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# **PROPOSED RULE CHANGES**

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**Victorian Labor Party  
State Conference  
18-19 May 2024**

**Proposed rule changes book compiled by the Rules Revision Committee**

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PROPOSED BY: RULES REVISION COMMITTEE

# PRESELECTIONS

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# PRE1 ABORIGINAL & TORRES STRAIT ISLANDER AFFIRMATIVE ACTION

Proposed By: Rules Revision Committee

## **Description:**

Introduces Affirmative Action for Aboriginal and Torres Strait Islanders. Similar model to that for women, but with a significantly lower minimum percentage and it only comes into effect if Aboriginal or Torres Strait Islanders nominate.

This rule change proposes changes being implemented incrementally as follows:

- On 1 January 2025, a 2.5% minimum percentage for party positions (not preselections) takes effect.
- On 1 January 2028, the minimum percentage for party positions increases from 2.5% to 5%.
- On 1 January 2031, a 5% minimum percentage for preselections takes effect (noting grandfathering protections, similar to those that existed for the AA rules for women – see Rule 3.2.7.3 and 3.2.7.4 of proposed rule change below).

Clause 38 of the Organisational Policies adopted by the National Conference on 19 August 2023 provide as follows: “State branches are empowered to make affirmative action rules, in consultation with their state Indigenous Labor Network, for the preselection of public office holders that require a minimum of relevant positions to be held by Aboriginal or Torres Strait Islander peoples. The minimum level that can be set by such affirmative action rules is 5%.”

This proposed rule change has been developed and endorsed by the Indigenous Affirmative Action Working Group, which was established by a resolution of the 2016 State Conference and is currently convened by Ngaire Bogemann (President of the Aboriginal & Torres Strait Islander Policy Committee) and Senator Jana Stewart.

## **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

### **3. AFFIRMATIVE ACTION**

#### **3.1. Affirmative Action Rules for Women**

##### **3.1.1. Objectives**

**3.1.1.1.** The ALP has a strong record of working to improve the status of women in Australia, both in public and private life. Fundamental to this is a belief in equality, and recognition of the benefits to the Party and to society of increasing the representation of women in all areas of political activity. It is our objective to have 50% women at all levels in the Party organisation, and in public office positions the Party holds. To achieve this, the Party adopts the affirmative action model in this clause, in accordance with the National Constitution:

##### **3.1.2. Definitions**

**3.1.2.1.** In this rule:



**3.1.2.1.1.** “minimum percentage” means 45% of positions and from 1 January 2025 it means 50%. If the calculation to determine the minimum percentage results in a fraction of more than one-half, then the minimum percentage shall be the next higher whole number, and where it results in a fraction of one half or less it shall be the next lower whole number.

**3.1.2.1.2.** A non-held but winnable seat in a single member electorate (i.e. those seats in the Federal House of Representatives and the Victorian Legislative Assembly) is any seat which would be won by the ALP with a 5% increase in its two party preferred vote since the last election (i.e. those which received a two party preferred vote of 45% or higher at the last election.)

**3.1.2.1.3.** A non-held but winnable position in a multi-member electorate (i.e. the Federal Senate and the Victorian Legislative Council) is the first non-held position on that ticket, provided that the number of primary votes obtained by the ALP at the last election in the electorate in question was greater than the number required to provide a full quota of votes for each member elected. (For example, if at the last ordinary Senate election the ALP obtained primary votes equivalent to more than 2.0 quotas, but had only two members elected, then the third position on the Senate ticket shall be considered winnable. However if the ALP obtained 2.0 quotas or less, then the third position on the ticket is not considered winnable for the purposes of this rule.)

**3.1.2.1.4.** “opening of nominations” refers to both the initial opening of nominations for a particular election or preselection round, and to each subsequent opening of nominations within that process.

**3.1.2.1.5.** “closing of nominations” refers to both the initial closing of nominations for a particular preselection round, and to each subsequent closing of nominations within that round.

**3.1.2.1.6.** A “casual vacancy” refers to any instance in which a member needs to be replaced outside of the standard election timetable. This includes, but is not limited to, any occurrence of a by-election, and to the appointment of a Senator or Member of the Legislative Council outside of a general election. For preselection rounds leading up to Federal or State elections, the resignation of members after the initial opening of nominations but prior to the election will not be considered a casual vacancy, and the selection of a new candidate must be done in accordance with Rule 3.1.5.1.

