council, every person who is a Regional Officer or is a delegate to the Council or is otherwise a member of the Council shall be entitled to speak and vote provided that, except in the case of the exercise of a casting vote, no person may exercise more than one (1) vote.
- 146) Party members not accredited as delegates or otherwise members of a Labour Regional Council may attend any meeting of a Labour Regional Council as observers and may, with the consent of the meeting, be granted speaking rights but shall not be entitled to vote.
- 147) Childcare facilities shall be provided as necessary for delegates attending Labour Regional Council meetings.
- 148) A roll containing the names and addresses of each delegate and the date of admittance shall be kept by the Secretary. The attendance of each member shall be recorded and checked against the roll at each meeting.
- 149) Should any delegate be absent without leave or without an accepted apology from three consecutive meetings of the Labour Regional Council, the Secretary shall notify the organisation concerned and, failing a satisfactory explanation, request it to appoint another delegate.

Labour Regional Councils' Annual Meeting

- 150) The Annual Meeting of the Labour Regional Council shall be held in May and shall be conducted by the delegates for the year to which the Annual Report and Balance Sheet apply.
- 151) Immediately after the adoption of the Annual Report and Balance Sheet, the delegates appointed for the ensuing year shall constitute the Labour Regional Council for the purpose of electing the new officers and Executive.
- 152) The business to be transacted at the Annual Meeting shall consist of:
 - a. Confirmation of the Minutes of the previous Annual Meeting; and
 - b. Adoption of the Annual Report and Balance Sheet.

- 153) At the conclusion of the election of officers and Executive members, the Annual Meeting shall close, but the Labour Regional Council may resume, with the new officers installed, for the purposes of conducting an ordinary monthly meeting.

Labour Regional Council Quorum at Meetings

- 154) At all meetings a quorum shall consist of one-half (50%) of the members of the Labour Regional Council, or a majority of representation from the constituent bodies, whichever is the less.
- 155) A quorum for Executive meetings shall consist of six (6) members.

Regional Seminars

- 156) Labour Regional Councils shall have the power to convene Seminars within its area of jurisdiction to promote Labour Party objectives and shall be responsible for all costs so incurred. All arrangements for such Seminars shall be notified well in advance to the New Zealand Council.

Regional Conferences

- 157) Two or more regions may combine for the purposes of conducting Annual Regional Conferences.
- 158) The purpose of the Regional Conferences will be to receive and discuss remits on policy, general matters and the constitution, after which the accepted remits will be composited and forwarded to the New Zealand Council for referral to the appropriate Committees prior to presentation at Annual Conference.
- 159) Childcare facilities shall be provided as necessary for delegates attending Regional Conference.

NEW ZEALAND COUNCIL

- 160) The New Zealand Council of the Party shall be the governing body when the Annual Conference is not in session.

Membership of New Zealand Council

- 161) The New Zealand Council of the Party shall be constituted as follows:
- a. The President of the Party;
 - b. A Senior Vice-President of the Party;
 - c. A Maori Senior Vice-President of the Party;
 - d. An Affiliate Vice-President of the Party;
 - e. A Pacific Islands Vice-President of the Party;
 - f. A Women's Vice-President of the Party;
 - g. A Youth Vice-President of the Party; and
 - h. A Rainbow Representative,
all of whom shall be elected by the delegates assembled at the Annual Conference;
 - i. Seven (7) Regional Representatives elected in accordance with Rules 245 to 249;
 - j. One (1) Policy Council Representative, being the highest polling candidate in terms of Rule 181, or the next highest polling candidate who is not already a member of the New Zealand Council in a position that member wishes to retain;
 - k. Two (2) representatives elected by Te Kaunihera Maori, one (1) of whom shall be a woman.
 - l. The General Secretary, who shall be confirmed by Annual Conference and hold office on terms and conditions agreed with the New Zealand Council.
- 162) The New Zealand Council may establish sub-committees and working groups to which it can delegate responsibilities and tasks; those bodies may conduct activities as delegated; those bodies must report back to the Council, and shall have no power separate from the Council. New Zealand Council will ensure equitable gender representation on the sub-committees and working groups thus established.
- 163) The Chairperson and Secretary of the Parliamentary Labour Party, together with one (1) member of the Parliamentary Caucus authorised to represent them, shall have the right to attend all meetings of the New Zealand Council but without voting power.

New Zealand Council Vacancies

- 164) In the event of the position of President becoming vacant prior to the next Annual Conference, the General Secretary shall, within fourteen (14) days of the position becoming vacant, circularise all constituent organisations with voting rights, inviting nominations for President. Nominations in the prescribed form shall close with the General Secretary not less than one (1) month after the date of the circular. If more than one nomination is received, a postal ballot shall be conducted by the General Secretary. Voting

strengths shall be in accordance with Rule 218. The ballot shall be completed within one (1) calendar month from the date of the close of nominations. Two (2) scrutineers from the New Zealand Council shall be appointed.

- 165) In the event of either of the Senior Vice-President positions becoming vacant prior to the next Annual Conference, the next highest polling candidate shall assume the position until the next Annual Conference. Where there was no election for the position or the next highest polling candidate is not available, the process for filling the vacancy shall be as set out for the President in Rule 164.
- 166) In the event of one of the Vice-Presidential positions becoming vacant prior to the next Annual Conference, the next highest polling candidate shall assume the position until the next Annual Conference. Where there was no election for the position or the next highest polling candidate is not available, the process for filling the vacancy shall be as set out for the President in Rule 164.
- 167) In the event of any of the positions of Regional Representative becoming vacant more than four months prior to the next Annual Conference the General Secretary shall, within two (2) weeks of the vacancy occurring, circulate all branches and affiliates inviting the nomination of a member of the Party resident in the region as Regional Representative of that area to the New Zealand Council until the next Annual Conference. Nominations on the prescribed form shall close with the General Secretary not less than one (1) month from the date of issue of the circular. In the event of more than one (1) nomination, the General Secretary shall issue ballot papers and conduct a postal ballot on the basis of Rule 248. Ballot papers must be completed and returned within three (3) weeks of the date of issue of such ballot papers.
- 168) In the event of a Representative of Te Kaunihera Maori or the Rainbow Representative becoming vacant, their replacement until the next Annual Conference shall be elected by their sector in a manner and procedure proposed by their sector and agreed to by the New Zealand Council.
- 169) In the event of the Policy Council Representative becoming vacant, they shall be replaced by the next highest polling candidate for the remainder of their three (3) year term.

New Zealand Council Meetings

- 170) The President of the Party shall Chair all meetings of the New Zealand Council. In the absence of the President, either of the Senior Vice-Presidents shall preside. The Chairperson shall have a deliberative vote and a casting vote.
- 171) The New Zealand Council shall meet at least five (5) times annually.
- 172) The New Zealand Council shall require biannual reports on the overall membership of women, together with a breakdown of the numbers of women holding office at New Zealand Council, Labour Regional Council, Labour Electorate Committee and Branch levels, until such time as the equal representation of women is reached at all levels of the Party.
- 173) The New Zealand Council shall require annual reports from all special advisory committees on the level of involvement, and the decision making positions held, by women along with any activities specifically undertaken to promote the role and status of women.
- 174) The New Zealand Council shall require annual reports from all special advisory committees on the level of involvement, and the decision making positions held, by Maori and Pacific Island women members and on any activities undertaken that have been specifically aimed at encouraging such involvement.
- 175) Members of the New Zealand Council shall be eligible to attend any Branch, Electorate Committee, Local Body Committee or Labour Regional Council meeting with the right to speak without voting power unless accredited as a delegate or resident in the area covered by the organisation concerned.

New Zealand Council Quorum at Meetings

- 176) At all meetings of the New Zealand Council a quorum shall consist of eight (8) members.

New Zealand Council Annual Report

- 177) The New Zealand Council shall prepare and circulate prior to Annual Conference a report covering the activities of the Party during the past financial year, and specifying action taken on remits referred to New Zealand Council by the previous Annual Conference.

Honorarium and Expenses for New Zealand Council Members

- 178) The President of the Party shall be paid an honorarium reflecting the position.

- 179) Members of the New Zealand Council shall be reimbursed for travelling, accommodation and other reasonable expenses incurred in attending meetings of the Council. Childcare facilities shall be provided as necessary for members of the New Zealand Council when attending meetings of the New Zealand Council or Executive or Policy Council.

POLICY COUNCIL

Policy Council Election, Accountability and Functions

- 180) The Policy Council shall consist of:
- a. Five (5) people elected by constituent organisations, at least two (2) of whom must be women;
 - b. Five (5) Caucus representatives, who are the only Members of Parliament who can be members of the Policy Council, and at least two (2) of whom must be women;
 - c. Two (2) representatives elected by and from Te Kaunihera Maori, one (1) of whom shall be a woman; and one (1) representative elected by and from each official Sector Council;
 - d. The President and General Secretary.
- 181) Immediately following each General Election, nominations shall be called for from all constituent organisations for the five (5) positions on the Policy Council. Nominations shall also be called for the Policy Committee positions as established in accordance with Rule 193. The Policy Council representatives shall be elected by postal ballot as per Rule 247. Within one (1) month of their election, Policy Council shall meet and appoint the Policy Committees from nominations received.
- 182) The Policy Council shall report annually to Annual Conference.
- 183) Primary functions of the Policy Council include:
- a. Preparation of the Policy Platform;
 - b. Preparation of policies to be incorporated into the Party's next Manifesto, including revisions to existing policies;
 - c. Developing new policies; and
 - d. Considering any matters referred to it by the New Zealand Council or the Parliamentary Labour Party.
- 184) The Policy Council representative on New Zealand Council should ensure that the policy-making procedures laid out in Rules 189-199 are carried out, and report regularly to New Zealand Council on this process.
- ### **Policy Platform**
- 185) Party policy must be consistent with the Policy Platform, prepared by the Policy Council and adopted or amended by the Annual Conference from time to time. The Policy Platform outlines Labour's approach to government, setting out the values and principles underpinning that approach, the priorities for action in government and, at a high level, Labour's approach to policy in all major areas.
- 186) The Policy Platform is binding on the Policy Council, the New Zealand Council, members of the Parliamentary Labour Party, and all Labour Party members elected to public office who described their affiliation as "Labour" or "Labour Party" on the ballot.
- 187) The Manifesto of the Party, containing detailed and specific election policy, must be consistent in every material respect with the Policy Platform.
- 188) If any Party organisation, including the Parliamentary Labour Party, wishes to adopt or implement policy that may not be consistent with the Policy Platform due to changed circumstances or coalition requirements, it must seek and receive the agreement of the Policy Council for any alternative approach to that contained in the Policy Platform prior to implementing or deciding on the policy question involved. The Policy Council can only approve any departure from the Policy Platform with the support of a two-thirds (2/3) majority of its entire membership.
- 189) Any departure from the Policy Platform in current policy will be reported back to the next Annual Conference or Congress, and does not change the Policy Platform itself or the obligation on all Party organisations to seek to form a government that can give effect to as much as possible of the Policy Platform.
- 190) The procedure to be followed for the development of the Policy Platform shall be as follows:

- a. Each year, constituent bodies of the Party may propose to their Regional Conference amendments to the Policy Platform.
- b. All such proposals passed at the Regional Conferences shall be submitted to the appropriate Policy Committee or Sector Council(s) as soon as possible.
- c. The Policy Committee or Sector Council(s) shall consider all proposals and shall develop a set of consolidated proposed amendments to the Policy Platform, which shall be finalised by the Policy Council and circulated to each constituent organisation at least six (6) weeks prior to the date of the Annual Conference.
- d. Each Policy Committee or Sector Council shall provide in writing a report back to each region, explaining what has happened to the proposals received from that Region in the preparation of the consolidated proposed amendments, at least eight (8) weeks prior to the date of Annual Conference.
- e. A member or members of each Policy Committee or Sector Council shall introduce the consolidated proposed Policy Platform amendments to the Annual Conference.
- x. Policy Committees and Sector Councils must, in their consolidated proposed amendments, include a maximum of five (5) recommendations for Annual Conference to debate, as well as a general recommendation to adopt or reject the remaining proposed amendments.
- y. After Annual Conference, the Policy Council is responsible for preparing and publishing a revised edition of the Policy Platform, and must do so within six (6) weeks.
- z. The procedure outlined in (a) to (g) above shall be followed at the first and second Annual Conferences after a General Election.
- aa. Each year, the Policy Council (after consulting New Zealand Council) can determine whether Annual Conference shall deal with consolidated amendments for the whole Policy Platform, or only for some chapters of it. When making this determination, the Policy Council must ensure that there is the opportunity to amend each chapter of the Platform at least once.
- bb. The Policy Council must make this decision and communicate it to all constituent organisations no later than 1 March.

Manifesto

- 191) The procedure to be followed for the making of policy to be incorporated in a Manifesto to be produced by the Party prior to each General Election shall be as follows:
- a. The policy to be included in the Manifesto shall be developed over the period between General Elections, and shall be based on and consistent with the Policy Platform.
 - b. Each year the constituent bodies of the Party may submit policy proposals to their Regional Conference.
 - c. All policy proposals passed at the Regional Conferences shall be submitted to the appropriate Policy Committee or Sector Council(s) as soon as possible.
 - d. The Policy Committee or Sector Council(s) shall consolidate the policy proposals and prepare discussion papers for circulation to each constituent organisation at least six (6) weeks prior to the date of the Annual Conference.
 - e. In every year that the Parliamentary Labour Party forms the Government of New Zealand, the Policy Council shall prepare an annual progress report advising what part of the Party's policy contained in the Manifesto has been implemented and whether any action taken by the Parliamentary Labour Party has been contrary to the Party's policy. This report shall be circulated to each constituent organisation at least six (6) weeks before the date of the Annual Conference.
 - f. A member or members of each Policy Committee or Sector Council shall introduce the remits to Annual Conference as part of the Policy Platform amendments debate.
 - cc. The Policy Committees and Sector Councils are limited to submitting five (5) policy proposals each to Policy Council for consideration for debate at Annual Conference. The Policy Council must choose ten (10) or fewer policy proposals for debate, with a catch-all resolution to adopt or reject the remaining policy proposals.
 - dd. The procedure outlined above shall be followed at the first and second Annual Conference after a General Election.
 - ee. The Policy Council shall consider the Policy Platform, policy proposals adopted for Conference, the reports of the Policy Committees and Sector Councils and any other relevant information in the preparation of a draft election Manifesto.
 - ff. The draft election Manifesto must be completed prior to the General Election and it must be submitted to a joint meeting of the New Zealand Council and the Parliamentary Caucus for approval.
 - gg. The policy of the Party shall be contained in the Manifesto produced prior to each election.
 - hh. It may be determined by Annual Conference that certain matters shall be included in the Manifesto. The following procedure shall be applied to such policy remits:

- i) A procedural motion, "That a manifesto card vote be taken on this policy proposal", shall be moved in writing to the Chairperson of Annual Conference prior to the commencement of debate on that policy section of the remit paper.
- ii) At the start of debate on that section of the remit paper, the Chairperson shall advise Annual Conference of any procedural motion thus moved.
- iii) The procedural motion shall be put to Annual Conference immediately prior to the vote on the substantive remit.
- iv) If the procedural motion is carried, a card vote shall immediately be taken on the substantive remit. If the remit is carried by two-thirds (2/3) of the vote cast, the remit will be included in the Manifesto as policy.

