

## **Constitution of the Democratic Labour Party (DLP)**

1. The name of the party shall be the Democratic Labour Party (DLP) or any abbreviated form thereof.
2. It is provided that the party shall be a Federation of constituent State or Territory branches consisting of not more than one branch from each State or Territory of the Commonwealth of Australia.
3. Each State (hereinafter including Territory) branch shall be named that State Branch of the Democratic Labour Party.
4. The members shall be those eligible to vote in Commonwealth elections who are deemed by the Democratic Labour Party to be of like spirit and to identify with the principles, objectives and platform of the DLP. They shall attend DLP meetings, contribute to the funds, canvass for new members, assist with elections, vote for DLP candidates in elections or otherwise declare their association, loyalty and support.

### **Perspective**

5. The Democratic Labour Party shall promote the political, social and economic order of the decentralist nation-community as a preferred alternative to the authoritarian rigidities of socialist-centralist control and the libertarian extremes of the capitalist global market.
6. The Democratic Labour Party shall embrace principles which are distributist, or decentralist, in basic tenet and which call for practical social justice, the widest possible distribution of political, social and economic power and a decentralised society.
7. Democratic Labour Party policy shall be formulated to favour the smaller unit of responsibility and decision-making, rather than the larger, in government, business and community affairs.
8. In social policy the Democratic Labour Party shall recognise that rights and responsibilities that rest with individuals, families and the local community ought not to be relegated to larger social agencies or the state.
9. In economic policy the Democratic Labour Party shall acknowledge that the smaller unit in industry, commerce and the farming sector deserves protection from unfair competition or takeover by larger, more capitalised concerns.
10. The Democratic Labour Party shall insist that functions of federal government should be exercised without encroachment on the rightful responsibilities of state and local administrations, or the communities they serve.

### **Principles**

11. The Democratic Labour Party shall uphold principles of democracy intended to maintain –
  - a. responsible government, representative parliaments, the fundamental liberties of conscience, equality, justice and the rule of law;
  - b. a decent and secure livelihood for all, through wage justice, fair rewards for enterprise, adequate social security and equity in the determination of prices, interest rates and the level of taxation;
  - c. limits upon centralism in government and upon the concentrations of power in corporate business, financial institutions, trade unions and the communications media;
  - d. protection of the constitutional sovereignty of the people of the Commonwealth, and of each State of the Commonwealth against outside political interference, economic coercion or external aggression;
  - e. resistance to the spread of totalitarian, supranationalist and other anti-democratic ideologies, and cautious realism in dealings with the regimes, movements and fronts that derive from them.

12. The Democratic Labour Party shall uphold principles of liberty intended to affirm –
  - a. orthodox values and traditions and the ethic of civic responsibility as the foundation for genuine human freedoms and the common good;
  - b. the sacredness of human life, from conception until natural death, as the fundamental basis for all human rights;
  - c. the historical indispensability of the family as the primary guardian of personal freedoms *vis-a-vis* the state;
  - d. the authority of just law as paramount in the protection of community interests against exploitation, violence or threat from self-serving, coercive-ideological and lawless agents or groups;
  - e. distributive democracy as the means to advance the welfare, status and development of the people and support basic freedoms and rights.
  
13. The Democratic Labour Party shall uphold principles of peace intended to promote –
  - a. personal security, harmony and trust within families, mutual tolerance and respect among all peoples and communities and the right to lawful national self-determination;
  - b. development of co-operative links between nations in matters of mutual interest, including foreign aid, migration and refugees, scientific and cultural exchanges, trade and essential defence alliances;
  - c. preparedness for legitimate self-defence against external aggression or threat to the nation and its regional or global interests, through the maintenance of a flexible and effective deterrent capability;
  - d. multilateral armaments reduction which is balanced, verifiable and progressive;
  - e. vigilance against unilateralism, pacifism and appeasement and the strategic instabilities they abet.

### **Objectives**

14. To establish, under Almighty God, the political, legal, social and economic foundations for a just, free and democratic society and for a self-reliant and secure Australia.
15. To decentralise, to the maximum extent practicable, the ownership, management and control of the means of production, distribution and exchange.
16. To protect the fundamental and inalienable rights of each person embodied in the common law, statute and tradition - to life, to the essential liberties of conscience, to equality and natural justice, to ownership of property and to a livelihood that enhances the dignity, status and security of the person.
17. To advance the rights, welfare and status of the natural family, founded in traditional marriage, as the primary provider in the nurturing, rearing and educating of the young and in the care of the infirm and the aged.
18. To assert the right of governments to supervise the nation's economy, maintain the rule of law and protect the welfare of the less privileged.
19. To make a just contribution to the liberties and welfare of the peoples of other nations and to work for international understanding, regional stability and peace.
20. To promote the principles, objectives and policies of the Democratic Labour Party, through education, organisation and the selection of suitable men and women as candidates in Federal upper and lower house elections, State upper and lower house elections, ACT Legislative Assembly elections, Northern Territory Legislative Assembly elections and municipal elections.