### **3.1.3. Party Positions**

**3.1.3.1.** For all elected and appointed Party and office bearer positions (other than Public Office preselections and party employees) the minimum percentage of positions must be filled by women. If at the close of nominations for positions the minimum percentage cannot be met, nominations for that group of positions will be reopened for a period of 5 days.

**3.1.3.2.** For party officials that are to be elected or appointed the minimum percentage of positions must be filled by women. Therefore when a party official position becomes vacant, if less than the minimum percentage of positions would be held by women if the vacancy was not filled by a woman, then the vacancy must be filled by a woman. In order to meet the requirements of this rule the Party will seek to obtain an exemption under the Equal Opportunity Act, if one is required.

**3.1.3.3.** Rule 3.1.3.2 does not apply to any person employed as a Party Official on 13 November 2016.

**3.1.3.4.** Complying with Rules 3.1.3.1 and 3.1.3.2 will not contravene the Code and/or Associated Policies.

#### **3.1.4. Union Delegations**

**3.1.4.1.** Union delegations to State Conference and other Party forums shall comply with the affirmative action model. Not less than the minimum percentage of a union's delegation shall be women ("the minimum representation"). Provided that the level of female membership of a union of a union is less than the minimum percentage, the minimum representation shall be set at that level.

**3.1.4.2.** Complying with Rules 3.1.4.1 will not contravene the Code and/or Associated Policies.

#### **3.1.5. Public Office Preselection**

**3.1.5.1.** For all public office preselections, at least the minimum percentage of the candidates preselected for each of the following groups of seats (determined separately for each group) must be women:

**3.1.5.1.1.** The seats currently held by the ALP; and

**3.1.5.1.2.** "Winnable seats" (as defined in Rule 3.1.2) which are not held by the ALP; and

**3.1.5.1.3.** All other seats to be preselected.

**3.1.5.2.** This Rule 3.1.5 applies separately to each house of State Parliament, lower and upper, as well as to individual municipalities, however in preselections for the Federal Parliament, seats in the Senate and the House of Representatives shall be grouped together. Specifically, the minimum target separately applies:

**3.1.5.2.1.** In relation to the Victorian State Legislative Assembly, to each of the groups listed in Rule 3.1.5.1; and

**3.1.5.2.2.** In relation to the Victorian State Legislative Council, to each of the groups listed at in Rule 3.1.5.1; and

**3.1.5.2.3.** In relation to the Federal Parliament, to the combined totals for each of the groups listed in Rule 3.1.5.1 from both the House of Representatives and the Senate.

**3.1.5.3.** Prior to the initial opening of nominations for any preselection round, the Administrative Committee will determine the minimum number of women to be elected for each of the groups listed in Rule 3.1.5.1. If there has been a redistribution since the last election, the Administrative Committee must determine which of the seats affected by the redistribution fall into each of the categories listed in Rule 3.1.5.1 prior to the initial opening of nominations.

**3.1.5.4.** When the majority of preselections are due to occur, the Administrative Committee will ensure that:

**3.1.5.4.1.** the preselection timetables for all seats defined by Rule 3.1.5.1.1 are scheduled to occur contemporaneously; and

**3.1.5.4.2.** the preselection timetables for all seats defined by Rule 3.1.5.1.2 are scheduled to occur contemporaneously; and

**3.1.5.4.3.** the preselection timetables for all seats defined by Rule 3.1.5.1.3 are scheduled to occur contemporaneously.

**3.1.5.5.** The requirements of Rule 3.1.5.1 apply whether or not the preselection timetables in Rule 3.1.5.4 is achieved.

**3.1.5.6.** If at the close of nominations for a preselection for a group of seats or positions the number of women nominees is such that the requirements of Rule 3.1.5.1 cannot be met, nominations for that group of seats or positions shall be reopened for a period of 5 days. If at the close of this five day period the requirements of Rule 3.1.5.1 still cannot be met, then nominations for all seats within the group shall be declared void and reopened and a new preselection timetable set by the Administrative Committee.

**3.1.5.7.** Prior to the declaration of results for any preselection round, the Chief Returning Officer will ensure that the requirements of Rule 3.1.5.1 have been met. If the requirements of Rule 3.1.5.1 cannot be met by declaring the results in question, the POSC may meet immediately, or within 7 days, and shall vote again on all preselections within the relevant group. If on the completion of this process the requirements of Rule 3.1.5.1 are still not met, then all nominations for that group of seats shall automatically be declared void and all nominations for that group of seats must be reopened and a fresh ballot conducted in accordance with these Rules.