192) All policy remits passed by a majority at Annual Conferences since the previous General Election shall automatically be included with other material in the draft policy papers, including reports from all Policy Committees and Sector Councils, for formal consideration by Policy Council.

Policy Committees

- 193) There shall be established up to ten (10) Policy Committees, each consisting of no fewer than five (5) members appointed by the Policy Council according to Rule 180.
- 194) The role of the Policy Committees is to be the working body developing detailed Party policy in their allocated areas, working with relevant spokespeople, sector councils, and other relevant organisations, and individuals outside the Party. As part of this role, they have a responsibility to maintain the Policy Platform and manage amendment proposals, consolidate for Annual Conferences policy proposals passed at Regional Conferences, and prepare policy discussion papers for the Annual Conference and for constituent organisations to discuss and debate.
- 195) The Policy Committees shall be responsible for defined areas of policy consistent with the chapters of the Policy Platform, with a reasonable balance of significant areas of policy between the committees. Te Kaunihera Maori will be responsible for working with the Policy Council to develop Maori policy. Where a Sector Council is established in terms of Rule 202 it has responsibility for working with the Policy Council to develop policy for that sectoral interest. There will be no Policy Committee dealing with Sector Council interests.
- 196) Policy Committees shall elect their own Chairperson and Secretary. The Committee shall meet not less than three (3) times a year.
- 197) Policy Committees and Sector Councils shall be responsible for maintaining reference groups of Party members and supporters interested in their allocated areas of policy, to collect ideas, discuss policy proposals, and promote debate and discussion among constituent organisations and Party members.
- 198) A member or members of each Policy Committee or Sector Council and the Policy Council shall be responsible for introducing the consolidated remits at each Annual Conference.
- 199) Policy Committees and Sector Councils shall meet regularly with the Caucus Committees and the relevant Minister or spokesperson. Members of the Policy Council may attend meetings of the Policy Committees and Sector Councils, and members of the Policy Committees and Sector Councils may attend meetings of the Policy Council where the Policy Council agrees it is appropriate.
- 200) That the Policy Council be bound by the need, whatever practicable, to ensure policy committees:
- a. Fairly represent tangata whenua, gender balance, our multicultural society, age, youth, disability and sexual orientation; *and*
 - b. Ensure there is due regard for geographical spread; *and*
 - c. Recognise that many groups of people, previously under-represented in Parliament, have skills which will enhance the Parliamentary process; *and*
 - d. Ensure that there is a spread of all these groups across the range of policy committees.
- 201) The Policy Council may establish such sub-committees as it requires to perform its functions, with any powers of such sub-committees being determined by the Policy Council and consistent with the Constitution.

TE KAUNIHERA MAORI, SPECIAL ADVISORY COMMITTEES AND SECTOR COUNCILS

- 202) There may be established, with the approval of the New Zealand Council, special advisory committees and Sector Councils such as Te Kaunihera Maori, Labour Women's Council, Young Labour Council, Rural Affairs Council, Industrial Affiliates Council, Local Government Sector Council, Rainbow Council, Senior Sector Council and the Pacific Islanders Council and such other special committees as Annual Conference may endorse, for the purpose of promoting and fostering the aims and objectives of the Party, provided that:
- a. Regard is had for the general provisions of the Constitution, and the New Zealand Council is satisfied that special needs exist;
 - b. The establishment of any such Council or Committee shall be on such terms and conditions as the New Zealand Council may determine, and these terms and conditions shall be set out in a constitutional document that must be approved by New Zealand Council and may not be amended or altered without the further approval of New Zealand Council; and
 - c. Any such Committee established shall report to the New Zealand Council or the Annual Conference, and the approval for any new Committee shall be reported to the Annual Conference.
- 203) Such special advisory committees shall in March of each year furnish New Zealand Council with a report on the level of involvement and decision-making positions held by women, along with any activities undertaken that have been specifically aimed at encouraging such involvement.
- 204) Such special advisory committees shall in March of each year furnish New Zealand Council with a report on the level of involvement and decision making positions held by Maori and Pacific Island women, along with any activities undertaken that have been specifically aimed at encouraging such involvement.

ANNUAL CONFERENCE AND CONGRESS

- 205) The New Zealand Council shall convene an Annual Conference in the 1st and 2nd years after the General Election. A Congress will be convened in General Election year. The timing of such Annual Conferences/Congresses shall be determined by the New Zealand Council.
- 206) Each organisation represented at Annual Conference/Congress shall be responsible for the expenses of its delegates.
- 207) Childcare facilities shall be provided as necessary for delegates attending Annual Conference/Congress.
- 208) Each Annual Conference/Congress shall be held in Wellington, provided that if a particular centre is interested in hosting the Annual Conference/Congress it shall make written application to the New Zealand Council. If one or more suitable applications are received, the venue shall be decided by a formal vote of Annual Conference/Congress. Such applications will close no later than three (3) months prior to the Annual Conference/Congress at which the vote is taken.
- 209) Each Annual Conference/Congress shall set aside a special session for the discussion of changes to the Constitution.
- 210) Policy Platform amendment proposals and policy proposals for Annual Conferences shall be handled in the following manner:
- a. By 1 March each year, the New Zealand Council shall circularise all constituent organisations inviting Policy Platform amendment proposals and policy proposals for consideration at Regional Conferences. For this purpose, constituent organisations shall include:
 - i) Policy Committees established by the Labour Party Policy Council; and
 - ii) Sector Councils recognised by the New Zealand Council.
 - ii. All proposals shall be received by the Regional Conference organiser at least six (6) weeks prior to the date of the Regional Conference, and shall be clearly stated. Where appropriate, proposals shall have supporting arguments attached. These shall be included in the Order Paper for the Regional Conference.
 - jj. Labour Regional Councils shall consolidate proposals, scrutinise them as necessary, and group them into sections matching the chapters of the Policy Platform. Where the intention of the proposal is not clear, the Regional Conference committee should seek clarification of the intent from the constituent organisation that submitted it, and work with the constituent organisation using its best efforts to improve the proposal or remit, to improve the quality of proposals and remits. The Regional Council cannot refuse to accept a proposal if clarification is not agreed, but can note its dissatisfaction to the Conference and recommend the proposal be rejected if it wishes.
 - kk. The proposals for consideration shall be circulated to all constituent organisations in the region at least one (1) month prior to the Regional Conference.

- ii. Immediately after each Regional Conference, the Labour Regional Council shall forward copies of the Order Paper and the Regional Conference decisions on it (including any amendments made) to the New Zealand Council.
- 211) Each section of the proposals (Policy Platform amendment and policy) at Annual Conference shall be introduced by a member of the Policy Committee. Policy Committee members shall present papers on each section of policy under consideration, which shall include recommendations on the suitability of proposals, with particular reference to Party principles and objectives as enunciated in the Party's constitution, the Policy Platform and the official policy of the Party as outlined in the most recent Manifesto.
- 212) The Constitutional Committee of the New Zealand Council shall consider all constitutional remits passed by Regional Conferences and, where necessary, consolidate them. It shall also prepare a brief note to each remit indicating which Regional Conference had considered it, whether it was endorsed or rejected, and whether any consequential amendments to the Constitution are entailed. The consolidated remits and notes shall be forwarded to New Zealand Council for inclusion in the Remit Paper.
- 213) Policy Committees or Sector Councils shall consider the Policy Platform amendment and policy proposals passed by Regional Conferences, consolidate similar remits and prepare them for inclusion in the Annual Conference Order Paper. They shall also prepare a brief note to each consolidated remit indicating which Regional Conference had considered it, whether it was endorsed or rejected, its relationship to existing policy, the options available to Annual Conference in respect of any contradictory or mutually exclusive remits, and any other factual material of particular relevance.
- 214) A copy of the Annual Conference Order Paper, including remits, shall be forwarded to each constituent organisation at least six (6) weeks prior to Annual Conference.
- 215) If the New Zealand Council considers a matter of sufficient importance to merit further consideration, then it may accept any matter which may otherwise be rejected.
- 216) If any emergency arises of sufficient importance to call for immediate attention, the New Zealand Council shall have the authority to call a Special Conference.
- 217) A full report shall be produced as soon as possible after the Annual Conference including remits as amended and passed by Annual Conference.

REPRESENTATION

Representation at Annual and Regional Conferences/Congresses

- 218) Representation at Annual and Regional Conferences/Congresses shall be on the following basis:

	Votes	Delegates
Labour Regional Councils	2	2
Labour Local Body Committees	1	1
Electorate Organisations: a minimum of plus one more delegate for every 50 members or part thereof	4	4
Affiliates with membership not exceeding 200	1	1
Affiliates with membership from 201-500	2	2
Affiliates with membership from 501-1000	3	3
Affiliates with membership from 1001-1500 with one extra delegate and vote for each additional 500 members or part thereof	4	4
Members of the New Zealand Council, elected members of local authorities, and members of the Parliamentary Labour Party	1	

branch-based Labour Electorate Committees, four (4) from the total number of delegates would be delegates from the Labour Electorate Committee. The remainder would be distributed across the branches on the following formula:

0-49 members	1
50-99 members	2
100-149 members	3
150-199 members	4
etc.	

- 219) These remaining delegates as set out above shall be selected by, and officially represent, branches. Where a Labour Electorate Committee, including a Maori Labour Electorate Committee, overlaps more than one Region, their branch representation shall be allocated to the Regional Conference in which the Branch is located. The LEC shall have three (3) delegates to any Region in which the majority of that electorate's population is located and two (2) delegates to any Region in which a minority of that electorate's population is located. This representation shall also apply to Rule 332.
- a. A Regional Conference/Congress shall have power to increase the above representation on a pro rata basis with the approval of the New Zealand Council.
 - b. All delegations to Regional and Annual Conferences/Congresses comprising of two (2) or more delegates shall ensure that women are part of their delegation. Any such organisation that does not include women must justify their absence to the Chair and New Zealand Council members present, or the New Zealand Council respectively, and will lose one (1) vote. If no acceptable justification is provided they will lose all but one (1) of their voting entitlement.
- 220) No affiliate may exercise more than twelve (12) votes unless it is represented by at least four (4) delegates.
- 221) Members of the New Zealand Council shall be entitled to attend Annual Conference/Congress as delegates from the Council with power to vote. No delegate so appointed shall be entitled to more than one (1) vote.
- 222) Members of the Parliamentary Labour Party shall be entitled to speaking rights at Annual and Regional Conferences/Congresses and one (1) vote if not representing a constituent organisation.
- 223) Representation at Annual and Regional Conferences/Congresses shall be confined to organisations which are financial according to this Constitution. Delegates to Annual and Regional Conferences/Congresses must be financial members of the Party.

Proxies

- 224) Any delegate appointed by a Party organisation listed in Rule 13) a.-d. & f. remains a delegate of that organisation until the next Annual Meeting, unless that delegate resigns, dies or is removed as a delegate by a special meeting.
- 225) Any proxy delegate appointed must be authorised by the Secretary and the Chairperson of the Party organisation in writing. No proxy delegate can represent more than one delegate at any one time, and cannot simultaneously carry an ordinary delegate's credential.
- 226) Any proxy delegate representing an affiliate organisation must be a bona-fide member of/or employed by a union and must be authorised by the Secretary of the affiliated organisation at any time, and cannot simultaneously carry an ordinary delegate's credential.

Representation at Labour Electorate Committees

- 227) Delegates to or representatives on Labour Electorate Committees shall be financial members of the Party, bona fide financial members of any affiliate they represent and be resident in the electorate concerned. The New Zealand Council may grant dispensation from the residential qualification in special cases, but the delegate/representative cannot participate in the Parliamentary Candidate Selection process. Such dispensations shall be reviewed annually.
- 228) No person shall be a delegate to or representative on more than one (1) Labour Electorate Committee provided that the New Zealand Council may grant an exemption for a delegate to serve on one (1) Maori Labour Electorate Committee and one (1) General Labour Electorate Committee.
- 229) Branches and affiliates shall be entitled to representation at each branch-based Labour Electorate Committee according to the financial membership within the electorate as at the end of the previous December, and on the following basis:

10-20 members	one (1) delegate
21- 50 members	two (2) delegates
51-100 members	three (3) delegates

and one (1) delegate for each additional fifty (50) members or part thereof, provided that no affiliate shall have more than fourteen (14) delegates to the Labour Electorate Committee.

- 230) Representation on membership-based Labour Electorate Committees shall be determined on the total financial membership of Party members and the total financial membership of the affiliates, resident in the electorate.
- 231) The same formula for allocation of representatives to the membership-based Labour Electorate Committees will apply to both electorate and affiliate members, provided that no affiliate shall have more than seven (7) delegates.
- 232) The minimum size of a membership-based Labour Electorate Committee shall be fourteen (14) and the maximum size shall be thirty (30).
- 233) The size of the Labour Electorate Committee, the formula for representation, and the Committee election methods will be determined by the New Zealand Council at the time of approval and this Charter will be reviewed as required in conjunction with the Labour Electorate Committee.
- 234) Each endorsed candidate and each Member of the Parliamentary Labour Party shall automatically be a representative on his or her respective Labour Electorate Committee, with full voting and speaking rights. A List candidate or member of the Parliamentary Labour Party shall be a representative with full voting and speaking rights on either their assigned base Labour Electorate Committee or on the Labour Electorate Committee in the electorate where they live.
- 235) The New Zealand Council may approve an increase of delegates to a branch-based Labour Electorate Committees on a pro-rata basis in terms of Rule 227.
- 236) If affiliates or Branches having members in more than one (1) Labour Electorate Committee area desire representation on more than one (1) Labour Electorate Committee they shall apply to the New Zealand Council for the necessary approval.
- 237) A Branch or affiliate shall be entitled to representation on one (1) Labour Electorate Committee even if its resident membership within the electorate is less than ten (10), subject to the written approval of the New Zealand Council.
- 238) Where there is more than one (1) branch of an affiliate in any Labour Electorate Committee area, representation of the Labour Electorate Committee shall be based on the total membership of such branches.