# Rules of the Democratic Labour Party (DLP)

## Organisation

21. Local Branches: Until the Federal Executive otherwise decides, Local Branches of the Democratic Labour Party shall organise on a basis of one per federal electorate and consist of ten or more members (or fewer, with State Executive approval) who shall elect a President, Secretary and Assistant Secretary/Treasurer. The Local Branch Executive shall liaise with the State Executive and shall carry out the work of the party, as directed. Any reference in the Constitution and Rules to a "Local Branch" may be taken to include a deemed Local Branch or a Regional Branch. *(see appendix - #1)*
22. Deemed Local Branches: In any federal electorate, individual members not yet formally constituted as a Local Branch may be deemed by the State Executive, for purposes of representation at State Conference, to be a Local Branch.
23. Regional Branches: With State Executive approval, several Local Branches may merge to form a Regional Branch without reducing their separate entitlements to representation at State Conference or State Executive meetings.
24. Support Groups: A Support Group shall include members with a community-group association or interest (e.g., women, youth, taxpayers, occupational or small business groups, community volunteers, students and the like) active in promoting the principles and platform of the Democratic Labour Party. Support Groups may organise in parallel with the State Branch organisation through an annual conference, a central executive body and local electorate branches.
25. Affiliated Organisations: The State Conference may admit as an Affiliated Organisation any properly constituted body upholding principles, objectives and policy positions consistent with those of the Democratic Labour Party and prepared to give active support to DLP candidates in election campaigns.
26. Divisions: A reference in the Constitution and Rules to a "division" of the Democratic Labour Party may include a State Branch, a Local Branch, a Support Group or an Affiliated Organisation, as appropriate.
27. State Conference: The State Conference shall be the supreme governing body of the Democratic Labour Party within each State. It shall meet annually, or as otherwise required by the State Executive or requested by a majority of State Branch divisions. A State Conference may be convened by way of correspondence or by postal vote. In the case of a postal vote, a copy of relevant motions, a succinct statement, where practicable, of arguments for and against and a ballot paper to be marked "Yes" or "No" for any questions shall be posted to delegates. Delegates shall mark, sign and return their ballot papers to the State Executive by a stipulated date, and all votes, for and against, shall be counted and minuted with the names of the voting delegates. Resolutions so determined shall have the full effect of State Conference decisions.
28. Representation at State Conference: Each Local Branch, Support Group and Affiliated Organisation, shall be represented at the State Conference in proportion to its membership, as follows:
  - 100 members or under – 3 delegates;
  - 101 to 300 members – 4 delegates;
  - 301 to 900 members – 5 delegates, and 1 for each trebling of the number of members thereafter, or part thereof;and the State Secretary, or a proxy from the State Branch, and the Democratic Labour Party leader and deputy leader in each House of the State Parliament shall be *ex officio* delegates.

29. State Conference Procedure: The first item of business at State Conference, upon delegates being credentialled, shall be, without debate, to appoint a Minutes Secretary and, as required, a Returning Officer and assistant(s) and committees of three to determine on the procedures for the election of State Executive officers and Federal Conference delegates, the hearing of appeals against suspension of membership or affiliation, the resolution of disputes, the times of sitting, the business agenda and the standing orders for debate.
30. State Executive: The State Executive shall be the ruling authority of the State Branch between each State Conference, shall meet monthly, or at other agreed intervals and shall comprise the officers elected by an annual State Conference and, with notice of attendance given, one elected delegate from each constituted local or regional branch.
31. State Executive Officers: Office-bearers to be elected to the State Executive shall be as follows:
- President;
  - First Vice-President;
  - Second Vice-President;
  - Secretary;
  - Assistant Secretary;
  - Treasurer.
32. Election of State Executive and Delegates to Federal Conference: Nominations, in an approved form, for election as a State Executive officer or Federal Conference delegate shall be lodged with the Returning Officer, by nominees, before the notified close of nominations at an annual State Conference. Any vote required shall be conducted by secret ballot and the members shall be informed of the closing time thereof. The applicable method of voting shall be optional quota / preferential. Newly elected office-bearers and delegates may be installed at a convenient time before the close of Conference.
33. State Executive Sub-Committees: After an annual State Conference, the State Executive, as needed, shall appoint sub-committees of three to five members to assist in conducting State Branch business pertaining to –
- Publicity and public relations;
  - Recruitment and training of members;
  - Fundraising and election organisation;
  - Other undertakings and projects;
- and in making reports and recommendations, thereon, to the State Executive. State Executive sub-committees shall also include, as *ex officio* members, the President and Secretary of the State Branch.
34. Federal Conference: The supreme governing body of the Democratic Labour Party (DLP) shall be the Federal Conference, meeting at the earliest practicable opportunity in the period between each federal election or as otherwise required by the Federal Executive or requested by a majority of the State Branches. The Federal Executive may convene a Federal Conference by way of correspondence or by postal vote in the same manner applicable to a State Conference. Any questions resolved in this manner shall have the full effect of Federal Conference decisions.
35. Representation at Federal Conference: Each State Branch of the party shall be represented at Federal Conference by delegates of the State Branch in proportion to its membership, as follows:
- 100 members or under – 3 delegates;
- 101 to 300 members – 4 delegates;
- 301 to 900 members – 5 delegates, and 1 for each trebling of the number of members thereafter, or part thereof; and each Federal / State Secretary, or a proxy from the respective Executives, and the Democratic Labour Party leader and deputy leader in each House of the Federal Parliament shall be *ex officio* delegates.
36. Procedure at Federal Conference: As applicable for State Conference.