**3.1.5.8.** For casual vacancies, if less than the minimum percentage of all held seats in the relevant group would be held by women if the vacancy was not filled by a woman, then the vacancy must be filled by a woman.

### **3.1.6. National Executive Responsibility**

**3.1.6.1.** The National Executive has the responsibility and the power to enforce Rules 3.1.2 – 3.1.5 generally and specifically to determine the outcome in any Public Office preselection in order to ensure that this Rule is complied with.

### **3.1.7. State Secretary Responsibility**

**3.1.7.1.** The State Secretary must no later than 1 November each year provide a report to the Women’s Policy Committee, the Executive of the Victorian Labor Women’s Network, the Administrative Committee and the National Executive on the implementation of Rules 3.1.2 – 3.1.5.

**3.1.7.2.** On the opening of nominations for public office preselections, the State Secretary must write to or email all Branch members eligible to vote outlining the AA rules, the list of seats in each of the three groups, and the number of women to be preselected in each group.

**3.1.7.3.** On the closing of nominations for public office preselections, the State Secretary must write to or email all POSC members and all candidates for preselection outlining the AA rules, the list of seats in each of the three groups, and the number of women to be preselected in each group.

## **3.2. Affirmative Action Rules for Aboriginal or Torres Strait Islanders**

### **3.2.1. Objectives**

**3.2.1.1.** The ALP recognises Aboriginal and Torres Strait Islander Australians as the Nation’s First Peoples and has a record of working to improve the status of Aboriginal and Torres Strait Islander peoples in Australia, both in public and private life. Fundamental to this is recognition of the benefits to the Party and to society of increasing the representation of Aboriginal and Torres Strait Islanders in all areas of political activity. The ALP is committed to increasing the representation of Aboriginal

and Torres Strait Islanders in all levels of the Party and in public office positions the Party holds. It is our objective to have 5% Aboriginal and Torres Strait Islander representation at all levels in the Party organisation, and in public office positions the Party holds. To achieve this, the Party adopts the affirmative action model in this clause, in accordance with the National Constitution:

### **3.2.2. Definitions**

#### **3.2.2.1. In this rule:**

**3.2.2.1.1.** “minimum percentage” means 2.5% of positions and from 1 January 2028 it means 5%, unless otherwise stated in Rule 3.2. If the calculation to determine the minimum percentage results in a fraction of more than one-half, then the minimum percentage shall be the next higher whole number, and where it results in a fraction of one half or less it shall be the next lower whole number.

**3.2.2.1.2.** A non-held but winnable seat in a single member electorate (i.e. those seats in the Federal House of Representatives and the Victorian Legislative Assembly) is any seat which would be won by the ALP with a 5% increase in its two party preferred vote since the last election (i.e. those which received a two party preferred vote of 45% or higher at the last election.)

**3.2.2.1.3.** A non-held but winnable position in a multi-member electorate (i.e. the Federal Senate and the Victorian Legislative Council) is the first non-held position on that ticket, provided that the number of primary votes obtained by the ALP at the last election in the electorate in question was greater than the number required to provide a full quota of votes for each member elected. (For example, if at the last ordinary Senate election the ALP obtained primary votes equivalent to more than 2.0 quotas, but had only two members elected, then the third position on the Senate ticket shall be considered winnable. However if the ALP obtained 2.0 quotas or less, then the third position on the ticket is not considered winnable for the purposes of this rule.)

**3.2.2.1.4.** “opening of nominations” refers to both the initial opening of nominations for a particular election or preselection round, and to each subsequent opening of nominations within that process.

**3.2.2.1.5.** “closing of nominations” refers to both the initial closing of nominations for a particular preselection round, and to each subsequent closing of nominations within that round.

**3.2.2.1.6.** A “casual vacancy” refers to any instance in which a member needs to be replaced outside of the standard election timetable. This includes, but is not limited to, any occurrence of a by-election, and to the appointment of a Senator or Member of the Legislative Council outside of a general election. For preselection rounds leading up to Federal or State elections, the resignation of members after the initial opening of nominations but prior to the election will not be considered a casual vacancy, and the selection of a new candidate must be done in accordance with Rule 3.2.5.1.