Representation at Labour Local Body Committees

- 239) Representation of the Labour Local Body Committee shall be in accordance with the formula approved when the New Zealand Council approves the formation of the Committee.

Representation at Labour Regional Councils

- 240) Members of the New Zealand Council and members of the Parliamentary Labour Party resident within the region shall be ex officio members of the Labour Regional Council.

ELECTION OF OFFICERS

- 241) The preferential system of voting shall be used for all single vacancies. In all multiple elections the "First past the post" system shall be used.

Election of New Zealand Council

- 242) At least six (6) months prior to each Annual Conference the General Secretary shall circularise all constituent organisations inviting nominations for the positions on the New Zealand Council as set out in Rule 160) a.-h. There shall be no Election of Officers during election year.

- 243) All nominations shall be in the hands of the General Secretary at least three (3) months prior to the date of Annual Conference.
- 244) Within a fortnight of the date of closing of nominations, the General Secretary shall furnish all Party organisations with a list of nominees and biographical data of members standing for the New Zealand Council.

Election of Regional Representatives

- 245) Regional Representatives shall be elected to the New Zealand Council to represent one or more of the regions as designated from time to time by the New Zealand Council and in accordance with Rule 127. Each nominee for Regional Representative shall be notified at least one (1) week in advance of the date and place of the counting of the postal ballot, and shall be invited to appoint a scrutineer to observe that count. Any Region with more than one (1) representative shall elect their representatives on a first-past-the-post basis and shall elect at least one (1) woman.
- 246) At least six (6) months before the date of Annual Conference, the General Secretary shall circularise all membership based LEC's, Branches and Affiliates inviting the nomination of a member of the Party resident in the region as Regional Representative of that area on the New Zealand Council. Nominations in the prescribed form shall close with the General Secretary at the Head Office of the Party not less than one (1) month from the date of issue of the circular.
- 247) For each region for which more nominations are received than positions available a postal ballot shall be conducted by the General Secretary.
- 248) Branches, affiliates and membership-based electorates shall be entitled to vote on the following basis:

Up to 50 members	1 vote
51 to 250 members	2 votes
251 to 500 members	3 votes
501 to 1000 members	4 votes
over 1000 members	5 votes

- 249) The postal ballot shall be completed at least one (1) week prior to the Annual Conference and the names of all the Regional Representatives shall be announced to Annual Conference. The General Secretary shall declare elected:
- a. For single vacancies, the highest polling candidate, and
 - b. In the case of multiple positions, the highest polling woman candidate and the other candidate(s) receiving the highest number of votes.

Election of Labour Regional Councils

- 250) At least two (2) months prior to the date of the Annual Meeting of the Labour Regional Council the Secretary shall circularise all constituent bodies in the area inviting nominations for the positions of Chairperson, Vice-Chairperson, Secretary-Treasurer and seven (7) members for the Council Executive.
- 251) Nominations in the prescribed form shall be in the hands of the Labour Regional Council Secretary in sufficient time to have them circulated to all constituent bodies in the area four (4) weeks prior to the Annual Meeting.
- 252) The election of Officers and Executive Members shall be held during the Annual Meeting of the Labour Regional Council and shall be conducted by a Returning Officer and Scrutineers elected for that purpose. No person who has accepted nomination for any other position shall be eligible for appointment as Returning Officer or Scrutineer.

Election of Labour Electorate Committees

- 253) At least two (2) months prior to the date of the Annual Meeting of the branch-based Labour Electorate Committee, the Secretary shall circularise all Branches and Affiliates, inviting nominations for the positions of Chairperson, Vice-Chairperson, Secretary-Treasurer, and six (6) members for Labour Electorate Committee Executive.
- 254) At least three (3) months prior to the date of the Annual Meeting of the membership-based Labour Electorate Committee, the Secretary shall circulate to all members and affiliates, inviting nominations for

representatives on the Labour Electorate Committee as determined by the Charter of that Labour Electorate Committee.

- 255) For branch-based Labour Electorate Committees nominations in writing shall be in the hands of the Secretary in sufficient time to have them circulated to all Branches and Affiliates at least three (3) weeks prior to the Annual Meeting.
- 256) For membership-based electorates, nominations in writing and the results of the ensuing postal ballot shall be completed in such time to allow the new representatives to participate in the Annual Meeting of the electorate.
- 257) The election of Officers and Executive Members shall be held during the Annual Meeting of the branch-based Labour Electorate Committee, and shall be conducted by a Returning Officer and Scrutineers. No person who has accepted nomination for any other position shall be eligible for appointment as Returning Officer or Scrutineer.

Election of Labour Local Body Committees

- 258) At least two (2) months prior to the date of the Annual Meeting of the Local Body Committees the Secretary shall circularise all constituent bodies inviting nominations for the positions of Chairperson, Vice-Chairperson, Secretary-Treasurer, and six (6) members for Local Body Committee Executive.
- 259) Nominations in writing shall be in the hands of the Secretary in sufficient time to have them circulated to all constituent bodies and Affiliates at least three (3) weeks prior to the Annual Meeting.
- 260) The election of Officers and Executive Members shall be held during the Annual Meeting of the Labour Local Body Committee and shall be conducted by a Returning Officer and Scrutineers elected for that purpose. No person who has accepted nomination for any other position shall be eligible for appointment as Returning Officer or Scrutineer.

Election of Branch Officers

- 261) The nomination and election of the Chairperson, Vice-Chairperson, Secretary-Treasurer, and delegates to other Labour Party organisations shall take place at the Annual Meeting, and the persons elected shall take office from the conclusion of such meeting. Notwithstanding the foregoing provisions of this Rule, delegates to Annual or Regional Conferences/Congresses may be elected at any formal Branch meeting.

PARTY FINANCE

Subscription and Capitation

- 262) The minimum subscription for a member shall be set or confirmed each year by Annual Conference. Membership registration fees shall be due on 1 January in each financial year.
- 263) Donations from supporters shall be accepted and officially receipted.
- 264) Capitation fees on behalf of affiliated organisations shall be paid annually at the rate determined by Annual Conference per member based on the formula as set out in Rule 49. Capitation fees shall be due on 1 January of each year.
- 265) Fees can be paid by way of automatic bank deduction.
- 266) Branches, Affiliates and electorates more than three (3) months in arrears of payment of fees on a monthly pro rata basis set in accordance with this section of the Constitution shall be deemed un-financial, and shall not be permitted to take part in the affairs of the Party until such arrears are paid. The New Zealand Council will have the power to review cases of hardship and to vary the rate of payment as the result of the review.
- 267) No increase in membership fees or annual levy shall be authorised by the New Zealand Council unless approved by Annual Conference prior to the increase.
- 268) Annual electorate levies will be reviewed in the year following each General Election.

Finance

- 269) These Rules shall apply to the New Zealand Council, Labour Regional Councils, Labour Local Body Committees, Labour Electorate Committees, Sector Councils, Branch and any Committee, Club or other

organisation established by or under the auspices of any part of the Party, and shall apply to any candidate selected to contest any election on behalf of the Party.

- 270) Treasurers, Party officers and Party Organisations shall be required to follow the guidelines on finance and financial reporting as approved and issued by the New Zealand Council from time to time.
- 271) Any organisations shall only be allowed to manage Party funds or incur liabilities on behalf of the Party if, before the commencement of each financial year, or before managing Party funds or incurring liabilities, they have the express authorisation of New Zealand Council. Such authorisation may be withdrawn by the New Zealand Council where an organisation fails to meet its requirements as set out in the financial guidelines.
- 272) The financial guidelines shall set out the criteria and process used by New Zealand Council to grant authorisation. All organisations without such an authorisation must enter into an arrangement with an authorised organisation for the purposes of meeting their financial reporting and operating requirements as set out in the financial guidelines.
- 273) The funds of the various organisations referred to in Rule 269 shall be deposited in an account and that each account name commences with the words "New Zealand Labour Party".
- 274) Payments shall be made by a cheque drawn on the account, and signed by the Secretary-Treasurer and at least one co-signatory, and authorised by an appropriate minute in the records of the organisation concerned.
- 275) Only sufficient funds shall be retained in current accounts to meet the running expenses of the organisation concerned.
- 276) The Financial Year of the Party and all its constituent bodies shall commence from 1 January in each year and terminate on 31 December in that same year.
- 277) At the end of each financial year the Secretary-Treasurer of each organisation shall prepare a Statement of Receipts and Payments and Balance Sheet on the prescribed form supplied by the New Zealand Council, which shall be audited as required by this constitution before presentation to the Annual Meeting.
- 278) Each organisation operating in the name of, or for, the Party shall, as soon as practicable after the end of the financial year, forward to the Labour Electorate Committee two copies of the audited financial statement.
- 279) Each Labour Electorate Committee shall, as soon as practicable after the end of the financial year, forward to the New Zealand Council an audited financial statement of the Labour Electorate Committee and a copy of the audited financial statement received from each Branch, Club or Committee under its jurisdiction.
- 280) Each Labour Local Body Committee and Labour Regional Council shall, as soon as practicable after the end of the financial year, forward a copy of the audited financial statement to the New Zealand Council.
- 281) Where necessary, persons canvassing for funds for the Party shall be provided with a written authorisation.
- 282) No Party organisation shall canvass for funds outside its own area unless authorised by the New Zealand Council, or co-ordinated at the local level by the Labour Electorate Committee.
- 283) No Party organisation shall initiate a fundraising lottery, raffle or other activity which has a major first prize of five thousand dollars (\$5,000) or more without the permission of the New Zealand Council.
- 284) Grants or loans to any organisation not affiliated with the Party shall not be made without the prior consent of the New Zealand Council.
- 285) All financial appeals for national or international objectives shall be controlled by the New Zealand Council.
- 286) No member shall derive any pecuniary gain from the property or operations of the Party except as an employee, temporary or otherwise, or for services rendered or supplies made. No member of the Party or any person associated with a member shall participate in or materially influence any decision made by the Party in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arms-length transaction (being the open market value). The provisions and effect of

this clause shall not be removed from this document, and shall be included and implied into any document replacing this document.

- 287) In the event of the Party being wound-up, no member of the Party shall be personally entitled to participate or benefit in any way in the distribution of any assets of the Party both real and personal.

Auditors

- 288) The accounts, statement of receipts and payments and the balance sheet of the New Zealand Council shall be duly certified by a qualified Auditor prior to presentation at Annual Conference.
- 289) The accounts, statement of receipts and payments and the balance sheet of a Labour Regional Council shall be duly certified by a qualified Auditor prior to presentation to the Annual Meeting.
- 290) The accounts, statement of receipts and payments and the balance sheet of a Labour Local Body Committee or Labour Electorate Committee or Branch or other organisation authorised by New Zealand Council shall be duly certified by a person meeting qualification requirements as set out in the financial guidelines, prior to presentation to the Annual Meeting.
- 291) Where regular fundraising activities, such as weekly or monthly lotteries and housie, are being conducted, the accounts shall be audited at more frequent intervals, and at least twice yearly. This provision will also apply to clubs and other organisations conducting significant fundraising activities under the auspices of the Party. An Annual Statement of Receipts and Payments shall be furnished to the Labour Electorate Committee in accordance with Rule 278.

TRUSTEES

Finance and Equipment

- 292) Each Labour Electorate Committee, Labour Regional Council, Labour Local Body Committee and Branch or other Party organisation, which has been authorised by New Zealand Council in accordance with Rule 271, shall appoint annually at least two (2) persons, one (1) of whom shall be the Secretary-Treasurer, to administer the funds and operate a bank account on behalf of the organisation concerned. They shall also be responsible for the administration of assets such as furniture and equipment held in the name of the organisation.
- 293) Every signatory of a bank account or trustee of property, assets or funds under the control of the New Zealand Council, Labour Regional Councils, Labour Electorate Committees, Branches or any other committee, club or other organisation established by or under the auspices of any part of the Party, shall be endorsed by the New Zealand Council in the case of the New Zealand Council and Sector Councils, the Regional Council in the case of the Regional Council, and the Labour Electorate Committee in all other cases. For the avoidance of doubt, signatories for Labour Local Body Committees shall be endorsed by the Regional Council (or, if there is no Regional Council, the New Zealand Council) where the Labour Local Body Committee covers more than one electorate, or the Labour Electorate Committee if the Labour Local Body Committee area is within an electorate.
- 294) Any proposed Rules or Rule change for such bodies established by any constituent organisation of the Party must receive the prior approval of New Zealand Council.
- 295) Party organisations may register for the payment of GST. If they do so, they shall forward GST returns to the Inland Revenue Department in accordance with the guidelines on finance and financial reporting as approved and issued by the New Zealand Council from time to time, with copies to the New Zealand Council.
- 296) Fines or other payments associated with default in returns for GST or income tax shall be met by the respective Party organisation in default.

Real Estate

- 297) Real estate such as buildings and property shall be held and administered on behalf of the Party by either Labour Party Properties Inc. or Labour Party Properties Ltd.
- 298) All Party organisations shall prepare each year an asset register recording all forms of property including bank balances held in the name of the organisation, and a copy of the asset register shall be submitted to the General Secretary on or before 31 December of each year. A consensus must be reached as to the management of any branch-based property before an application to change to a membership-based

Labour Electorate Committee can be approved by the New Zealand Council. The agreement thus reached shall be included in the Charter.

PLEDGE

Delegates

299) All delegates to Annual Conference and other formal representative meetings of the Party shall sign the Pledge in the following form:

"I,, a delegate from
..... hereby declare:

- a. I am not a member of any other political party or of any organisation, membership of which is declared by the Annual Conference or the New Zealand Council to be incompatible with membership of this Party.
- b. I accept the Constitution and Policy of the Party.
- c. I will faithfully uphold any decisions which may be made from time to time pursuant to the Constitution.
- d. I will work for and support the candidates of the Party selected in accordance with the Constitution."

Party Candidates

300) Any person accepting nomination as a Party candidate shall sign a pledge, in the following form in the presence of not less than two financial members.

"Having been nominated as a Candidate for selection in accordance with the provisions of the Constitution for the I hereby accept nomination and declare:

- a. I am not a member of any political party or any organisation of which the membership is declared by the Annual Conference or the New Zealand Council to be incompatible with membership of the New Zealand Labour Party ("the Party").
- b. I will wholeheartedly support the duly selected candidates of the Party.
- c. If selected as a candidate, I will not withdraw without the consent of the Party organisation controlling the election.
- d. I will faithfully observe the Constitution and Policy Platform and Policy of the Party.
- e. If elected, I will vote on all questions in accordance with the decisions of the Caucus of the Parliamentary Labour Party or, in the case of Local Body questions, a duly constituted meeting of Party representatives on such body.
- f. If elected, I will pay to the Party all contributions and levies properly decided to be required of Labour Members of Parliament."