**37. Federal Executive:** The Federal Executive shall be the ruling authority to administer the party between Federal Conferences. The Federal Executive shall interpret the Constitution and Rules of the DLP. The Federal Executive shall implement Federal party policy in accordance with decisions of the Federal Conference. The Federal Executive shall meet annually, or at other agreed intervals, and shall comprise the officers elected by the previous Federal Conference, each State Secretary (or, where any such Secretary is either an officer of the Federal Executive or unavailable, a proxy from the State Executive), and the DLP leader and deputy leader in each House of the Federal Parliament.

**38. Federal Executive Officers:** As for State Executive Officers.

**39. Election of Federal Executive:** As for Election of State Executive.

**40. Office Bearer vacancies between Conferences:** If any Federal or State Office Bearer position becomes vacant, and the relevant Federal or State Conference is not due within 3 months of the date of the vacancy, the relevant Federal or State Executive shall call for nominations to fill that position, with nominations for any vacant Federal Executive position being invited from all State Executives; and nominations for any vacant State Executive position being invited from financial party members of that state through a notice on the DLP website. Nominations shall close 21 days after the day nominations are invited. Should no nominations be received the relevant Executive shall continue in its present form until the next Federal or State Conference. Should nominations be received the relevant Federal or State Executive shall meet, either in person, via telephone or email, within one week of the close of nominations and vote to elect and install one of the nominees to the vacant position.

**41. Officials:** The Federal / State Executive at the respective level may appoint as salaried officials, and fix their conditions of employment, any officer, or other member, to perform the work of the Democratic Labour Party, as directed.

### **Management and Decisions**

**42.** The management and control of the Democratic Labour Party, at any level of the organisation, and the development of policy shall be entirely in the hands of the members. The Federal / State Conference shall be the supreme policy-making body at the respective Federal / State level and the policy platform shall be decided, in conformity with the Constitution and Rules, by a democratic vote.

**43.** In accordance with the Constitution and Rules, the members of the Democratic Labour Party, voting at the respective Federal / State Conference, shall be the final arbiters in all matters for decision within the party.

### **Public Comment**

**44.** The Federal Conference shall have full powers to interpret the Constitution and Rules (by-laws) of the DLP for the betterment of the party. Between Federal Conferences the Federal Executive shall have the power to interpret the Constitution and Rules (by-laws) of the DLP. Any State executive may make an application for an interpretation from the Federal Executive. Any decision to interpret or clarify such words shall be by a majority vote of the Federal Executive. Such decisions shall take immediate effect and shall be presented to the next scheduled Federal Conference for ratification or amendment. Once an interpretation has been ratified or amended by the Federal Conference it may no longer be altered by the Federal Executive. Each such resolution of the Federal Executive and Federal Conference shall be communicated in writing to each State Secretary.

**45.** Unless unavailable, the respective Federal / State Secretary of the Democratic Labour Party shall be the sole officer to make public comment on behalf of the Federal / State organisation. The Federal / State President may act instead, or be further replaced, as the Federal / State Executive may decide.

46. Democratic Labour Party endorsed candidates and officers authorised by Local Branches, Support Groups or Affiliated Organisations to represent their own domains may propagate the principles, policies and officially stated views of the Democratic Labour Party. No member may comment publicly on another member, or on matters of organisation, election strategy or the voting ticket order of preference, except as the respective Federal / State Executive may decide.

### **Forming a Branch or Support Group**

47. With State Executive approval, any member of the party may convene a meeting to form a Local Branch or Support Group, which shall be constituted where the members present adopt a motion to the effect, "That this meeting supports the principles, objectives and platform of the Democratic Labour Party and agrees to establish the . . . . . Branch / Support Group, under the Constitution and Rules". Nominations shall be then sought and an election conducted for the office-bearers of the Local Branch / Support Group formed.

*(Regarding the establishment of State or Territory Branches - See Appendix #2)*

### **Membership**

48. Except as the Federal Executive permits, a member of another political party must serve two years after formal resignation from that party before making any application to join the Democratic Labour Party. Local Branches, Support Groups and Affiliated Organisations may otherwise invite applications, in an approved form, from supporters wishing to join. Where no division of a State Branch operates, application may be effected through the State Secretary. The State Executive may accept, reject or reconsider any application and, where it reconsiders, its decision shall be final and conclusive.

49. Except as the State Executive may otherwise decide, office-bearers and party delegates and the members of selection committees for Democratic Labour Party candidates for public office shall first have served one year as DLP members.

50. Except as the Constitution and Rules may otherwise permit, office-bearers and party delegates and the members of selection committees for Democratic Labour Party candidates shall have paid the annual membership fee and any arrears.

### **Affiliation**

51. Application for admission as an Affiliated Organisation shall be made through the State Secretary, in an approved form. The State Executive may accept, reject or reconsider an application, and a decision to reject an application, after reconsideration, shall be final and conclusive. Where any application is accepted, the State Executive shall recommend to the next scheduled State Conference that the applicant be admitted as an Affiliated Organisation. The decision thereupon made shall be final and conclusive.

### **Delegates**

52. Local Branches, Support Groups and Affiliated Organisations shall nominate delegates to attend the State Conference and State Executive meetings. Where nominations exceed the number allowable, under the Constitution and Rules, an election shall be held. Delegates to an annual State Conference may further nominate for election as State Executive officers or as Federal Conference delegates. Delegates unable to attend a Federal / State Conference may appoint a proxy, in a form approved by the respective Federal / State Executive.