### **3.2.3. Party Positions**

**3.2.3.2.** For all elected and appointed Party and office bearer positions (other than Public Office preselections and party employees) the minimum percentage of positions must be filled by Aboriginal or Torres Strait Islanders, provided a sufficient number of Aboriginal or Torres Strait Islanders have nominated. If a sufficient number of Aboriginal or Torres Strait Islanders do not nominate to ensure the minimum percentage can be satisfied, the minimum percentage shall be

reduced and set to the number of Aboriginal or Torres Strait Islanders that did nominate. If no Aboriginal or Torres Strait Islanders nominated, the minimum percentage is set to zero.

**3.2.3.2.** For party officials that are to be elected or appointed the minimum percentage of positions must be filled by Aboriginal or Torres Strait Islanders, provided a sufficient number of Aboriginal or Torres Strait Islanders have nominated or applied. Therefore when a party official position becomes vacant, if less than the minimum percentage of positions would be held by Aboriginal or Torres Strait Islanders if the vacancy was not filled by an Aboriginal or Torres Strait Islander, then the vacancy must be filled by an Aboriginal or Torres Strait Islander but only if an Aboriginal or Torres Strait Islander nominates or applies. In order to meet the requirements of this rule the Party will seek to obtain an exemption under the Equal Opportunity Act, if one is required.

**3.2.3.3.** Rule 3.2.3.2 does not apply to any person employed as a Party Official on 19 May 2024.

**3.2.3.4.** To be eligible to be an Aboriginal or Torres Strait Islander candidate for the purposes of Rule 3.2.3:

**3.2.3.4.1.** the candidate must have met the eligibility requirements under the Rules; and

**3.2.3.4.2.** the candidate must have indicated to State Office that they identify as an Aboriginal or Torres Strait Islander; and

**3.2.3.4.3.** the candidate must have indicated on the nomination form or application form that they identify as an Aboriginal or Torres Strait Islander.

**3.2.3.5.** If a candidate meets the requirements of Rule 3.2.3.4.1 but does not meet both Rules 3.2.3.4.2 and 3.2.3.4.3, the candidate's nomination shall still be valid, but they will be treated as a non Aboriginal or Torres Strait Islander candidate for the purposes of Rule 3.2.3.

**3.2.3.6.** Complying with Rules 3.2.3.1 and 3.2.3.2 will not contravene the Code and/or Associated Policies.

#### **3.2.4. Public Office Preselection**

**3.2.4.1.** For all public office preselections, at least the minimum percentage (or a reduced percentage, pursuant to Rule 3.2.4.6) of the candidates preselected for each of the following groups of seats (determined separately for each group) must be Aboriginal or Torres Strait Islanders:

**3.2.4.1.1.** The seats currently held by the ALP; and

**3.2.4.1.2.** "Winnable seats" (as defined in Rule 3.2.2) which are not held by the ALP; and

**3.2.4.1.3.** All other seats to be preselected.

**3.2.4.2.** This Rule 3.2.4 applies separately to each house of State Parliament, lower and upper, as well as to individual municipalities, however in preselections for the Federal Parliament, seats in the Senate and the House of Representatives shall be grouped together. Specifically, the minimum target separately applies:

**3.2.4.2.1.** In relation to the Victorian State Legislative Assembly, to each of the groups listed in Rule 3.2.4.1; and

**3.2.4.2.2.** In relation to the Victorian State Legislative Council, to each of the groups listed at in Rule 3.2.4.1; and

**3.2.4.2.3.** In relation to the Federal Parliament, to the combined totals for each of the groups listed in Rule 3.2.4.1 from both the House of Representatives and the Senate.

**3.2.4.3.** Prior to the initial opening of nominations for any preselection round, the Administrative Committee will determine the minimum number of Aboriginal or Torres Strait Islanders to be elected for each of the groups listed in Rule 3.2.4.1. If there has been a redistribution since the last election, the Administrative Committee must determine which of the seats affected by the redistribution fall into each of the categories listed in Rule 3.2.4.1 prior to the initial opening of nominations.