SELECTION OF PARLIAMENTARY CANDIDATES

301) The New Zealand Council, at a time to be determined, shall call for nominations for Parliamentary candidates. It shall circulate all constituent bodies calling for nominations for Parliamentary candidates for Constituency and/or List selections.

302) Each Labour Regional Council and each Labour Electorate Committee in consultation with the New Zealand Council shall circularise all constituent bodies calling for nominations for Parliamentary candidates for Constituency and/or List selections.

303) The New Zealand Council will develop the Strategic Selection Criteria in close consultation with the Parliamentary Caucus; New Zealand Council will finally agree the criteria.

304) The closing date for the receipt of nominations shall be not less than two (2) months from the date of issuing of the circular which calls for nominations. However, in the case of by-elections called at short notice, or in other cases of urgency, this period may be varied.

305) At least one (1) month before the closing date (except for by-elections, elections called at short notice or other cases of urgency when this period may be varied) Labour Electorate Committees and Affiliates shall advise their members by circular and newspaper advertisements that nominations are open.

306) Any bona-fide member of the Party or Affiliated member of the Party for at least one (1) year immediately prior to the date of the calling for nominations shall be eligible for nomination as a Parliamentary candidate.

- 307) Waivers to the length of membership requirement may be granted by the New Zealand Council. The selection meeting shall be notified of any waiver granted for any nominee seeking selection at that meeting. Such notification shall be provided formally in the notice to nominees and the notice to the local Party members about the selection meeting, and verbally by the Chair both before and after all nominees have addressed the meeting.

ELECTORATE SELECTION PROCEDURES

- 308) Nominations shall be on the official form supplied by the New Zealand Council and shall be signed by at least six (6) financial members of the Party living in the electorate concerned, or by any constituent organisation in the electorate, provided that nominations have been endorsed at a properly constituted meeting of the organisation.
- 309) The Labour Electorate Committee shall arrange a Question and Answer Meeting to which all nominees and Party members are to be invited, which is to be held after nominations close and before the selection meeting.
- 310) The priority of selection of candidates for individual electorates shall be determined by the New Zealand Council in consultation with the Labour Regional Councils and Labour Electorate Committees. Labour Electorate Committees without sitting Labour Members of Parliament may submit in writing to New Zealand Council to seek selection of candidates at any time after twelve (12) months has elapsed since the previous General Election.
- 311) After the closing of nominations and at a time agreed by the New Zealand Council and the Labour Electorate Committee concerned, all nominees shall be required to address Selection Meetings convened for the purpose of enabling a Selection Committee to hear them. This meeting shall be open to all financial members of the Party. Where the New Zealand Council considers it necessary to reduce the nominations to a more manageable number, it shall determine a pre-selection process in consultation with the Labour Electorate Committee concerned.
- 312) Where more than one (1) nomination is received, each Labour Electorate Committee will be required to conduct a Selection Meeting. The official Selection Meeting shall comprise a combination of a formal speech and a Question and Answer session. Nothing in the Selection Meeting procedure shall exclude the use of Maori protocol. Standardised written Curriculum Vitae shall be a requirement in candidate selections, in addition to formal speeches, Question and Answer sessions and any social gatherings.
- 313) Where New Zealand Council advises after the close of nominations that there is only one (1) qualified candidate for an electorate, the relevant Labour Electorate Committee, with the approval of the New Zealand Council, shall determine the type and format of the meeting of Party members for that electorate to confirm the nomination of such candidate. The meeting must include a candidate speech, a Question and Answer session and a resolution of endorsement.
- 314) The Selection Committee shall consist of:
- g. Three (3) members appointed by and on behalf of the New Zealand Council, at least one (1) of whom shall be a woman, and in the case of the Maori Constituency seats at least two (2) of whom shall be Maori, one (1) of whom shall be a woman.
 - h. Two (2) local Labour Electorate Committee representatives elected by the Labour Electorate Committee, at least one (1) of whom shall be a woman. There shall be two (2) representatives provided:
 - i) The Labour Electorate Committee, including those meetings held by at least one (1) of its predecessor Labour Electorate Committees where there has been a recent boundary change, has held three (3) out of the four (4) formal quorate meetings in the twelve (12) months prior to the calling of nominations; *and*
 - ii) The electorate had at least one hundred (100) financial members at that time and at the calling of nominations.
- Otherwise the Labour Electorate Committee shall be entitled to elect one (1) representative, provided at least four (4) Labour Electorate Committee delegates are present.
- mm. One (1) local Party members' representative, elected before the nominees' presentations by and from local Party members present at the selection meeting, entitled to take part in the floor ballot.
 - nn. One (1) vote for the preferred nominee selected by preferential ballot by eligible Party members present at the selection meeting.

- 315) The test of eligibility to participate in the vote of a Labour Electorate Committee to elect two (2) local Labour Electorate Committee representatives to a Selection Committee for the purpose of selecting a Parliamentary candidate in accordance with the constitutional process of the Party shall be:
- a. For branch-based Labour Electorate Committees, each branch or affiliate delegate and Women's Liaison Officer shall demonstrate from the attendance record of the Labour Electorate Committee attendance at one-half (50%) of LEC meetings held in the twelve (12) months prior to the calling of nominations.
 - b. For membership-based Labour Electorate Committees, each representative, affiliate delegate and Women's Liaison Officer shall demonstrate from the attendance record of the Labour Electorate Committee attendance at one-half (50%) of LEC meetings held in the twelve (12) months prior to the calling of nominations.
- 316) For branch-based Labour Electorate Committees, the number of delegates entitled to participate shall be determined by calculating the average attendance by duly authorised representative delegates of the Branch or Affiliate or Women's Liaison Officer from the attendance record of the Labour Electorate Committee in the twelve (12) months prior to the calling of nominations. The annual average shall determine the number of delegates entitled to participate.
- 317) Any Labour Electorate Committee delegate/representative who has been a financial member for less than one (1) year prior to the circular calling for nominations shall not be eligible to be an electorate representative on the Selection Committee or to take part in the election of the electorate representative on the Selection Committee.
- 318) Where one (1) local Labour Electorate Committee representative is to be selected under Rule 313, that person shall be elected by a meeting of all duly authorised representative delegates to the Labour Electorate Committee concerned.
- 319) The election of the electorate representatives on the Selection Committee shall take place prior to the selection meeting which the nominees address. Both the meeting for the election of the electorate representatives on the Selection Committee and the selection meeting shall be chaired by a member of the New Zealand Council.
- 320) Only financial members, including affiliated members, who have held membership in the Party of not less than one (1) year's standing at the date of the circular calling for nominations and are resident in the electorate, shall be eligible for election to the Selection Committee to represent the electorate. Nominations for the Selection Committee can be made by any Party members present at the Selection Meeting and resident in the electorate.
- 321) The Selection Committee before retiring shall arrange for the conducting of two (2) secret ballots on a preferential basis amongst financial Party and Affiliate members of the electorate concerned present at the selection meeting.
- a. The criteria for voting in the first floor ballot, that shall be delivered to the Selection Committee, its outcome particularly taken into account, and count as one (1) vote for the preferred candidate at the Selection Meeting shall be:
 - i) Residence in the electorate concerned; *and*
 - ii) One (1) year's membership of a Branch or Affiliate immediately prior to the calling of nominations.
 - b. The criteria for voting in the second floor ballot, that shall be delivered to the Selection Committee and its outcome taken into account by it, shall be not having participated in the first ballot; and either:
 - i) Membership of an affiliate and residence in the electorate; *or*
 - ii) Financial membership of a branch and residence in the electorate; *or*
 - iii) Financial membership for at least one (1) year of a branch represented on that LEC; in each case immediately prior to the calling of nominations.
- 322) When the Selection Committee has selected a candidate it shall, where practicable, announce the name of the successful candidate to the meeting. If the Selection Committee cannot decide on a candidate by consensus or, failing that, by a formal majority vote, then it shall refer the matter to the New Zealand Council for a decision on the candidate, which shall be final and binding.
- 323) If all nominees have been declined by the Selection Committee, the Selection Committee may proceed to select a suitable Party member as the candidate, or refer the selection back to the New Zealand Council.

- 324) The New Zealand Council shall have authority to withdraw the candidacy of any candidate who fails to honour the terms of the pledge or whose candidate's biographical statement knowingly includes information that is inaccurate or misleading in any material respect, or omits significant relevant material.
- 325) The New Zealand Council may request a selection to be held again where it has evidence that the Constitution has been seriously breached.

LIST SELECTION PROCEDURES

Nomination of List Candidates

- 326) A nominee for the Party list shall be nominated on a prescribed nomination form either by six (6) financial members or by any constituent organisation within the Party.
- 327) Nominees may reside anywhere in New Zealand and must have been financial members of the Party for a period of one (1) year immediately prior to the date of the calling for nominations.
- 328) Waivers to this length of membership requirement may be granted by the New Zealand Council. Regional Conferences shall be advised of any waiver issued in respect of any person seeking selection at that Regional Conference. The Moderating Committee shall be advised if any person for whom a waiver has been granted is on a list submitted by any Regional Conference.
- 329) Those proposing and seconding nominees and signing their nomination form must also have been financial members of the Party for a period of one (1) year prior to the date of the calling for nominations.
- 330) There shall be no limit to the number of nominees able to be nominated.

Regional/Local Input into Selection or Ranking of Nominees

- 331) Any process undertaken in the selection and ranking of nominees shall recognise that the Treaty of Waitangi guarantees Maori representation.
- 332) For all parts of the selection process, gender balance shall be observed so that any delegation of two (2) or more will be required to include women as part of their delegation. Any such organisation that does not include women must justify their absence to the Conference Chair and New Zealand Council members present and will lose one (1) vote. If no acceptable justification is provided they will lose all but one (1) of their voting entitlement.
- 333) When all nominations for list candidates have been received at Head Office, they shall be allocated to the appropriate region in the Party according to the wishes of the nominee.
- 334) Each region shall then accept or reject the nominees for that region and order them according to the ranking determined by Party members of the region at a Regional Conference established for that purpose.
- 335) The Regional Conference shall be a delegate conference using delegate entitlements as shown in the following chart:

	<i>Votes</i>	Delegates
Labour Regional Councils	2	2
Labour Local Body Committees	1	1
Electorate Organisations: a minimum of plus one more delegate for every 50 members or part thereof	4	4
Affiliates with membership not exceeding 200	1	1
Affiliates with membership from 201-500	2	2
Affiliates with membership from 501-1000	3	3
Affiliates with membership from 1001-1500 with one extra delegate and vote for each additional 500 members or part thereof	4	4
Members of the New Zealand Council, elected Labour members of local authorities, and members of the Parliamentary Labour Party	1	

- 336) Regional Conferences will start with a briefing session by New Zealand Council on the list selection process, and on the Strategic Selection Criteria to be applied in the decisions made by the Conference.
- 337) Regional Conferences shall be of sufficient duration to ensure that the length of candidate presentations and the examination of candidates enables informed assessment of candidates against the Strategic Selection Criteria.
- 338) There shall be no card vote exercised at the Regional Conference dealing with the ranking of nominees.
- 339) All delegates shall individually have signed the pledge to abide by the Party Rules and Principles.
- 340) Each Regional Conference shall select and rank a specific number of candidates set in advance by New Zealand Council for that region in proportion to that region's population as a percentage of the total population. Example of population breakdown:

Region	Population	Proportion %	No. of Candidates
Auckland/Northland	1,183,755	33	39
Waikato/BOP	563,250	16	19
Central North Island	555,846	16	19
Wellington	406,059	11	14
Northern South Island	563,289	16	19
Otago/Southland	282,701	8	10
			120

- 341) The Regional Conference shall rank list candidates by a process of exhaustive ballot taken singly for the first twenty (20) positions at least, thereafter by preferential voting in bands of five (5), e.g. positions 21-25, etc; and pause for an equity review after each five (5) position ballots are completed. For the avoidance of doubt, candidates selected in the region for electorates in which there is a Labour plurality in the electorate candidate vote cast within the boundaries of the electorate for which they have also been selected, and who are not seeking list selection, shall be included in the equity review at each stage.
- The Chairperson shall call for nominations for the first position on the list. Nominations shall only come from that pool of nominees accepted by the Regional Conference.
 - Delegates will vote for one (1) name only. The votes will be counted and if there is no candidate who achieves one-half (50%) + 1 of all available votes, the lowest polling candidate is deleted and the vote is taken again out of the remaining candidates nominated for that position. This process will be repeated until a candidate emerges with a minimum of one-half (50%) + 1 of all available votes.
 - This process shall be repeated until each list position subjected to this process by the constitution is filled.
 - At any time prior to the taking of each vote, the Chairperson shall allow discussion from the floor. The length of that discussion shall be determined by the Regional Conference by the usual methods of time limits or procedural motions.
- 342) The Regional Conference shall at all times have due regard to creating a list which reflects balance in their region so that it:
- Fairly represents tangata whenua, women, men, ethnic groups such as Pacific Island peoples, age, youth and people with disabilities;
 - Ensures there is due regard for the geographic spread of the population;
 - Recognises that many groups of people, previously under-represented in Parliament, have skills which will enhance the Parliamentary process; and
 - Ensures that there is a spread of all these groups across the list.
- 343) This selection process will be consistent with that outlined in Rule 312 for constituency selections, culminating in a question and answer session.
- 344) The ranked list shall be forwarded to Head Office.

Te Kaunihera Maori List Conference

- 345) For the 2014 election there shall be a Te Kaunihera Maori List Conference, to take place as soon as practicable after the Regional List conferences are completed. The Te Kaunihera Maori list process shall be

reviewed by New Zealand Council after the 2014 election and, if appropriate, rules proposed. For the avoidance of doubt Rules 345, 346, 347, 348 and 349 will all lapse after the 2014 election.

346) Candidates for Maori electorates, and list-only nominees who are Maori, will be eligible to nominate for the Te Kaunihera Maori list. A person may not nominate for both a Regional List and Te Kaunihera Maori list.

347) The Te Kaunihera Maori list conference shall be a delegate conference with delegate entitlements as shown in the following table:

	<i>Votes</i>	Delegates
Maori Electorate Organisations: a minimum of..... plus one more delegate for every 50 members or part thereof	4	4
Affiliates with membership from Rule 47) a. less than 15,000	1	1
Affiliates with membership from Rule 47) a. of between 15,000 and 30,000	2	2
Affiliates with membership from Rule 47) a. of greater than 30,000	3	3
Maori members of the NZ Council and Maori MPs	1	
Elected Labour members of local authorities	1	

Elected Labour members of local authorities and Affiliate delegates to the Conference must be on the Maori electoral roll.