## Candidates and Elections

53. As early as practicable, before any federal, state or municipal election, the State Executive may seek nominations from intending Democratic Labour Party candidates in such elections. The State Executive shall establish the rules for nominating candidates and for conducting any selection ballot required, and shall have sole power to grant, withhold or withdraw DLP endorsement.
54. The Federal / State Executive shall have sole power to determine the order of preferences for any Democratic Labour Party how-to-vote recommendation and the format of any how-to-vote ticket to be used in the respective Federal / State elections. The State Executive shall decide likewise in relation to municipal elections.

## Finance

55. Membership Fees: An annual membership fee shall be set, varied or waived by the Federal Executive for (a) single members and (b) married couples, and, where due, shall be paid by the members through a Local Branch, Support Group or Affiliated Organisation. Members not otherwise served by a division of a State Branch may make payment to the State Executive.
56. Affiliation Fees: Delegates from Affiliated Organisations shall be members of the Democratic Labour Party and shall pay the annual membership fee. For each delegate entitled to attend the State Conference an Affiliated Organisation shall pay an annual affiliation fee equal to its membership fee multiplied by the number of members represented by its delegates and further multiplied by a fractional factor uniformly set by the State Executive.
57. Funds: All membership, campaign, administrative or other funds received by the State branches of the Democratic Labour Party shall be deposited in appropriate accounts in the name of the recipient State Branch, with a financial institution approved by the Federal Executive. The funds shall be withdrawn by authorisation of any two of the (a) President, (b) Secretary and (c) Treasurer of the State Branch or as authorised by the State Executive. The Federal Executive shall similarly deposit all funds received for Federal party purposes in appropriate bank accounts. The funds shall be withdrawn by authorisation of any two of the (a) President, (b) Secretary and (c) Treasurer of the Federal Executive or as authorised by the Federal Executive. Local Branches, Support Groups and State Executive sub-committees shall retain only those funds returned, transferred or reimbursed by the State Branch for general administration and incidentals and held, as required, in "expense accounts" operated by each Local Branch, Support Group or State Executive sub-committee, in the name of the State Branch. Federal Executive "expense accounts" shall be approved and operated as for the central accounts of State Branches.
58. Levies: As required, for election campaigns and other purposes, the State Executive shall uniformly levy a percentage of all funds collectable for the party by each Local Branch, Support Group or Affiliated Organisation.
59. Federal Conference Fees: Entitlement to participate in any Federal Conference or Federal Executive meeting shall be subject to the payment, by each State Branch, of amounts set as Federal Conference Fees for delegates eligible to attend. The Federal Executive shall set or adjust the level of such fees and shall give notice to each State Branch of any amounts due.
60. Audit: In accordance with a relevant approved standard, the Federal / State Executive shall submit an annual financial report and / or balance sheet to the respective Federal / State Conference. Within three months from the close of the financial year, State Branch divisions and sub-committees shall submit a finance and / or membership report to the State Executive, as required.

## Duties of Members

61. The Federal / State President shall preside at the respective Federal / State Conference and Federal / State Executive meetings and be relieved by the First and Second Vice-President or immediate Past President, in that order. Where none of these is available, the Conference or meeting shall elect a Chairman pro tem. The President / Chairman shall be responsible for the maintenance of order, the proper conduct of business and observance of the Constitution and Rules. As far as applicable, meetings at other levels of the Democratic Labour Party organisation shall conform to this rule.
62. The Federal / State Secretary shall keep accurate account of all receipts and expenditure and prepare an annual financial report and balance sheet for the respective Federal / State Conference and Federal / State Executive, maintain the record of Conference resolutions and Executive business and remain current with general administration, correspondence and the notification of any party Conferences or meetings to those eligible to attend. The Secretary of any Local Branch, Support Group or Affiliated Organisation shall have comparable duties and may be directed by the State Executive in the conduct thereof.
63. The Assistant Secretary and Treasurer at any level of the party organisation shall assist the Secretary. The Secretary / Assistant Secretary / Treasurer shall bank all monies collected, issue a receipt/membership ticket for every amount received and shall return all financial records to the State Executive, as required.
64. Ordinary members of the Democratic Labour Party, according to their individual circumstances, shall be asked to donate to election appeals, to distribute election material and to assist with the organisation of workers at polling booths. Articulate members shall be urged to promote Democratic Labour Party policy in personal conversation or in short letters or comment to newspaper editors and other media. All members may be asked to help in some way.
65. Members active in any Local Branch, Support Group or Affiliated Organisation may organise on a regular basis, preferably in pairs arranged at a meeting, to (a) contact and inform other members on activities and issues, (b) make new contacts, (c) collect membership fees and (d) invite new members to join.
66. At any meeting of a Local Branch, Support Group or Affiliated Organisation, members shall be encouraged to (a) report on issues of social or political concern, (b) identify the Democratic Labour Party principles relevant to the issues, (c) instigate action on the issues and / or (d) propose organisational or policy motions for the agenda at any subsequent State Conference.

## Arrangements for Conference

67. The respective Federal / State Executive shall set a date for any Federal / State Conference required to be held. As near as practicable to four months before Conference, the Federal / State Executive shall notify the respective divisions of the Federal / State organisation and request that any motions for inclusion on the official agenda be submitted within two months, or such other period as to allow reasonable time for the compiling of composite motions that may be required for effective and expeditious proceedings.
68. The respective Federal / State Executive shall settle the official agenda and arrange for its printing and distribution to the relevant divisions of the Federal / State organisation as near as practicable to one month before the date of any Conference. Members not served by an operational division of a State Branch, but otherwise eligible to attend a State Conference, shall be entitled, upon request, to receive a copy of the agenda.