**3.2.4.4.** When the majority of preselections are due to occur, the Administrative Committee will ensure that:

**3.2.4.4.1.** the preselection timetables for all seats defined by Rule 3.2.4.1.1 are scheduled to occur contemporaneously; and

**3.2.4.4.2.** the preselection timetables for all seats defined by Rule 3.2.4.1.2 are scheduled to occur contemporaneously; and

**3.2.4.4.3.** the preselection timetables for all seats defined by Rule 3.2.4.1.3 are scheduled to occur contemporaneously.

**3.2.4.5.** The requirements of Rule 3.2.4.1 apply whether or not the preselection timetables in Rule 3.2.4.4 is achieved.

**3.2.4.6.** If at the close of nominations for a preselection for a group of seats or positions the number of Aboriginal or Torres Strait Islander nominees is such that the requirements of Rule 3.2.4.1 cannot be met, the number of Aboriginal or Torres Strait Islanders required to meet Rule 3.2.4.1 shall be reduced to the number of Aboriginal or Torres Strait Islanders that nominated. If no Aboriginal or Torres Strait Islanders nominated in a group of seats or positions, the number of Aboriginal or Torres Strait Islanders required to meet Rule 3.2.4.1 shall be reduced to zero.

**3.2.4.7.** Prior to the declaration of results for any preselection round, the Chief Returning Officer will ensure that the requirements of Rule 3.2.4.1 have been met. If the requirements of Rule 3.2.4.1 cannot be met by declaring the results in question, the POSC may meet immediately, or within 7 days, and shall vote again on all preselections within the relevant group. If on the completion of this process the requirements of Rule 3.2.4.1 are still not met, then all nominations for that group of seats shall automatically be declared void and all nominations for that group of seats must be reopened and a fresh ballot conducted in accordance with these Rules.

**3.2.4.8.** For casual vacancies, if less than the minimum percentage of all held seats in the relevant group would be held by Aboriginal or Torres Strait Islanders if the vacancy was not filled by a Aboriginal or Torres Strait Islander, then the vacancy must be filled by a Aboriginal or Torres Strait Islander.

**3.2.4.9.** Rule 3.2.4.8 will only apply to a group of seats or positions where at least one Aboriginal or Torres Strait Islander nominated in the most recent preselection round. If the minimum percentage for that preselection round was reduced because a sufficient number of Aboriginal or Torres Strait Islanders did not nominate, the minimum percentage used in applying this Rule will be the same as the reduced minimum percentage in the most recent preselection round.

**3.2.4.10.** To be eligible to be an Aboriginal or Torres Strait Islander candidate for the purposes of Rule 3.2.4:

**3.2.4.10.1.** the candidate must have met the eligibility requirements under Rule 19; and

**3.2.4.10.2.** at the time nominations opened, it must have been at least 12 months since the candidate first indicated to State Office that they identified as an Aboriginal or Torres Strait Islander; and

**3.2.4.10.3.** when submitting a nomination form under Rule 19.5 and/or 19.6, the candidate must make a statutory declaration, valid under the law of the State of Victoria, in which they state (with the candidate inserting relevant information where required):

*"I am of Aboriginal and/or Torres Strait Islander descent; and identify as an Australian Aboriginal and/or Torres Strait Islander; and am accepted as an Australian Aboriginal and/or Torres Strait Islander from the (state name of the community) community in which I live or have lived. I am known to (state name of an individual or community organisation connected to the community listed) as an Australian Aboriginal and/or Torres Strait Islander."*

**3.2.4.11.** If a candidate meets the requirements of Rule 3.2.4.10.1 but does not meet both Rules 3.2.4.10.2 and 3.2.4.10.3, the candidate's nomination shall still be valid but they will be treated as a non Aboriginal or Torres Strait Islander candidate for the purposes of Rule 3.2.4.

### **3.2.5. National Executive Responsibility**

**3.2.5.1.** The National Executive has the responsibility and the power to enforce Rules 3.2.2 – 3.2.4 generally and specifically to determine the outcome in any Public Office preselection in order to ensure that this Rule is complied with.

### **3.2.6. State Secretary Responsibility**

**3.2.6.1.** The State Secretary must no later than 1 November each year provide a report to the Aboriginal & Torres Strait Islander Affairs Policy Committee, Victorian Indigenous Labor Network, the Administrative Committee and the National Executive on the implementation of Rules 3.2.2 – 3.2.4.

**3.2.6.2.** On the opening of nominations for public office preselections, the State Secretary must write to or email all Branch members eligible to vote outlining the AA rules, the list of seats in each of the three groups, and the number of Aboriginal or Torres Strait Islanders to be preselected in each group.