348) The Te Kaunihera Maori list conference shall rank list candidates in bands of two (2) by preferential voting.

349) The rules for Regional Conferences shall apply to the Te Kaunihera Maori Conference except where they are inconsistent with rules 345-348.

Moderating Committee

350) A Moderating Committee shall be established for the purpose of producing the final national list of Party candidates in rank order.

351) The Moderating Committee shall consist of the following:

- a. Four (4) New Zealand Council members consisting of the President, the General Secretary and the two (2) Senior Vice-Presidents;
- b. Three (3) Caucus members including the Leader and Deputy Leader. The third member shall be elected by Caucus and at least one (1) member of the delegation shall be a woman;
- c. Two (2) members from Te Kaunihera Maori, elected by that Council and at least one (1) member of whom shall be a woman. The process for election of these representatives shall be decided by consultation and agreement between Te Kaunihera Maori and New Zealand Council;
- d. Two (2) members from each of the following Sector Councils, elected by those Sector Councils and at least one (1) member of whom shall be a woman: Women, Pacific Island, Young Labour and Trade Union Affiliates. The process for election of these representatives shall be subject to the approval of New Zealand Council;
- e. One (1) from each of the following Sector Councils, elected by those Sector Councils: Kirk, Local Government, Rainbow, Rural Affairs and Senior, or any other formally approved Sector Council. The process of election of these representatives shall be subject to the approval of New Zealand Council;
- oo. Two (2) members from each of Waikato, Central North Island, Wellington, Northern South Island and Otago/Southland regions, and four (4) from the Auckland region, elected by postal ballot of all financial membership-based Labour Electorate committees, branches and affiliates. One (1) of the representatives shall be the duly elected Regional Representative for that region and at least one (1) shall be a woman, except in Auckland where at least two (2) shall be women.

352) Each Moderating Committee member shall have one (1) vote.

353) The President of the Party shall chair the Moderating Committee and shall have a casting vote in the event of a tie.

354) No member of the Moderating Committee shall also be a nominee for a list seat, with the exception of the three (3) Caucus representatives. In the event of any of the New Zealand Council representatives also being nominees for list seats, the New Zealand Council shall elect replacements from among its numbers in the first instance, providing that the principle of guaranteed Maori representation continues to be observed. If there are no other Maori on the New Zealand Council to replace the Maori Senior Vice

President or one (1) of the two (2) Te Kaunihera Maori representatives who would normally replace that person, in the event of those people being nominees or otherwise unavailable, the New Zealand Council shall approach Te Kaunihera Maori of the Party to provide a replacement.

- 355) The Moderating Committee shall examine the Regional lists and consider the representation across all lists of tangata whenua, gender, ethnic groups, people with disabilities, age and youth, sexual orientations, geographic spread, and range of skills. In exceptional circumstances, where the requirements of Rule 361 are unlikely to be met, the Moderating Committee shall have the power to nominate additional nominees to those forwarded by the regions. None of the additional nominees shall have been rejected at the regional level.
- 356) The Moderating Committee shall rank list nominees by a process of exhaustive ballot taken singly for at least the first sixty (60) positions, thereafter optionally by preferential voting in bands of five (5), e.g. positions 61-65, etc.; and pause for an equity review after each five (5) position ballots are completed. For the avoidance of doubt, each equity review shall include the electorate candidates likely to be elected at the relevant level of Party vote. Maori on the Regional Lists and the Te Kaunihera Maori list shall be included in the equity review at each stage.
- 357) Positions 1 and 2 on the list shall be taken by the Leader and the Deputy Leader.
- 358) The first position to come up for ballot for the Moderating Committee therefore will be position 3.
- The Chairperson shall call for nominations for the third position on the list.
 - Moderating Committee members will vote for one (1) name only. The votes will be counted and if there is no nominee who achieves one-half (50%) + 1 of all available votes, the lowest polling nominee is deleted and the vote is taken again out of the remaining nominee nominated for that position. This process will be repeated until a nominee emerges with a minimum of one-half (50%) + 1 of all available votes.
 - This process shall be repeated until each list position is filled.
 - At any time prior to the taking of each vote, the Chairperson shall allow discussion from the floor. The length of that discussion shall be determined by the Moderating Committee by the usual methods of time limits or procedural motions.
- 359) The list shall consist of at least sixty-five (65) places, the final number to be determined by the Moderating Committee.
- 360) For the 2014 election the Moderating Committee shall, in determining the list, ensure that for any percentage of the party vote likely to be obtained, and taking into account the electorate MPs likely to be elected with that level of Labour support, the resultant Caucus will comprise at least 45% women. For the 2017 and subsequent elections the percentage shall be at least 50%.
- 361) The Moderating Committee shall be bound by the need to arrive at a list which:
- Fairly represents tangata whenua, gender, ethnic groups such as Pacific Island peoples, people with disabilities, sexual orientations, and age and youth; *and*
 - Ensures there is regional representation in proportion to the geographic spread of the population; *and*
 - Recognises that many groups of people, previously under-represented in Parliament, have skills which will enhance the Parliamentary process; *and*
 - Ensures that there is a spread of all these groups across the list; having due regard to the priority orders which have emerged from the Regional Conferences.
- 362) The final decision of the Moderating Committee shall be binding, and not open to appeal.

Selection Order

- 363) Constituency and list nominations shall be called for at the same time.
- 364) Sitting MPs will be subject to the same constituency and list selection processes as all other candidates.
- 365) Constituency selections shall be completed or nearly completed prior to the Regional Conference selection meetings.
- 366) Candidates may be nominated for either constituency or list selection, or both if they wish.

BY-ELECTIONS

- 367) Parliamentary by-election campaigns shall be under the control of the New Zealand Council. It shall have the authority to levy all electorates to help defray expenses incurred in by-election campaigns.

ELECTION PETITIONS

- 368) All matters in connection with petitions against the declarations of Returning Officers in Parliamentary elections shall be under the full control of the New Zealand Council.

PARLIAMENTARY LABOUR PARTY

- 369) Members of the Parliamentary Labour Party shall act in conformity with the Rules of the Parliamentary Labour Party, provided that in the event there is a conflict between any Rule of the Parliamentary Labour Party and the Party, the Party Rules shall be binding.
- 370) Only members of the Parliamentary Labour Party and nominated representatives of the New Zealand Council shall have the right to attend the Caucus of the Parliamentary Labour Party.
- 371) The nominated New Zealand Council representatives shall include the President and the General Secretary of the Party and two (2) other members elected by and from the New Zealand Council, who shall be notified of all meetings of the Parliamentary Labour Party Caucus. They, or other members of the New Zealand Council deputised to represent them, shall have the right to attend Caucus but without voting power. Should the President be a Member of Parliament, the New Zealand Council shall elect three (3) of its members together with the General Secretary to represent it.
- 372) The Policy Platform and policy of the Party shall be binding on all members of the Parliamentary Labour Party but, on matters other than Policy Platform and policy, members shall vote in accordance with the decision of a duly constituted Caucus.
- 373) A member of the Parliamentary Labour Party shall have the right to attend, speak and vote at any Party organisation meeting, except the New Zealand Council, and Regional Council Executive Meetings having jurisdiction over any part of the electorate represented by that Member of Parliament.
- 374) It shall be a responsibility on members of the Parliamentary Labour Party to maintain the closest possible contact with Party organisations in the electorate and to assist the New Zealand Council as required.
- 375) Members of the Parliamentary Labour Party shall, except in special circumstances, i.e. unless their electorate has not paid its levy, be permitted to attend the Annual and Regional Conference of the Party with one (1) vote if not representing a constituent organisation, plus speaking rights; the Maori electorates to be exempted from the provisions of this Rule.
- 376) The Parliamentary Labour Party shall prepare and present to Annual Conference a report on the work of the Party in Parliament during the previous year.
- 377) The Leader of the Parliamentary Labour Party shall be a Member of Parliament.

ELECTION OF THE LEADER OF THE PARLIAMENTARY LABOUR PARTY

- 378) An election for the Leader of the Parliamentary Labour Party will be held when the position becomes vacant, or on receipt by the President of the Party of written notification that the Caucus has passed a motion that the Leader of the Parliamentary Labour Party is not endorsed by at least one-half (50%) +1 of the Caucus.
- 379) As a matter of course, no later than three (3) months after the date of a general election, there will be a caucus vote to endorse the Leader of the Parliamentary Labour Party. The number of votes required to endorse the leader shall be 60% of votes cast +1. If the Party Leader is not endorsed, a leadership election process, as described in Rule 380, is triggered.
- 380) The election of the Leader of the Parliamentary Labour Party shall be determined by the votes cast in an electoral college composed of the following:
- a. Parliamentary Labour Caucus (40% of the total vote)
 - b. Party members (40% of the total vote)

- c. Affiliate Party members (20% of the total vote).

381) Voting will be preferential and concurrent in all cases.

382) Administrative rules for the leadership election (including timeframes, processes, eligibility to participate as voters, candidate spending limits, behaviour pledges, balloting, results announcements and any other detail needed for the election to be conducted with integrity) will be made by the New Zealand Council, in conjunction with the Caucus. **See Appendix B**

DISCIPLINARY PROCEDURES

383) Forms of discipline available within the Constitution shall be censure, prohibition from seeking or holding any office, prohibition from seeking or holding candidacy, suspension of membership and expulsion from the Party. Any of these disciplinary measures may be imposed, as appropriate, for specified periods of time, according to the New Zealand Council's resolution. Any communication whether verbal or in writing or otherwise made by any member or committee or organisation of the Party to another member or committee or organisation of the Party pursuant to or arising out of action taken under Rules 384 or 385 of this Constitution shall be privileged.

384) The New Zealand Council shall be the only body to determine disciplinary action against any Party member by its own motion or upon application by any constituent body of the Party.

385) Upon the application of any Branch or any Labour Electorate Committee or any other constituent body of the Party or by its own motion, the New Zealand Council may, for reasons determined sufficient by it, expel any person from membership of the Party or apply other forms of discipline. Such person shall be notified of the reasons and be given opportunity to state his or her case before the New Zealand Council.

386) In all cases, principles of natural justice shall apply. There shall be a right of appeal to a body constituted for the occasion by the New Zealand Council, consisting of three (3) members of the Party. There shall be one (1) further, subsequent and final right of appeal to the New Zealand Council. The ruling of the New Zealand Council shall be binding on all parties.

387) Disciplinary action shall be applied for and ruled upon on the grounds of:

- a. Contravention of the Principles, Rules and policies of the Party as contained in the current Constitution and policy documents of the Party; and/or
- b. For bringing the Party into disrepute; and/or
- c. For standing as a candidate in opposition to, or publicly campaigning against, an official Labour Parliamentary candidate or candidates or a Local Body candidate or candidates selected pursuant to the allocation of campaign rights under Rules 105 to 112. Any such person standing as a Parliamentary candidate shall, from the closing of candidate nominations, have their membership of the Party automatically suspended or be not permitted to join the Party for a period of two (2) years unless the New Zealand Council specifically makes a different decision in that case. Any such person standing as a local body candidate shall have the suspension or the ban on joining the Party as set out applied by resolution of New Zealand Council.

AMENDMENTS TO CONSTITUTION AND RULES

388) No alterations to the Constitution and rules shall be made except by Annual Conference following due notice to the Party organisations in writing at least four (4) months before Annual Conference. No alteration may be made to the personal benefit clause (Rule 286) or the winding-up clause (Rule 287) without the prior approval of the Inland Revenue Department.

389) During the six (6) months after any amendment is made to the Constitution and Rules the General Secretary shall publish a complete and current list of all amendments made to the Constitution and Rules since they were last published in full.

DISPUTES PROCEDURE

390) Any serious dispute within any part of the Party organisation shall be referred to the New Zealand Council for resolution. A dispute may be referred to the New Zealand Council by any Party member or Party organiser. When a dispute is referred to the New Zealand Council it shall:

- a. Appoint a member of the New Zealand Council to act as a conciliator in an endeavour to amicably resolve the dispute;

- b. If the conciliator reports that the dispute has not been resolved, appoint a three (3) person dispute committee to investigate the dispute and recommend the appropriate solution and action to the New Zealand Council;
- c. A disputes committee shall determine its own procedure, save that all parties to the dispute shall produce any written material requested by the committee. All proceedings before the committee shall be privileged.
- d. The New Zealand Council shall rule on the dispute, after receiving the recommendation of the disputes committee.

391) The ruling of the New Zealand Council on any dispute referred to it shall be final and binding on all parties to the dispute.

APPENDIX A: STANDING ORDERS

MEETINGS

- 1) The Standing Orders of the Party, as set out in the Constitution must be observed at every meeting.
- 2) Ordinary Meetings of the various organisations shall be held regularly and as frequently as required by the Constitution and Rules of the Party and shall be arranged to suit the convenience of the majority of members. At least three (3) days notice of such meeting shall be notified to members by circular or public notice and such notice shall contain the time, date, venue and agenda of the meeting.
- 3) Meetings should be of sufficient duration to devote adequate time and attention to the various items on the agenda. If a meeting is likely to extend beyond two and a half (2.5) hours, members should be given adequate forewarning in the Notice of Meeting.
- 4) Special Meetings may be called by the:
 - a. The Chairperson and Secretary;
 - b. A resolution of an Ordinary Meeting;
 - c. The Secretary on receipt of a requisition signed by not less than one-fourth of the members;
 - d. A direction from the New Zealand Council.
 - e. Special Meetings shall be convened by Circular or Public Notice delivered or posted to each delegate so as to be received not less than 48 hours prior to the time of the meeting. The notice shall state the time, date and venue of the meeting and the business for consideration. Only the stated business shall be considered.
- 5) Annual Meetings shall be held during the month stated in the Constitution and Rules of the Party as pertaining to the particular organisation for the purpose of:
 - a. Confirming minutes of the Previous Annual Meeting;
 - b. Adoption of the Annual Report and Balance Sheet;
 - c. Election of Officers and Executive for the ensuing year.

QUORUM

- 6) No meeting shall commence without the necessary quorum of members as provided for in the Constitution and Rules. In the absence of a quorum a meeting is not properly constituted and any decisions or proceedings taken are invalid.