69. The respective Federal / State Executive shall anticipate need, at Conference, for the appointment of committees to determine on matters pertaining to the credentials of delegates, the conduct of elections, appeals and disputes, the times of sitting, the order of business and the standing orders for debate.

#### **Attendance at Conference and Meetings**

70. The credentials of all delegates who shall attend a Federal Conference shall be submitted by each State Secretary to the Federal Secretary at least two months before the Conference, or by a later time fairly permitted by the Federal Executive.

71. The credentials of delegates entitled to attend a State Conference shall be submitted by the Secretary of each Local Branch, Support Group or Affiliated Organisation to the State Secretary at least two months before Conference, or by a later time fairly permitted by the State Executive. Members not served by an operative division of a State Branch, but otherwise eligible to attend, shall give corresponding notice of attendance.

72. All persons attending a Democratic Labour Party Conference or meeting shall be members, or visitors vouched for by members or approved by the Conference or meeting. Where a member's credentials are in dispute, the member shall stand aside until the matter is otherwise resolved by the Conference or meeting. A Conference or meeting may cause to be removed any visitor for any reason.

#### **Quorum**

73. A Federal / State Conference of the Democratic Labour Party shall be constituted with a quorum of more than half of the delegates credentialed and entered on the attendance roll and shall not otherwise proceed.

74. Meetings of the Federal / State Executive, of any Local Branch or Support Group or of any Democratic Labour Party sub-committee shall be comprised of a quorum of more than half of the number of office-bearers at the respective level.

#### **Agenda at Conference and Meetings**

75. The business of Federal / State Conferences, Federal / State Executive meetings and meetings at other levels of the Democratic Labour Party organisation shall be confined to matters required to be dealt with under the Constitution and Rules, to urgency motions taking precedence in the order of business and to motions given on notice or entered on the official agenda. No new business shall be considered unless leave is granted or, where leave is not granted, upon a majority of eligible members voting to suspend so much of the standing orders as may prevent such business being considered.

76. A motion contrary to the Constitution and Rules or to a decision of a prior Conference or meeting of the Democratic Labour Party shall not be entertained at a later Conference or meeting at that level, or at a subsidiary level of the party. This shall not preclude consideration of a proposal to rescind a decision at the same level or to urge reconsideration or review of a matter decided by a Conference or meeting at a higher level.

77. A question resolved at any session of a Federal / State Conference or other meeting of the Democratic Labour Party shall not be reconsidered at the same Conference or meeting except with leave of the Conference or meeting or, if leave is not granted, upon a majority of members present and entitled to vote voting to suspend so much of the standing orders as may prevent the question being reconsidered.

### **Decisions at Conference and Meetings**

78. Except as the Constitution and Rules otherwise provide, any decision, ruling, consent, resolution, determination, agreement, approval or the like, of a Conference or meeting, shall be by vote of a majority, which shall comprise more than half of the members present and entitled to vote.

79. A majority of the State Branches represented at any Federal Conference of the Democratic Labour Party may veto the adoption of any decision not supported by more than half the delegates present and entitled to vote, where immediate objection is raised.

80. At any Conference or meeting, a question involving an interpretation of the Constitution and Rules, policy platform or official directives to members in accordance with the principles of the Democratic Labour Party shall be decided first on a ruling by the Chairman. Upon one-tenth of delegates or members present dissenting therefrom, and rising in their seats, the Chairman shall vacate the Chair and move to the effect, "That the ruling from the Chair be upheld". The member first to dissent, or one other, may speak in opposition, and the former Chairman shall have a right of reply. If the ruling fails to be upheld, a motion asserting the alternative interpretation shall then be decided, without further debate, by resolution more than half the members present and entitled to vote, failing which, the original ruling shall stand.

81. At any Conference or meeting of the Democratic Labour Party, any protocol or procedure, whether or not in accordance with the standing orders, shall be permitted, where leave of the Conference or meeting is granted. Leave shall be granted by approval of the majority of delegates present.

### **Notice of Motion**

82. At a Federal / State Conference, Federal / State Executive meeting or any other meeting of the Democratic Labour Party, notice of motion shall first have been required for otherwise new business to be considered, unless the matter is urgent. Where given, such notice shall have been in writing, handed to the Secretary or agenda committee, or minuted, and announced by the President or Chairman on a prior day of Conference or at a respective preceding meeting.

### **Executive Recommendation**

83. A recommendation contained in a report from the Federal / State Executive and put as a motion for resolution at a respective Federal / State Conference shall be supported, without amendment, or rejected. All members or delegates of the respective Federal / State Executive who voted on the recommendation, at the prior Executive meeting, shall support the recommendation at Conference.

### **Divisions of Party to be Bound**

84. The Constitution and Rules and the standing decisions of any Federal / State Conference of the Democratic Labour Party shall be binding on the respective Federal / State organisations, subsidiary divisions and the members thereof.

85. A subsidiary division of the Democratic Labour Party shall not make a decision contradicting a policy resolution, directive or ruling of a higher authority in the party. Such a decision shall breach the Constitution and Rules.