**3.2.6.3.** On the closing of nominations for public office preselections, the State Secretary must write to or email all POSC members and all candidates for preselection outlining the AA rules, the list of seats in each of the three groups, and the number of Aboriginal or Torres Strait Islanders to be preselected in each group.

### **3.2.7. Transitional Rules**

**3.2.7.1.** Rules 3.2.1 – 3.2.3, 3.2.5 and 3.2.6.1 will not come into effect until 1 January 2025.

**3.2.7.2.** Rules 3.2.4, 3.2.6.2 and 3.2.6.3 will not come into effect until 1 January 2031.

**3.2.7.3.** Rule 3.2.4.7 will not apply to any seat that has been held by the same member of parliament since 31 December 2030, and has been held continuously since that date. (i.e. a MP or Senator who has held their seat since 31 December 2030 will not have their nomination or preselection voided as a result of the minimum percentage of Aboriginal or Torres Strait Islanders not being preselected. This does not alter the calculation for the minimum percentage, which will still be calculated based

on the total number of seats in the held seats group. This rule does not preclude a sitting MP from losing a preselection through any other means.)

3.2.7.4. Rule 3.2.7 is repealed in its entirety effective 31 December 2040.

### **3.8.3. Interaction with the Code and Associated Policies**

~~3.8.3.1.~~ Compliance with this Rule 3 does not breach the Code or the Associated Policies.

## **20. ELECTIONS GENERALLY**

### **20.8. Nomination forms**

20.8.1. For any election conducted in the Party where Rule 3.2.3 and/or 3.2.4 is to apply, nomination forms must be provided where candidates can indicate if they identify as an Aboriginal or Torres Strait Islander.

## **SCHEDULE B – METHOD OF VOTING (QUOTA PREFERENTIAL)**

1. Complete the normal arrangements for the proper conduct of the ballot ensuring that:

1.1. Voting papers are prepared with the names of candidates listed in an order determined by lot and showing the number of persons to be elected; and

1.2. Only members properly qualified in accordance with the ALP Rules can obtain a vote; and

1.3. Voters are instructed either verbally or in writing, whichever is the more convenient, to the following effect: “For your vote to be valid you must vote for at least one candidate by placing the figure 1 opposite the first candidate of your first choice. You may then show continuing preferences by placing the continuing figures 2, 3, 4 and so on, opposite the names of the other candidates in the order of your choice.”

2. Fix the time, date and place at which the ballot will be held and counted and advise all concerned; conduct and proceed with the count in the following manner:

2.1. After the close of the ballot, remove all voting papers from the ballot boxes, scrutinise each and exclude as informal all voting papers that do not comply with the instruction given under clause 1.3 of this Schedule. For the purposes of determining the formality of a voting paper, if there is tick or cross against the name of a candidate and there are no other numbers, ticks crosses or any other markings against the name of any other candidates on the ballot paper, the tick or cross shall be deemed to be the figure 1.

2.2. Sort the formal papers according to the first preferences shown for each candidate and record the tallies of each in the respective columns of the “Count Sheet”, with each voting paper having the value of 1,000 points. Electronic Count Sheets approved by the Administrative Committee may be used in place of a physical count sheet. Any candidate will be permitted to scrutinise a physical or electronic count sheet. A copy of the count sheet will be provided to a candidate upon request.

2.3. Total the number of formal votes and work out the “quota” in accordance with the following formula:



Total number of formal votes cast x 1,000 points

Number of vacancies to be filled + 1

The result obtained is taken to the next whole figure, which becomes the “quota”.

Example: To elect six candidates from a total of 150 formal votes polled.

$$\begin{array}{rcl} \frac{150 \times 1,000}{6 + 1} & = & \frac{150,000}{7} \\ = 21,428 \frac{4}{7} & = & 21,429 \text{ points} \end{array}$$

Note: this formula provides that only the required number of vacancies can receive a “quota” of points.

**2.4.** Subject to the Affirmative Action principles of clauses 7 and 8 of this Schedule, record as elected all candidates whose value of first preference papers equals or exceeds the quota, in order of their election, commencing with the highest number of points polled, then next and so on. In the circumstances where is an equality of the value of first preference papers, the Returning Officer shall determine the order by lot.