ORDER OF BUSINESS

- 7) Unless otherwise provided for the Order of Business shall be contained in an Agenda and shall be as follows:
 - a. Opening: The meeting shall be opened by the Chairperson appointed in accordance with the Constitution and Rules of the Party;
 - b. Consideration of Agenda: Any variation to the agenda must be by way of resolution. Members wishing to have matters on the Agenda should advise the Chairperson or Secretary prior to the meeting and before the Agenda is prepared;
 - c. Apologies and Roll Call: Apologies may be submitted orally or in writing. An attendance record should show the member's name and organisation represented if a delegate;
 - d. Minutes of Previous Meeting:
 - i) i.If the minutes have been circulated the Chairperson asks for a motion "that the minutes be taken as read". If such motion is moved and passed the minutes are not read;
 - ii) Where the minutes have not been circulated they must be read to the meeting;
 - iii) At this point the only discussion that can be entertained is the accuracy of the minutes. If no discussion the question asked by the Chairperson is "that I do sign these minutes as a true and complete record". The Chairperson must sign and date the minutes;
 - iv) If alterations are required the consent of the meeting is obtained to make the alteration. A majority vote of members present is necessary. The alteration is inserted and initialled by the Chairperson;
 - v) The form of the motion then taken is "that I do sign these minutes, as amended, as a true and complete record".
 - e. Matters Arising out of the Minutes: Discussion should be related to matters referred to in the minutes and not covered by correspondence or reports included in the agenda. The Secretary should report progress on matters recorded in previous minutes on which action is incomplete;
 - f. Correspondence: Inward Correspondence should be read by the Secretary unless the meeting otherwise directs. Each letter may be dealt with as it is read or at the conclusion of the receipt of all inward letters. The Secretary should be instructed on any action required by a motion from the meeting. The action on the outward correspondence may be listed or otherwise detailed for the

- meeting. When all the correspondence has been dealt with the Chairperson calls for a motion "that the Inward Correspondence be received and the Outward Correspondence be endorsed";
- g. Financial Report: The officer in charge of the organisation's finances shall read a financial statement on the current position. Approval shall be sought by way of motion to pay accounts owing by the organisation. Each item and amount approved shall be recorded in the minutes. The Accounts of the organisation shall be audited at least annually or at more frequent intervals if required by the Constitution and Rules of the Party. The financial statements to the Ordinary Meeting should be "received". The Audited Accounts as presented to the meeting, usually the Annual Meeting, should be "adopted";
 - h. Other Reports: These shall include Executive and Sub-committee reports and reports from special representatives such as Regional Representatives and Parliamentary Labour Party representatives. At the conclusion of the report the person who represents it should move "that the report be received" or "that the report be adopted". If the report is "received" the meeting is not committed to what is in it. Any action required in respect of a particular item in the report must be by way of a motion of the meeting. If the report is "adopted" the meeting is committed to what is in it and action follows accordingly;
 - i. Notices of Motion: The contents of any Notice of Motion should be stated in the notices calling the meeting and should be given a special place on the Agenda;
 - j. New Business: This shall consist of items brought up for the first time at a meeting. It should be placed on the Agenda under a separate heading;
 - k. General Business: Members may raise minor matters under this heading, providing they have not already been discussed. If a matter of major importance is raised it should be dealt with by:
 - i) Placing it on the Agenda for the next meeting;
 - ii) Calling a special meeting to discuss it;
 - iii) Authorising the Executive to deal with it as a matter demanding urgent attention. Matters of major importance should not be dealt with in the dying stages of a meeting. Such matters should be raised early and given a place on the Agenda which will ensure they are properly discussed. A meeting is a matter of its own business and can arrange the Agenda to suit itself and in accordance with 7(b) above;
 - l. Closing of the Meeting: On the completion of the business of the meeting the Chairperson should thank the members for attending, notify them of the date and venue of the next meeting, then declare the meeting closed. If the business is unfinished when the meeting is due to close the meeting should be adjourned and a date set for a meeting to complete it. The Chairperson should seek a motion to adjourn;

MOTIONS

- 8) To enable the business of a meeting to be properly conducted, discussion should always proceed on the basis of a motion duly moved and seconded.
- 9) The member wishing to speak shall claim the attention of the Chairperson by calling in an orderly manner "Mr Chairman" or "Madam Chair" as appropriate.
- 10) Having been called, the speaker should stand and propose the motion by saying "I move that (whatever the motion is)". The mover shall then speak to the motion. The period for which the mover speaks shall be limited by the Rules, if any, of the organisation.
- 11) At the conclusion of the speech a written copy of the motion should be tabled with the Chair if required. This is optional and is at the discretion of the Chairperson.
- 12) The content of the motion is then repeated by the Chairperson to the meeting to ensure that all present understand what is being proposed.
- 13) The Chairperson shall then ask if there is a seconder to the motion.
- 14) A seconder shall stand when formally seconding the motion. The seconder may speak to the motion at that point or may second the motion "pro forma" and reserve the right to speak later in the debate. If the right to speak is reserved the meeting must be notified.
- 15) The motion is then open for debate by the meeting and discussion should continue until new matter either for or against is exhausted.
- 16) The mover of the motion has a right of reply but discussion must refer only to what was discussed in the debate. New argument must not be introduced.
- 17) The Chairperson must then put the motion to the meeting for a vote. A majority vote is sufficient to carry the motion, which when passed, becomes a resolution.
- 18) Once a motion is moved and seconded it becomes the property of the meeting and cannot be withdrawn without the consent of the meeting, even if the mover and seconder wish to do so.
- 19) If the motion is not seconded, it lapses and no further discussion should be allowed on it.
- 20) Amendments to the Motion: A motion may be altered by an amendment. To be in order an amendment must add to or take away from the substance of the original motion. It cannot substitute something

- completely different. If a proposed amendment would have this effect the Chairperson should rule it out of order. An amendment which is a direct negative must also be ruled out of order.
- 21) To avoid confusion, the Chairperson must allow only one motion and one amendment to be discussed at any one time. If other amendments are proposed the Chairperson should accept notice of these amendments but not allow them to be discussed until a vote has been taken on the amendment before the meeting. If there is a majority vote for the amendment the Chairperson says: "I declare the amendment carried. The amendment now becomes the Substantive Motion". Discussion is allowed on this as the motion and the others as amendments to it.
 - 22) If the amendment is lost the Chairperson continues to deal with the original motion and proposed amendments to that. The Chairperson should then accept an amendment for which notice has been given and allow discussion on it, in conjunction with either the original motion or the substantive motion. This amendment in turn is voted on, and the procedure repeated until all amendments have been disposed of. When a vote is taken, if the meeting has both a motion and an amendment under discussion, the amendment is always voted on first.
 - 23) Before the vote is taken the Chairperson should have the motion and, where necessary, the amendment read out so that those present may clearly understand what they are voting on.
 - 24) Then another vote is taken on either (a) the original motion, or (b) the substantive motion which has replaced it.
 - 25) Question: The Question shall be defined as the question before the meeting, whether it be the Original Motion or the Substantive Motion.
 - 26) Delaying Motions: Various types of Delaying Motions are available which are used for the purpose of speeding up the business of a meeting and eliminating needless debate. They are:
 - a. The Closure: A person who has not already spoken during the debate may move "that the Question be now put". It may not be moved as a Point of Order. This motion does not require a seconder but the Chairperson does not have to accept the motion unless she/he feels that the Question has been sufficiently discussed. If the Chairperson accepts the Closure Motion, it must be immediately put to the meeting without discussion. If the motion is carried the debate shall be concluded and the Question put to the meeting with no further debate or amendment. If the Closure Motion is lost, the debate shall proceed;
 - b. The Next Business Question: This Motion may be moved while an amendment is under discussion, but is otherwise similar to the previous Question Motion. The Motion shall be "that the meeting now considers next business". If carried it automatically adjourns until the next meeting. If lost, the debate continues;
 - c. The Debate Adjournment Question: The machinery for this motion is the same as for the Closure Motion. The wording shall be "that this debate be adjourned". If carried, the debate automatically adjourns until the next meeting. If lost, the debate continues;
 - d. The Meeting Adjournment Question: The machinery for this is the same as for the Closure Motion. The motion shall be "that this meeting be now adjourned". If carried, the meeting adjourns immediately and continues at the next meeting at the same point on the Agenda. If the motion is lost, the meeting continues;
 - e. Motions Referred Back: This motion shall be moved and seconded by a person who has not already spoken in the debate. It may be moved during the course of discussion on a Committee Report. The motion shall be "that the Report be referred back to the Committee for further consideration". It may be used when new factors arise which alter the Committee's decision and/or the meeting disagrees with the Committee's decision. If carried, discussion on the Committee Report immediately terminates and the Report is not accepted by the meeting. However, the Committee may bring down the same Report to the following meeting, or alternatively, they may bring down an amended Report;
 - f. The Chair Vacation Question: This motion may be moved at any time and shall be seconded by a person who has not already spoken during the course of the business. The motion shall be "that the Chairperson do leave the Chair". If carried, the meeting automatically concludes, since there cannot be a meeting without a Chairperson.

MOTIONS TO SUSPEND STANDING ORDERS

- 27) If for some reason a matter cannot be considered because Standing Orders will not allow it to be discussed, and if there is good reason for it to be discussed, it may be moved, "that Standing Orders be suspended for the purpose of discussing [the matter]." If the motion is passed, the matter may be dealt with. This practice should be used sparingly because Standing Orders should not be set aside except for very good reasons.

MEETINGS IN COMMITTEE

- 28) For the purpose of discussing matters about which the meeting desires no publicity, the meeting can decide to hold the discussion "in committee". For this procedure to operate someone must move a motion

to that effect. If this is seconded and approved by the meeting the Chairperson says: "I declare this meeting in committee." The proceedings then are private to those in committee and need not be publicised. A committee may consist of the whole meeting "in committee" or of a portion of the meeting appointed by its members. A committee may exclude unauthorised people from attendance. Discussions made "in committee" must be reported back to the full meeting in the form of recommendations. These recommendations may be accepted in full, amended, or rejected by the full meeting. When deliberations "in committee" have been completed the Chairperson declares the meeting resumed and the recommendations made "in committee" are put to the meeting after being duly moved and seconded. The recommendations "in committee" are not effective until approved by the meeting.

POINTS OF ORDER

- 29) The procedure for Points of Order shall be as follows:
- a. A Point of Order shall be defined as a breach of the Standing Orders and/or Constitution. It shall deal only with irregularities in procedure and shall not be used to cover questions on matters before the meeting. However, it may be used to extend a speaker's time, deal with urgent business if the hour of closure has been passed and deal with any misrepresentation.
 - e. Any member may rise to a Point of Order. The person moving the Point of Order shall rise and address the Chairperson with the words "I rise to a Point of Order". All business shall cease until the Point of Order is dealt with. The person speaking shall sit down and the person making the Point of Order shall have the floor.
 - c. The person raising the Point of Order shall define the point. Other speakers may address themselves to the point until such time as the Chairperson is prepared to rule on the point. The ruling on a Point of Order shall be deemed as binding and final and no further discussion may take place on the Point of Order. Should the ruling not be satisfactory, it may be challenged.

RECOMMITTAL OF BUSINESS

- 30) No decision taken at a previous meeting and duly recorded in the minutes and confirmed may be altered at a subsequent meeting without a Notice of Motion for the recommittal of such a question. At least fourteen (14) days written Notice of Motion must be given.

CHALLENGING CHAIRPERSON'S RULING

- 31) The procedure for challenging a ruling of the chair shall be as follows:
- a. Respect for the authority of the Chair is basic to orderly procedure and the rulings of the Chair should not be challenged unless these are grossly wrong and unfair. Provided a Chairperson is acting impartially and in good faith there is no liability even for wrong decisions.
 - b. However if a member thinks a decision of the Chair is wrong and needs to be reversed the member should stand, call the Chairperson, and say "I challenge your ruling". The Chairperson then vacates the Chair and the Vice-Chairperson, or in the absence of a Vice-Chairperson, somebody elected by the meeting takes the Chair.
 - c. The acting Chairperson then asks the member who has challenged the ruling to state the reasons. The Chairperson is then asked for the reasons giving rise to the ruling being questioned. No further discussion is permitted.
 - d. The question is decided by putting it to the meeting in the form "That the Chairperson's ruling be upheld".
 - e. If the meeting votes affirmatively the Chairperson resumes the Chair and proceeds from the point of the ruling which was challenged.

VOTING

- 32) All motions shall be decided by voting.
- a. The method of voting shall be as follows:
 - i. By the voices, normally;
 - ii. By a show of hands, if called for;
 - iii. By a secret ballot, if called for;
 - iv. By acclamation, in the case of obviously popular, unanimous motions.
 - b. Only accredited members may vote on major motions, provided however, that visitors may join in a Vote of Thanks, which is being carried by acclamation.
 - c. The meeting may, if so desired, appoint a returning officer and scrutineers to conduct a vote. Generally, the vote shall be conducted by the Chairperson.
 - d. No member shall exercise more votes than provided in the Constitution and Rules of the Party for that particular organisation.
 - e. All motions shall be determined by a simple majority. A motion which fails to obtain a majority vote shall be deemed to be lost.

- f. During the election of officers the preferential system of voting shall be adopted for all single vacancies, but in all multiple elections the "first past the post" system shall be used.

**APPENDIX B: ELECTION RULES for the PARLIAMENTARY LABOUR PARTY LEADERSHIP ELECTIONS
– the principles and key elements of the system.**

Approved by New Zealand Council on August 25th 2013

1. Introduction and definitions

This document establishes the principles and essential elements of the election system for the Leader of the Parliamentary Caucus of the New Zealand Labour Party ("the NZLP"), and provides the administrative rules for those elections. These rules are designed to provide certainty for what will happen in any given circumstance. The three sections of the Electoral College are made up of two entities and one grouping, namely the New Zealand Labour Party, the Parliamentary Labour Party (the Caucus) and the various Party affiliates. These three elements of the Electoral College are referred to as the sections through this document.

This document is mandated by a series of constitutional amendments passed by the 2012 Annual Conference of the NZLP, summarised as follows:

Election of the Leader of the Parliamentary Labour Party – the Leader must be a Member of Parliament; an election for the position of Leader is triggered if there is a vacancy, or if requested by a simple majority of Caucus (at any time), or if the Leader fails to obtain the support of 60% plus 1 of the Caucus membership in a vote held within three months after a General Election (and in February 2013, as a one-off); the Electoral College comprises 40% party members, 40% Caucus (both One Member One Vote), and 20% affiliates (varying voting systems); the first version of administrative rules will be developed by NZ Council, in conjunction with the Caucus, by end 2012.

The New Zealand Council has constitutional responsibility to ensure that procedures, including the length of any election process, are laid down in advance of any such contest, and that the procedures are adhered to throughout the campaign. Much of the detail underlying that responsibility is devolved to the Returning Officer, and the Leadership Election Advisory Group (*see 3.7 below*) will have oversight of the process, and will reflect the interest of all stakeholders in the NZLP.