## Order of Business

86. Conferences of the Democratic Labour Party shall proceed in accordance with the extended order of business as follows:

- a. Confirmation and adoption of credentials;
- b. *Pro tem* and *ad hoc* appointments;
- c. Timetable and announcements;
- d. Notice of charges and appeals;
- e. Prayer;
- f. President's remarks or address;
- g. Recording of attendance and apologies;
- h. Confirmation and adoption of minutes;
- i. Correspondence;
- j. Finance report;
- k. Executive report;
- l. Other reports;
- m. Questions and replies without discussion or debate;
- n. General business agenda (including urgency motions);
- o. Nomination for election of office-bearers and delegates;
- p. Election and installation of office-bearers and delegates;
- q. Notices of motion;
- r. Adjournment;

provided that the order of business may be abridged or varied in accordance with the standing orders. Meetings of the Federal / State Executive, Local Branches and Support Groups shall adapt the order of business, as required.

## Standing Orders

87. Conferences and meetings of the Democratic Labour Party shall be conducted in accordance with the Constitution and Rules and the standing orders.

88. Conferences and meetings of the Democratic Labour Party shall make available, for reference, a copy of the Constitution and Rules.

89. A majority of the delegates or members entitled to vote at a Conference or meeting may abridge, vary or suspend the order of business and the standing orders, *pro tem*, as far as the Constitution and Rules allow.

90. Any reference in the standing orders to the President shall be taken also to include the Chairman for the time being.

91. The President shall be responsible for the maintenance of order, the proper conduct of business and the observance of the Constitution and Rules.

92. Any member exhibiting unruly or disorderly conduct may be expelled from any meeting by the President.

93. The President may participate in the debate on any question, but shall vacate the Chair for the duration of that debate and the resolution thereof.

94. The business of a Conference or meeting shall be confined to matters required to be dealt with in accordance with the Constitution and Rules.

95. Matters arising from the formal agenda of any Conference or meeting may be deferred for consideration under general business, as convenient.

96. An urgency motion may be proposed where leave is granted, or upon one-tenth of delegates or members present and entitled to vote standing to indicate support.

97. A motion for suspension of the standing orders to vary the order of business or to constitute a Conference or meeting as a committee shall contain the time for resumption of the standing orders, and shall be put without debate.

98. No business at a Conference or meeting shall be introduced by way of personal correspondence but the subject matter of such correspondence may be otherwise admitted as a matter for report.

99. The allotted time for any report shall be ten minutes, with such extension of time as a presenter of a report may request and the members present approve. An Executive report or a report of any Executive sub-committees may include recommendations for resolution by a Conference or meeting.
100. No discussion shall be allowed except on a motion duly proposed and seconded. Where no member rises to oppose or amend the motion, the President shall at once proceed to take the vote.
101. All substantive motions and amendments to motions shall be in writing and handed to the Secretary or agenda committee before being moved and seconded; except where the motion and/or amendment has arisen from the floor without prior notice, in which case the motion and /or amendment need not be presented in writing prior to debate.
102. A motion on notice shall lapse at the time scheduled for its consideration where a mover or seconder fail to appear. Any motion shall lapse for the want of a seconder.
103. Any member proposing a motion or amendment, or otherwise seeking to speak on a matter being considered, shall rise and shall address the President when duly called. Where two or more members rise at the same time the President shall call on the member deemed first to rise.
104. Any question pertaining to the business of a Conference or meeting shall be asked through the Chair.
105. Any member speaking shall at once be seated if the President rises to speak or if a point of order is raised, and shall not resume speaking before the President is again seated or the point of order is decided.
106. The discussion on a question shall not exceed one hour except upon a motion, put without debate and carried, to the effect, "That the time be extended". Thereupon, time shall be extended by one half hour. On expiry of the hour, or further time, the question shall be then put, as the standing orders provide.
107. A motion for the adjournment of a Conference or meeting, or of a debate, may be proposed at any time and shall not be discussed or amended, except as to any time of resumption that differs from the ordinary course.
108. A motion duly proposed and seconded, "That the question be now put", shall be put without debate. On being carried, the time shall expire for debate on the original question, which shall be then put, as the standing orders provide.
109. Not more than two members in succession may speak either for or against any motion or amendment. If no member rises on the other side, after any second speaker, for or against, the time for debate shall expire and the motion and any amendment shall be then put, as the standing orders provide.
110. The seconder of any motion or amendment will be deemed to have spoken for the motion or amendment unless having expressly reserved the right to speak.
111. All motions proposed shall be (a) of an affirmative character, (b) withdrawn only by leave and debate thereon may be (c) adjourned at intervals until a decision is reached.
112. A motion may be amended at any time during debate thereon by (a) striking out certain words, (b) adding certain words or (c) striking out certain words and substituting others, without altering the essential intent of the motion.
113. Any speaker for or against a motion or an amendment shall have five minutes to address the question; but upon a motion being carried, "That the speaker's time be extended", may speak for three minutes more. The mover of an original motion spoken against shall have a right of three minutes for reply.
114. No member shall propose more than one amendment or speak more than once on the same question, which shall include the motion and all amendments thereto, except (a) in reply, on an original motion, (b) in explanation or correction of matter raised in the debate, (c) on a point of order raised during the debate or (d) on a motion being carried, without debate, "That the member be now heard".
115. An amendment to a motion, once proposed and seconded, shall be the business before the Chair, but shall not preclude comment on the original motion.