**3.** If number of candidates elected in accordance with clause 2.4 of this Schedule does not fill all the vacancies, the preference votes of the elected candidates are then distributed among the remaining candidates in the following manner:

**3.1.** Re-sort the first preference papers of the highest candidate according to the next preference shown for a continuing candidate (who is not yet recorded as elected or defeated), and count the total papers allotted to each continuing candidate. Note: Voting papers which show no further preference are called exhausted papers; record the number of them.

**3.2.** Work out the transfer value of each voting paper of the candidate whose surplus of first preference papers is being transferred. Find the surplus by subtracting the quota from the value of their preference papers. Divide the surplus by the number of papers, including the exhaustive papers. The whole number part of the result is the transfer value; the small remainder is entered opposite the Remainders entry on the counting sheet in order to keep the total points correct. Any exhausted ballot papers are then excluded and their value is then recorded on the counting sheet.

**3.3.** Work out the value of the papers allotted to each continuing candidate, by multiplying the number of papers allotted to them by the transfer value of each paper.

**3.4.** Credit the value in points for each continuing candidate to them on the counting sheet and add to the previous progress totals. The new grand total must agree with the previous grand total if all the work has been done correctly. Find and correct any errors.

**3.5.** Repeat the steps in clauses 3.1 – 3.4 of this Schedule with the papers of the candidates with the second highest value of first preference papers, and so on in order of reducing number of points. If two surpluses are equal, the Returning Officer must decide which to take first.

**3.6.** Subject to the Affirmative Action principles of clauses 7 and 8 of this Schedule, any candidate who, whenever step in clause 3.4 of this Schedule is done, obtains a quota or more of points, is recorded as elected. No more papers are allotted to them beyond the

bundle which gave the surplus. But all elected candidates who obtained their quota earlier than them, must have their surpluses dealt with first, even if theirs are larger.

**3.7.** When, occasionally, a candidate receives an exact quota and no surplus, their papers are set aside, since they will not be required again in this election.

**3.8.** When a candidate receives a surplus of points as a result of the preference distribution of another elected candidate, only the last bundle of papers received which produces the surplus is used to spread that surplus among the continuing candidates at a new transfer value. The earlier papers are removed from the ballot, as they are not involved in any of the surplus points still available for distribution.

**3.9.** When two equal surpluses are made by the transfer of one bundle of papers, transfer first the surplus of the candidate who had the higher progress total of points when they were last unequal. If every previous progress total was equal the Returning Officer must decide.

**3.10.** The Returning Officer may, if they choose, delay the transfer of a surplus, if the value of that surplus together with the value of any other surplus not yet transferred:

**3.10.1.** is less than the difference between the quota and the highest progress total of a continuing candidate; and

**3.10.2.** is also less than the difference between the progress totals of the two lowest continuing candidates.

**3.11.** Where a transfer of a surplus is delayed, the situation must be examined after every candidate is dealt with in order to see if both conditions are still being fulfilled. Transfer of one surplus may not be delayed so that a later one can be done. To postpone the transfer of a surplus may save considerable time in sorting later on, but is not recommended for beginners.

**4.** When the transfer of all surplus points of the elected candidates have been carried out or safely delayed, and vacancies remain to be filled, candidates then remaining are dealt with as follows:

**4.1.** Record as defeated all candidates with no points and remove their names from the counting table.

**4.2.** Declare the candidate with the lowest progress total of points defeated and distribute their papers bundle by bundle in the order in which they were received. Each continuing candidate is allotted those papers, on which they are indicated as preferred to any other continuing candidate, at the same values at which the papers were originally received by the defeated candidate. Keep every bundle of papers separate even though a candidate has other papers of the same transfer value.

**4.3.** Clauses 3.6 to 3.7 of this Schedule apply to each bundle of voting papers dealt with in Clause 4.2 of this Schedule.

**4.4.** When a candidate receives their quota in this way, no further papers are allotted to them, and the distribution of the defeated candidate's papers must be completed before the new surplus is transferred. On the other hand, transfer of the new surplus must be either done or safely delayed, before another candidate is eliminated.

**4.5.** When it becomes necessary to eliminate a candidate and two (or more) candidates have equal progress totals lower than any other progress total, the Returning Officer shall decide by lot which candidate is to be eliminated first.