Agent	Someone appointed by a candidate to represent their interests in the election process
Affiliates	Those bodies affiliated to the NZLP
the Campaign	The process of nominated candidates for the Labour leadership communicating to voters in that election
Candidates	People duly nominated as candidates for the Leadership Election
Caucus Rules	The Rules set by Labour Caucus from time to time to govern the affairs of the Caucus
College	the Electoral College
Code/s of Conduct	Rules specific to certain groupings of people involved in the implementation of the Leadership Rules
Deputy	Someone in an elected substitute position in an affiliate organisation who is nominated to exercise a vote because the delegate themselves is not allowed to vote in the Leadership Election
DWU	New Zealand Dairy Workers Union
Electoral College	The combination of Party Members, Caucus and affiliate sections in a NZLP Leadership Election
Electronic address	e-mail address
Eligible member	Someone who qualifies to vote in the Leadership Election
EPMU	NZ Amalgamated Engineering, Printing and Manufacturing Union Inc
Financial members	People who are current members of the NZLP through virtue of payment or otherwise (e.g. people who are Life Members)
Husting meetings	Meetings open to party members and eligible voters at which the candidates will speak and will be asked questions
LEAG	Leadership Election Advisory Group
Leadership Rules	The Election Rules for the Parliamentary Labour Party Leadership Elections
MUNZ	Maritime Union of New Zealand
NZ Council	The New Zealand Council, governing body of the NZLP

NZLP	New Zealand Labour Party
MWU	New Zealand Meat Workers Union
One eligible member, one vote	The voting process for the Party members and for the members of the Service Workers Union
Parliamentary staff	Staff employed by Members of Parliament and funded by Parliamentary Service
Party constitution	The NZLP Constitution and Rules
Preferential ballots	A voting system in which candidates are ranked by voters in order of preference
Proxy voting	Someone duly appointed to vote on behalf of someone else.
Returning Officer	The person who runs the election and deals with
RMTU	Rail and Maritime Transport Union of New Zealand
Scrutineers	People appointed by the various sections of the College to represent their interests when the vote is counted
Sections	The three sections of the College – Party members, Caucus members and affiliates
Senior Whip	The person elected by the Labour caucus to be their Senior Whip
SFWU	Service and Food Workers Union
Single-round preferential voting system	A system where people vote once, ranking all the candidates in their order of preference
Valid form	The technically correct way
Voter preferences	The stated candidate preference of voters

2. Status and principles

The bulk of this document will become non-constitutional Administrative Rules for the New Zealand Labour Party.

The four proposed key principles of the election system are as follows:

- Democratic integrity and certainty;
- Transparency and fairness;
- Membership participation; *and*
- Party growth.

2. Key elements

3.1 Nomination

- 3.1.1 Where an election is triggered by a resignation or death of the Leader, the Senior Whip shall be responsible for formally notifying the Party President and General Secretary of the fact as soon as practicable.
- 3.1.2 The closing date and time for nominations for the position of Leader of the Parliamentary Labour Party will be set by the NZ Council in the face-to-face or teleconference meeting in which they establish the timetable for the whole election; that will be held as soon as practicable and within 48 hours of an election being triggered.
- 3.1.3 All nominations must be received by the Returning Officer by the time and date detailed in the agreed timetable. All nominations will be supported by a nominator and a seconder, both of whom must be members of the Labour Caucus and neither of whom can be the candidate being nominated. Nominations will remain valid once submitted, unless the nominated candidate withdraws in writing to the Returning Officer. Nominations will be recorded and published on the Labour Party website as soon as practicable after closure of nominations. The Returning Officer will write to the nominated candidates confirming whether their nomination has been accepted or whether further information is required.
- 3.1.4 The Returning Officer shall ensure that nominations are filed securely, electronically and in the original paper copy. If a nomination is provided in hard copy then it should be scanned and saved in a secure folder relating to the election. Nominations shall be retained for at least six months from the closing date for nominations, and afterwards destroyed.

- 3.1.5 Members shall be electronically notified of any major changes to the process and of any nominations, once information has been published by the Party.
- 3.1.6 In the event of only one nomination being received by the due date and time, the nominee will be declared by the Party President as duly elected.

3.2 Voting system

- 3.2.1 There will be an **Electoral College** comprising Party membership votes, Caucus votes and affiliate votes. The affiliate vote will be divided between the affiliates in proportion to the registered total affiliated numbers nationwide for each affiliate¹, as per the New Zealand Labour Party's constitution.
- 3.2.2 Each Caucus member will receive **one vote** in the Caucus section, and each Party member will receive one vote in the Party section. Voting in the affiliate section will be undertaken at an affiliate's National Conference delegate level, or amongst the eligible membership of an affiliate when agreed by that affiliate. Affiliates will not individually or collectively vote as a bloc.
- 3.2.3 The **votes of each candidate in each section** will be calculated as a percentage of the total votes cast in that section, and shall then be apportioned as follows:
 Section 1, individual members of the New Zealand Labour Party – 40%
 Section 2, members of the Parliamentary Labour Party – 40%
 Section 3, the affiliate vote as detailed above – 20%.
- 3.2.4 Based on the existing NZLP Rules, which mandate preferential ballots, the system to be utilised for an election in which there are more than two candidates will be a **single round preferential voting system**. The winner will need to gain the support of a simple majority of the entire Electoral College. That will require all voters to return individual ballot papers detailing the preference votes cast for each candidate. The first preference votes cast for each candidate will then be aggregated nationally, appropriately weighted, across all three sections of the Electoral College. If no candidate gets a simple majority of the Electoral College votes in the first round, the Electoral College result will be recalculated, eliminating the candidate with the lowest percentage of Electoral College and redistributing those votes according to expressed preferences until one candidate exceeds the 50% threshold.
- 3.2.5 There will be one **Returning Officer** for the whole election, to be appointed by the NZ Council, with the expectation that they will be the NZLP General Secretary unless the NZ Council resolves that the NZLP General Secretary has a conflict of interest in relation to one or more of the candidates.
- NZ Council must allow the General Secretary to address the Council about any potential **conflicts of interest** that have been brought to the attention of the Council, and how any conflicts may be removed or managed. Before NZ Council decides to appoint another person as the Returning Officer, it must ensure that the appointee is not a member of another political party and does not have a conflict of interest. Nothing in this clause prevents the Returning Officer from being eligible to vote in the election.
- 3.2.6 The Returning Officer may assign **Deputy Returning Officers** to assist with the running of the ballot, within or across sections, and any Deputy Returning Officers must declare any conflict of interests to the Returning Officer before commencing duties. All Deputy Returning Officers, including affiliate-appointed Deputy Returning Officers (*see A2*), must act impartially in the conduct of their duties and under the direction of the Returning Officer. Nothing in these rules prevents the Returning Officer from appointing deputies where affiliate Deputy Returning Officers have also been appointed.
- 3.2.7 Each candidate will be obliged to appoint an **Agent** to liaise with the Returning Officer and the Leadership Election Advisory Group (*see 3.7 after*) on matters concerning the election. An Agent must be a Party member. All Agents must attend the Code of Conduct meeting

¹ As of 01/13, DWU 10.38%; EPMU 35.44%; MUNZ 3.63%; MWU 20.79%; RMTU 6.44%; SFWU 23.32%

with the candidate (*see 3.7.9*), and agree to abide by the Party Constitution, the rules and the Code of Conduct for candidates.

3.3 Eligibility to vote

- 3.3.1 **Affiliate delegates** or **affiliate members** eligible at the time that the election is called (according to the voting system adopted by each Affiliate) will be eligible to vote in the Affiliate section. **Members of the Parliamentary Caucus** will be eligible to vote in the Caucus section. **Current financial members of the New Zealand Labour Party** will be eligible to vote in the Party section. People who are members of other political parties will not be able to vote in any section.
- 3.3.2 **Members separately entitled to vote** in more than one section of the College can do so. **Proxy voting** will not be allowed.
- 3.3.3 **Membership** of the New Zealand Labour Party, leading to eligibility to vote, will be open until midnight on the day in which the election is triggered.
- 3.3.4 Nothing in these rules prevents the Returning Officer, Deputies, Party staff, members of LEAG, or NZ Council members from being **eligible to vote** in the election where they otherwise satisfy the voter eligibility criteria.

3.4 Voting process

- 3.4.1 For the Caucus and party sections, **ballot papers will be sent to the postal and electronic address registered** for the member on the system at Party Headquarters. Affiliates and the party staff must make best endeavours to ensure that the lists of voters provided are up-to-date and accurate. Affiliates which are not organising voting at hustling meetings, and the SFWU, will provide distribution lists to Party headquarters.
- 3.4.2 Affiliates must instruct their members that **if they belong to another political party** they are not eligible to vote in the election.
- 3.4.3 **Ballot papers** for voting in all three sections of the Electoral College will be of a standard design, with various paper colours and logos for the different sections of, or elements in each section of, the Electoral College being utilised. This will enable the Returning Officer to extrapolate the vote according to the College composition and weighting. The ballot papers will include a unique identifier to enable checks for duplicates.

All ballot papers will contain the following statement:

"By voting in this election I am declaring that I am not a member of any political party other than the New Zealand Labour Party".

- 3.4.4 Apart from ballot papers issued at meetings to affiliates who select that method of voting, all ballot papers in all three sections will be issued by post or electronically on days that have been pre-approved by the Returning Officer, directly by the Party or by an independent contractor on behalf of the Party. This **election mailing** will be the only mailing undertaken by/on behalf of the Party centrally to voters, with the exception of mailings forwarded on behalf of candidates (*see 3.6 below*) or re-sent ballot papers where the original has been lost or not received.

3.4.5 The **election mailing** will comprise:

- a cover letter describing the process and options for returning the vote and, for affiliates, encouraging them to join the Party as individual members and explaining how they are eligible to vote in the election as a member of an affiliate and not a member of another political party;
- the ballot paper;
- 2 (two) reply-paid and pre-addressed FastPost envelopes (one is for the donation to be sent separately, so that the ballot papers are separate and remain anonymous);
- candidate information sheets (standard maximum length); *and*
- an appeal for donations to cover the cost of the election, including a 0900 number.

The envelopes for the affiliates vote mailing will include a Labour membership form.

- 3.4.6 Ballot papers with identifiers will be **available for issue at meetings** for specific affiliates (on request, with staffing provided).
- 3.4.7 The Senior Whip of the Parliamentary Caucus, and each Affiliate, except the Service and Food Workers Union, will provide to the Party the **labels for a mailing to those eligible to vote** or email addresses for the purposes of electronic voting in the ballot for their section, and will fund their portion of that mailing. In the case of the Service and Food Workers Union, which will be balloting eligible and attending members at meetings (*as described in Appendix A below*) and authorising the issuing of some postal votes (*see Appendix A*), a complete and current membership list will be provided to the Returning Officer.
- 3.4.8 A final date will be set for the **re-issuing of ballots that have been lost or not received**, to avoid bias towards the location where ballot papers are issued.
- 3.4.9 In accordance with NZLP practice, all **voter preferences** must be completed by the voter in valid form, or the vote will be discounted. Guidance will be offered on the ballot paper and otherwise provided at the time of voting (in the case of electronic voting).
- 3.4.10 **Voting facilities** for voters in the Party members section and (on request, with staffing provided) for specific Affiliates will be available at candidates meetings (*see 3.6.1 below*).
- 3.4.11 Apart from votes cast in 3.4.9, all ballot papers must be **returned** to Fraser House or to an independent contractor for processing and counting, by a defined time on a defined date. Paper-based returns may be made by post, in person, by fax, or by e-mailing of a scanned copy to a dedicated e-mail address. Electronic returns will be made through the electronic voting system agreed to by NZ Council.
- The Returning Officer must ensure that the unique identifier and corresponding voter information are electronically **recorded and stored securely**, to prevent improper access and use. This information should only be accessed by the Returning Officer or with the Returning Officer's express authorisation for the purposes of validating the election mailing or results.
- 3.4.12 **Scrutineers** for the vote count will be appointed by the candidates (one each), Affiliates (two, including one for the SFWU), Caucus (one), and New Zealand Council, on behalf of the Party membership (two). Issues arising will be referred for decision to the Returning Officer. The Returning Officer will be responsible for ensuring that the electronic voting system is operating fairly and without bias.
- 3.4.13 At each stage of the vote count, any **spoilt, duplicate, otherwise invalid or non-transferable voting papers** will be discounted.
- 3.4.14 **Results** for each candidate will be published on the NZ Labour Party's website for each section of the Electoral College as percentages at each stage of the count. The result will be announced by the Party. Ballot papers and associated records will be retained in the event of a review of the count being necessitated.
- 3.4.15 The Returning Officer shall ensure that **votes are filed securely electronically and in paper copy**, to prevent improper access and use. This information should only be accessed by the Returning Officer or with the Returning Officer's express authorisation for the purposes of validating the results. This information must be stored separately from the unique identifiers. These documents shall be retained for at least six months from the closing date of the elections and afterwards destroyed.

3.5 Timeline

- 3.5.1 The system will be capable of delivering **a result** within 21 days of being triggered, but the period may be longer.
- 3.5.2 The decision of the New Zealand Council in relation to the **timetable for the whole election** will be final, and will be made as soon as practicable, and within 48 hours of the election being triggered, normally by teleconference.

3.6 Promotion and Communications

3.6.1 A series of hustling **meetings** for eligible voters and other Party members, organised and funded by Party hubs/regions and chaired by the NZLP President or her/his nominee, will be organised. The location of meetings will be taken from the following list, with the final choice being dependent on the time available, the level of organisation in each city, and at a minimum covering the six largest population centres: Auckland x 3 - North, Central and South; Hamilton; Tauranga; Hawkes Bay; New Plymouth; Palmerston North; Wellington; Nelson; Christchurch; Dunedin, Invercargill and a virtual web-hosted meeting so that every voter has an opportunity to participate.

Candidates will be expected to attend the hustling meetings. The meetings will be arranged in an essentially consistent way, for example around chairing and agenda design. Donations will be collected at the meetings, to be utilised for the costs of organising the meeting, with any surplus funds being applied to NZLP election costs. Apart from the speeches made by candidates, the meetings will be closed to the media. Leaflets produced by the candidates will be made available at these events if they are provided in sufficient numbers to Head Office.

3.6.2 Candidates will not be provided with **access to Party membership lists**, but the Party will offer a service whereby it will (on provision of at least 72 hours notice) undertake physical or e-mail distributions to all members, with the candidate meeting all real costs (including staff time etc). A customisation option for the selection and personalisation of e-mails or letters will be offered at cost. Such costs will have to be contained within the spending limit of the candidate. Candidates will also be provided with a list of LEC, branch, sector and affiliate contacts, as is the practice with internal NZLP elections. Distribution to affiliate voters lists will be offered to all candidates on the basis of the service outlined above. All candidate material must comply with the Code of Conduct for candidates (*see Appendix D*).