116. A motion and an amendment having each been proposed and seconded, no further amendment shall be received until the disposal of one of the former, but any member rising to speak to the question may announce further amendments, which shall be moved and seconded in turn, without comment, after the vote is taken on the preceding amendment.
117. An amendment, having been carried, shall replace the original motion and may be then further amended until a decision is reached.
118. No vote may be taken on any question, whether or not the time has expired or the debate is otherwise terminated, until the mover of the original motion spoken against has had the right of reply.
119. The President shall put all questions in a clear and audible voice to the members present by asking the "Ayes" to vote first, and then the "Noes", and shall declare which has the majority. Where one-tenth of the members present rise to demand a division the President shall again take the vote, asking the "Ayes" to pass to the right and the "Noes" to the left, and the names of all members present, and the direction of their vote, shall be minuted.
120. No discussion shall be permitted on any question after it has been put to a vote, or during a division, except on a point of order.
121. Subject to clause 121, every member present during a division must vote, or be counted with the side on which seated.
122. A member shall not vote during a division on any question if not present when the motion was first put.
123. The President shall have a deliberative but not a casting vote, and, where a vote is tied, it shall be decided in the negative.

### **Consolidation**

124. After each Federal / State Conference, the respective Federal / State Executive shall incorporate any new policy decisions into the party platform, with such consequential amendments as the decisions and satisfactory drafting require, without altering the tenor or intent of the decisions, or of standing policy.

### **Disputes**

125. The Federal Executive may deal with and settle, as it thinks fit, any dispute between two or more State Branches, subject to any right of appeal to the Federal Conference.
126. Subject to any appeal to the State Conference, the State Executive may deal with and settle, as it thinks fit, any dispute involving two or more Local Branches, Support Groups or Affiliated Organisations, or where within any single division of the State Branch an urgent resolution is required.

### **Discipline**

127. Democratic Labour Party office-bearers, Federal / State Conference delegates, and members selecting, or being selected as, DLP candidates for public office shall pledge to uphold the principles, objectives and policy platform of the party and to abide by its Constitution and Rules. They shall be members of no other political party and shall give no support to any candidate for public office standing against one endorsed by the DLP. All members of the DLP shall be deemed to have so pledged and to be so bound.
128. The Executive of any division within a State Branch may decide that an act or conduct of one of its members is contrary to the party interest, and shall advise the member accordingly. Where the act or conduct is repeated, or is likely to be repeated, the Executive of that division shall report the matter to the State Executive and shall promptly inform the member. Subject to the right of appeal, the State Executive shall have power to deal with and settle a matter of discipline as it thinks fit.

**129.** A member, group of members or constituted division of the Democratic Labour Party deliberately breaching the Constitution and Rules or engaging in acts or conduct contrary to the principles, platform and solidarity of the party, at federal or state level, shall incur such reprimand, suspension, expulsion, disaffiliation or dissolution as the respective Federal / State Executive may decide. A member, group or division to be so disciplined shall be promptly informed of the decision, and of any reasons, and shall have a right, within one month therefrom, to lodge with the relevant Executive a written denial, apology or explanation, and a request for reconsideration of the decision. At its first meeting after formally receiving such request the Executive shall reconsider its original decision and shall promptly inform the member, group or division of its later decision, and of any reasons. Upon notice of appeal being lodged within one month therefrom, with that Executive, there shall be a right of appeal to the respective Federal / State Conference next held, whose decision in the matter shall be final and conclusive.

**130.** The Federal Executive shall not discipline a division of a State Branch, or member thereof, without the prior agreement of the relevant State Executive, but, in a disputed case, may take steps to intervene in the management of the State Branch, as far as the Constitution and Rules provide.

**131.** Where a State Branch of the Democratic Labour Party, or a constituted division thereof, acts in breach of the Constitution and Rules or otherwise against party solidarity or the principles of democracy, justice and fairness, the Federal Executive, where requested in accordance with the Constitution and Rules, shall convene a State Conference, chaired by the Federal President, to resolve an issue of confidence in the State Executive. The State President, or another member of the State Executive instead, shall commence debate by moving to the effect, "That this State Branch of the Democratic Labour Party has confidence in the State Executive". If the motion is lost, each position on the State Executive, and for delegates to the Federal Conference, shall immediately become vacant, and the Conference shall thereupon elect a new State Executive and delegates. Where the motion is carried, or where a new State Executive becomes installed, the Federal Executive shall withdraw, and the State Branch shall resume control of its own affairs.

**132.** Where a State Branch of the Democratic Labour Party, or a constituted division thereof, acts in breach of the Constitution and Rules or otherwise against party solidarity or the principles of democracy, justice and fairness, the Federal Executive, requested by a majority of State Branches, may suspend the State Branch and thereupon order its expulsion from the Federation, subject to an appeal to a Federal Conference called as soon as practicable within twelve months from the date of due notice of appeal being lodged with the Federal Executive. Delegates from the suspended State Branch shall have the right to vote at the Conference but upon any decision upholding the expulsion shall immediately withdraw. The former State Branch shall thereupon forfeit all rights to use the records, funds, assets and name of the Democratic Labour Party and a new State Branch may be established in its place.

**133.** Where a Local Branch, Support Group or Affiliated Organisation acts in breach of the Constitution and Rules or otherwise against party solidarity or the principles of democracy, justice and fairness, the State Executive shall have power to suspend the division and to implement dissolution or disaffiliation, subject to appeal to a State Conference called as soon as practicable within twelve months of due notice of appeal being lodged with the State Executive. Delegates from the suspended division shall retain their right to vote at the Conference, but upon a decision upholding the dissolution or disaffiliation shall immediately withdraw. Upon its dissolution or disaffiliation the former division shall forfeit all rights to use the records, funds, assets and name of the Democratic Labour Party and a new Local Branch or Support Group may be established in place of one dissolved.

134. Any member, group of members or constituted division of the Democratic Labour Party disciplined by the Federal / State Executive shall have a right to appeal to the respective Federal / State Conference, on notice of appeal being lodged with the respective Federal / State Executive within one month following the notification of the decision to be appealed against. An appeals committee of the Conference may consider only succinct written submissions on the issue in question and shall make its recommendation on the matter, by way of motion to the Conference. The decision of the Conference shall be final and conclusive.

### **Members Suspended or Expelled**

135. A member or group of members suspended or expelled (except as a constituted division of the Democratic Labour Party) shall forfeit the right to attend any Conference or meeting of the party whilst the suspension or expulsion is in place. Where due notice of appeal has been lodged, the suspended or expelled member or members shall have the right, at a Conference hearing the appeal, to present a succinct written submission to an appeals committee and to be represented by other members present, in oral argument or debate, as far as the standing orders provide.

### **Members of Parliament**

136. The Federal / State Executive shall not instruct Democratic Labour Party Members of Parliament but may draw their attention to the policy of the party and any act or conduct of a Member which it considers to be in breach thereof.

137. Members of Parliament shall not be bound by any decision of a Federal / State Conference inconsistent with the policy platform of the party at the time of the previous election.

138. Where a dispute arises between the Federal / State parliamentary party and the respective Federal / State Conference, a joint Conference, consisting of an equal number of members from either side in the dispute and chaired by the respective Federal / State President, shall decide the matter in question. The President in any such case shall have a casting vote only.

### **Privilege**

139. The holder of any office or position of trust, at any level in the Democratic Labour Party organisation, shall keep confidential any knowledge gained through holding such office or position of trust and shall make no disclosure about the party organisation, its deliberations or its members without proper authority.

### **Trustees**

140. Until otherwise determined, in accordance with the Constitution and Rules, the State Executive officers shall be the trustees of any records, funds and assets of a State Branch of the Democratic Labour Party.

141. The Federal Executive officers, as trustees, shall administer the records, funds and assets of any State Branch of the party in temporary recess.

142. Where a State Branch ceases to exist and reconstitution of the Branch is not practicable, the Federal Executive officers, as trustees, may distribute the records, funds and assets to the remaining State Branches, in furtherance of the principles and objectives of the party.

143. Where a single remaining State Branch of the Democratic Labour Party ceases to exist and its reconstitution is not practicable, the former State Executive officers of that Branch shall continue as trustees until having disposed of all the records, funds and assets of the party, in such manner as would be in furtherance of the principles and objectives the party has upheld.

## Alteration of Constitution and Rules

144. Before coming into effect, an amendment to the Constitution and Rules of the Democratic Labour Party (DLP) shall first be adopted by a Federal Conference where a majority of State Branches have supported the amendment.
145. Rules specific to any State Branch and not contrary to the Constitution and Rules may be added, deleted or altered by that State Branch and shall apply to the State Branch in question. Notwithstanding, where a State Branch rule is inconsistent with a relevant protocol or procedure adopted by the Federal organisation, the latter shall prevail.
146. A proposal to amend the Constitution and Rules shall be disallowed where the proposal is contradictory to any fundamental principle or objective of the Democratic Labour Party, whether or not expressly stated in the Constitution and Rules.
147. The Federal Executive may transpose and re-number the clauses or sub-clauses of the Constitution and Rules, and may delete or insert explanatory headings and may delete or insert interpretive footnotes and references.

## Savings

148. In the event that only one constituted State branch of the Democratic Labour Party exists, and until the reconstitution of one or more State branches, the State Conference of that remaining State branch shall, by majority vote, be competent to adopt an amendment to the Constitution and Rules of the DLP.
149. In the event that Federal and/or State electoral laws are changed in a manner that is binding on the DLP and that due to those changes the DLP constitution and rules are found to be in conflict with those changes; the respective Federal and/or State Executives are authorised to act to amend the constitution and rules to ensure it complies with those changes. The amendments to the constitution and rules will be put to the next Federal/State conference for ratification.
150. In the event that only one constituted State branch of the Democratic Labour Party exists, and until the reconstitution of one or more State branches, decisions by the State Executive and State Conference of that remaining State branch shall have the respective standing as Federal Executive and Federal Conference decisions, to the extent of their relevance to the Federal context.
151. The Constitution and Rules of the Democratic Labour Party (DLP) shall be administered according to the letter, as far as it goes and, where the letter fails, according to its spirit.

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## Appendix

*#1 Regarding Clause 21: The Federal Executive has ruled that each State and Territory Branch of the Democratic Labour Party may choose on what physical basis to establish Local Branches provided the local branch boundaries do not exceed their State or Territory Boundaries.*

*#2 Regarding Clause 47 and the initial establishment of State or Territory branches: The Federal Executive, under the provisions of Clause 44, has ruled that State or Territory Branches may be formed initially by a meeting of the members in that state or territory organised by the Federal Executive, or solely by the Federal Executive itself, provided a date is set for that State or Territories first State Conference not exceeding 6 months from the date the branch is formed; and further that the Federal Executive, or the meeting of members establishing the branch, may choose and install the initial State Executive Office Bearers, being a minimum of a Secretary and a President, whose terms will expire when their positions are vacated at the first State Conference.*