3.6.3 Standard form **candidate statements, news items, standard length videos and contact details** will be published prominently on a distinct part of the Labour website, with candidates being requested to provide wording, high resolution photos etc as required. Each candidate will have a web page within that part of the site, including their biography and a link to their own site. Candidates will be entitled to operate their own websites in accordance with the Code of Conduct for candidates.

3.6.4 During an election, a NZLP **Communications Officer** will coordinate media interviews, and requests for interviews, with the candidates at all NZLP-organised events, and at other times the NZLP will direct all media enquiries to the Agents of the candidates.

2.7 Balance

3.7.1 A permanent **Leadership Election Advisory Group (LEAG)**, with the status of a sub-committee of New Zealand Council, will be formed, initially by end February 2013 and subsequently at the first meeting of the New Zealand Council after each Conference or Congress. It will have the primary role of oversight of the Leadership Election process. Contained within this, a key function of LEAG will be to consider serious complaints that are either referred by the Returning Officer or appealed following a decision of the Returning Officer.

3.7.2 LEAG will **comprise** the Party President, Senior Vice President and Senior Vice President (Maori) (or substitutes if any are Members of Parliament), one Affiliates representatives (nominated by the NZLP Affiliates Council), one Caucus representative (nominated by the Caucus) and one Party elder (nominated by the NZ Council)². The caucus representative must

² The membership of LEAG as of August 2013 comprised (with *post-holders/nominees*):

- the Party President, *Moira Coatsworth*
- the Senior Vice President, *Robert Gallagher*
- Senior Vice President (Maori) (or substitutes if any are Members of Parliament), *Haare Williams*
- one Affiliates' representative, nominated by the NZLP Affiliates Council), *Angus McConnell*
- one Caucus representative (nominated by the Caucus) *Chris Hipkins*

not be a candidate, nominee, nominator, seconder or person involved in instigating the trigger (i.e. the person who requests a leadership confidence vote or one of the persons who requested a special meeting under the Rules). The Party President shall have a second, casting vote.

During a leadership election LEAG has a unique ability to act independently of Council, so that NZ Council members have the freedom to be political. NZ Council retains sole decision-making for serious decisions, e.g. whether to withdraw a candidate from the election.

- 3.7.3 In making decisions, **LEAG must act impartially**, giving effect to the rules. Where a member of LEAG has a conflict then they must be absent from making a decision relating to that issue or candidate. NZ Council makes a final decision on any conflict of interests where there is a dispute.
- 3.7.4 **LEAG will report to NZ Council** within six months of each leadership election conducted under this system on any recommended amendment of these Rules. The person who acted as the Returning Officer will report on queries/complaints. The General Secretary will conduct an evaluation, including interviews with key people, and report to LEAG.
- 3.7.5 **Material disseminated on behalf of candidates** (in the same envelope as the ballot papers, electronically or at the meetings) is to be of standard length and form.
- 3.7.6 All NZ Council members are entitled to take and advocate any position of their own choosing in a leadership election. Party staff must show complete **neutrality** in their work, but nothing in these Rules shall prevent staff members from exercising their vote as members.
- 3.7.7 Candidates must have **equal access to public and Caucus resources**, regardless of whether one of the candidates happens to be the incumbent in the role. On that basis, Caucus will develop rules which encompass the following, and these rules will be reflected in the Codes of Conduct:
- clarification of the position of Parliamentary staff, both to ensure fairness but also to protect them from infringing any parliamentary or ministerial service guidelines.
 - under Parliamentary Service rules, no staff from the Leader's office (or the Prime Minister's office, if the Leader is also Prime Minister) will be allowed to assist any candidate for Leader on any matter primarily related to that election, but will still be able to assist Ministers, Spokespeople and other MPs with their day-to-day spokesperson roles etc.
 - no lists of Party members held in the Leaders Office (e.g. mailing lists, e-mail lists) are to be utilised during the election for election purposes.
 - Executive Assistants (or a Private Secretary, if a Minister) will be the only staff who may support a candidate in their bid for the Leadership, within Parliamentary rules.
 - all other staff must either take unpaid leave for the duration of the leadership election – with no access to Party or Parliamentary resources – or act in accordance with the Parliamentary Rules, Caucus Rules and Code of Conduct for Parliamentary staff.
- 3.7.8 All candidates and Agents will have to sign a **Code of Conduct for candidates**, which is designed to protect the integrity of the election process, aiming for the election to be as fair as practicable. See Appendix D of the Rules for the agreed Code. Candidates and their Agents may seek advice and guidance from the Returning Officer about compliance with the Code, and the Returning Officer will seek to resolve all queries as soon as practicable on a query being received.
- 3.7.9 LEAG and the Returning Officer will **meet with the candidates and their nominated Agents** as soon as possible after closure of nominations in a briefing meeting to talk

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- one Party elder (nominated by the NZ Council), *Margaret Wilson*

through and confirm a commitment to comply with the Code of Conduct for candidates (*see Appendix D of the Rules*), and other relevant matters. Candidates and their nominated Agents are obliged to attend this meeting, although the Returning Officer has discretion to coordinate the meeting by teleconference. The Returning Officer must be reasonable in negotiating the times of the meeting. Failure to attend such a meeting or to sign the Code of Conduct for candidates without reasonable excuse (as determined by the Returning Officer) will be treated as a withdrawal of the candidacy.

3.7.10 The Returning Officer will be responsible for **reporting to New Zealand Council on any alleged breach of the Code** and also has the power to require the candidate or the candidate's agent to cease acting inconsistently with the Code (for example, to immediately withdraw campaign material that breaches the Code).

3.7.11 Where **a candidate has acted inconsistently with the Rules or the Code of Conduct for candidates**, the Returning Officer has discretion to decide what might be an appropriate response, including, for example:

- Querying the action with candidate and the Agent
- Private instruction to a candidate and their Agent that a practice desist or that material be withdrawn
- Withdrawing the campaign mailing and distribution service provided by the Party
- A public warning
- Require an apology
- To recommend to NZ Council, in consultation with LEAG, that a candidate be barred or that the candidate be required to appoint a new Agent (in extreme cases)
- Identifying any of the above sanctions imposed in the election mailing to eligible voters.

3.7.12 The NZLP will not cover the **costs** incurred by any candidate.

3.8 Administration

The NZ Council reserves the right to **appoint an independent organisation** to conduct the ballot.

3.9 Reserve Powers for NZ Council

3.9.1 NZ Council shall be authorised to **suspend or cancel a leadership election** in exceptional circumstances including, without limitation, the following:

- The death of a candidate;
- The calling of a General Election;
- Where NZ Council considers that the democratic integrity of the election process has been seriously undermined.

3.9.2 Nothing in these Rules prevents NZ Council from **resolving to continue with the election** in these circumstances.

4.0 Process during an election

4.1 The **process** outlined in Appendix E shall apply during a Leadership Election.

APPENDICES TO THE RULES

A Affiliate section election

A1 As per 3.2 above, in **affiliate voting** each body (all currently unions) will propose their own internal election processes in regard to this leadership election, which shall be approved by NZ Council, taking into account the democratic structures within each affiliate. Such voting will be undertaken by a Union's National Conference delegate level, or amongst the eligible membership of a Union. No block voting will be allowed, and the votes must be cast by affiliated members, as per the NZLP Constitution. The 20% of the

Electoral College allocated to affiliates is to be divided up on a proportional basis dependant on the number of members that each union has affiliated on, as per the NZLP Constitution.

A2 The **election process** for each affiliate will differ. They will be based on the following systems:

DWU The ballot will be exercised by delegates to the National Conference according to the Rules of the DWU Te Runanga Wai Inc. In the case of a delegate being ineligible to vote due to membership of another political party then the vote will be exercised by their duly elected deputy.

EPMU The ballot will be exercised by the delegates to the National Conference. In the case of a delegate being ineligible to vote due to membership of another political party then the vote will be exercised by their duly elected deputy.

MUNZ The ballot will be exercised by delegates to the National Council, representative of every branch of the Union. In the case of a delegate being ineligible to vote due to membership of another political party then the vote will be exercised by their duly elected deputy.

MWU The ballot will be exercised by delegates to the National Conference. In the case of a delegate being ineligible to vote due to membership of another political party then the vote will be exercised by their duly elected deputy.

RMTU The ballot will be exercised by delegates to the National Conference. In the case of a delegate being ineligible to vote due to membership of another political party then the vote will be exercised by their duly elected deputy.

SFWU All eligible financial members of the Union will be indirectly informed through FaceBook, e-mail (where on record), text (where on record), worksite notices and through workplace delegates that they have a vote and how to vote in the process. The vote can be activated in two ways. The members can either turn up at any of the advertised election husting meetings, where they can be issued with and can cast a ballot (to be administered by SFWU staff), with the ballot being sealed at the end of the meeting; those voting will be checked off against a full list of eligible members by the Returning Officer or their appointee. The SFWU will appoint a Deputy Returning Officer for each meeting, and the Returning Officer may also appoint a scrutineer for the SFWU voting. If the member lives more than 32km from the location of any of those meetings/they have a personal emergency/they have a disability that prevents them attending and voting at a meeting, they may apply to the SFWU Deputy Returning Officer for a postal vote prior to the round of meetings commencing; if approved, that will be issued by the NZLP, and will be returned in the normal way. The SFWU will make available appropriate resources to the Returning Officer to enable this process to occur.

In all cases, the NZLP General Secretary is to act as **Returning Officer**, with Deputy Returning Officers appointed by each affiliate.

A3 As per 3.4 above, all ballot papers in all three sections of the Electoral College will either be **issued** by post or made accessible electronically on pre-approved days, directly by the Party or by an independent body contracted by the Party. Affiliates will provide to the Party, or the independent body contracted by the party, the **labels for a mailing to those eligible to vote** in their ballot (or, in the case of the SFWU, those who are granted a postal vote), and will fund that mailing. Any **mailings of information** to members/delegates will be funded by the affiliate. Affiliates may publish and promote to their voters **endorsement of a candidate**, but must not use any process to bind the electors within that affiliate to a common position. The SFWU must make all election mailing material available at candidate hustings.

A4 If required, an opportunity will be provided in Auckland or Wellington for all **candidates to meet jointly with the combined Executive Committees** etc of the affiliates, and/or affiliates will encourage eligible voting delegates to attend the candidate hustings as outlined in 3.6 above.

- A5 Affiliates will provide **equal access for all candidates** to their voters during the election period, to complement the policies and practices laid out in these Rules, in order to ensure balance during the process. This may include separate union-focussed meetings for all candidates.
- A6 There will be voting facilities made available at **candidate** hustings, as referred in 3.6 above. If an affiliate takes up this option, they will have to provide staffing for the balloting process.
- A7 Each affiliate election will **close** on the same day as the other sections.

B Caucus section election

- B1 The caucus procedures and rules relating to the triggering the election, the nomination of candidates and the election period must be **consistent with the New Zealand Labour Party Constitution** and these rules. The version of these rules agreed by New Zealand Council on August 23rd 2013 take precedence in the event of a conflict between the Caucus Rules and these rules.
- B2 In relation to **the process for instigating the trigger** in cases where MPs wish to establish whether or not the Leader continues to enjoy the support of 50%+1 (or, in the three yearly vote, 60% plus 1) of the Caucus, the following will be incorporated into the Caucus Rules:
- any Labour MP may place a leadership confidence vote on the agenda for any scheduled Caucus meeting by giving at least 7 days' notice to the Leader and Caucus Secretary.
 - a group of no fewer than 7 Labour MPs may requisition a special meeting of the Caucus by presenting a letter requesting such to the Leader and Caucus Secretary, such meeting to be called by the Leader as soon as possible and in any case no more than 7 days following receipt of such a letter.
- B3 All MPs and staff must **comply with the Codes of Conduct for leadership elections and any other Code produced**, from the point that an election is triggered (or requested in accordance with the NZLP constitution and the rules) until the election result has been announced. Non-compliance with the Code will be referred to the NZ Council for a decision. Staff members who do not belong to the Labour Party are prohibited from attending meetings or otherwise becoming involved in the leadership elections – this does not apply to MPs' Executive Assistants or equivalent who are acting within the terms of their job description.
- B4 In relation to meeting **thresholds** as set down in the Constitution, the interpretation of the 60% plus 1 rule will include the rounding up of fractions (e.g. on 2013 numbers of 34, assuming all Caucus members vote and do not abstain, the endorsement threshold to be reached was 21.4, i.e. 22 votes).
- B5 Voting in Caucus in relation to the trigger will be by **secret ballot**. Printed ballot papers will be provided by the Returning Officer, and they will be placed in a ballot box.
- B6 In the event of an **election being triggered**, the Senior Whip will send a letter as soon as possible to the NZLP President and General Secretary to trigger the election. This letter may be signed and sent by email.
- B7 **Nominations** of candidates for the leadership election must be supported by a nominator and a seconder, both of whom must be members of the Labour Caucus and neither of whom can be the candidate being nominated. The nomination will be on paperwork provided by the Returning Officer, and returnable to the Returning Officer.
- B8 In all cases where the leadership is vacant, the **Deputy Leader will become the Acting Leader** until the election of a new leader
- B9 The **ballot papers for MPs** will be sent to the address registered for that member at Party headquarters, unless indicated otherwise to the Returning Officer.

B10 **Ballot papers** will be returned to the Party (*see 3.4 above*), so no separate Caucus Returning Officer will be required. The caucus will be able to appoint a scrutineer for their section of the count.

B11 The **Deputy Leader and Whips** will be elected in accordance with the Caucus Rules.

B12 Should a vacancy in the leadership occur in the **3 months prior to the announced date of a general election** (where known) or in the absence of an announced date the statutory date (calculated according to the date on which the election is triggered or, in the case of a caucus vote, a meeting or special meeting is requested), a new Leader will be elected by Caucus majority vote. The new Leader will then be subject to confirmation within three months after the election, pursuant to the Party constitution (i.e. they would need to be endorsed by 60%+1 of the new Caucus, or a full leadership contest would be triggered).

C Party members section election

C1 The Party General Secretary will normally act as **Returning Officer** (*see 3.2.5*).

C2 The election will be conducted under the Single Round Preferential Voting system, and in this section conducted on the basis of **One Member One Vote**. Family members aged over 15 and named on the NZLP membership record are to be treated as individual voters, and all members registered at the same address, including e-mail address, will be sent a separate voting pack.

C3 Notification of **membership renewals** will be timed to precede a February confirmation vote.

C4 The General Secretary in that role will rule on **disputes over membership status**. The agents of the candidates will be consulted over the approach taken to this.