**4.6.** The procedure, of transferring the surpluses of successful candidates and of eliminating in succession the defeated candidates, is continued until the election is finished. The election is finished when:

**4.6.1.** The number of candidates recorded as elected equals the number of vacancies; or

**4.6.2.** Only one vacancy remains unfilled and two continuing candidates remain, in which case the candidate with the higher progress total is recorded as elected (since all the papers of the other candidate must go either to them or to exhausted); or

**4.6.3.** In very rare where the number of exhausted papers in eliminations is large, the number of continuing candidates is equal to the number of vacancies not yet filled, in which case all these candidates are recorded as elected.

**5.** The result of an election or any part of it is not to be challenged because the Returning Officer did not use the official counting sheet.

**6.** The voting papers must be retained by the current Returning Officer for the term of office of the elected member, so that casual vacancies may be filled by a recount of the papers.

**7.** To meet the affirmative action requirements of Rule 3.1, in all elections the Returning Officer must ensure that the minimum percentage of positions are filled by women. If the calculation to determine the minimum percentage results in a fraction of more than one half then the minimum percentage shall be the next higher whole number, and where it results in a fraction of one half or less it shall be the next lower number. This shall be achieved by the following procedure:

**7.1.** Immediately before recording as elected any male candidate, the Returning Officer must calculate whether the election of that candidate would be contrary to the Affirmative Action requirements in Rule 3.1. If so, the Returning Officer must reverse the last distribution of papers.

**7.2.** Exclude the remaining male candidates.

**7.3.** Take all the papers off the table (including those of unelected female candidates).

**7.4.** Make a new place marker for each female candidate not yet elected, and a new count-sheet for the affirmative action count carrying forward previous quotas, remainders, etc. (note: all such candidates are reintroduced to the count at zero votes, regardless of how many votes they had earlier in the count), then re-introduce any defeated female candidates into the count at a zero number of points.

**7.5.** Distribute any surpluses not previously distributed from the already elected candidates, in the order they were declared elected, between the female candidates on the table. If a candidate is elected on this surplus, she is not allocated any further ballot papers.

**7.6.** Re-distribute any previously exhausted papers bundle by bundle in the order in which they were previously declared exhausted. Each continuing female candidate is allotted those papers on which she is indicated as preferred to any other continuing female

candidate, at the same values at which the papers were originally excluded, keeping every bundle of papers separate. Once a candidate reaches the quota she is not allocated any further ballot papers beyond the bundle that elected her.

**7.7.** Re-distribute in an order determined by lot the papers of any female candidate still in the count at the time the Rule in clause 7.1 of this Schedule was applied, bundle by bundle in the order in which they were received by the female candidate. Each continuing female candidate is allotted those papers on which she is indicated as preferred to any other continuing female candidate, at the same values at which the papers were originally received by the first mentioned female candidate, keeping every bundle of papers separate. Once a candidate reaches the quota she is not allocated any further ballot papers beyond the bundle that elected her.

**7.8.** Re-distribute in an order determined by lot the papers of the excluded male candidate, bundle by bundle in the order in which they were received by the male candidate. Each continuing female candidate is allotted those papers on which she is indicated as preferred to any other continuing female candidate, at the same values at which the papers were originally received by the excluded male candidate, keeping every bundle of papers separate. Once a candidate reaches the quota she is not allocated any further ballot papers beyond the bundle that elected her.

**7.9.** After all the votes taken off the table under this clause have been allocated, commence the distribution of any surpluses of the women elected by virtue of the Affirmative Action provisions.

**7.10.** Continue the count in accordance with clauses 3 and 4 of this Schedule.

**8.** To meet the affirmative action requirements of Rule 3.2, in all elections the Returning Officer must ensure that the minimum percentage of positions are filled by Aboriginal or Torres Strait Islanders. This shall be achieved by the following procedure:

**8.1.** Immediately after recording as elected the last candidate/s pursuant to clause 4.6 of this Schedule, the Returning Officer must calculate whether the Affirmative Action requirements in Rule 3.2 have been satisfied. If not, the Returning Officer must then calculate the number of additional Aboriginal or Torres Strait Islander candidates that would need to be elected to satisfy the Affirmative Action requirements in Rule 3.2; and

**8.2.** Starting from the last candidate elected, the Returning Officer must unelect and exclude elected non Aboriginal or Torres Strait Islander candidates until there is enough vacancies for the Affirmative Action requirements in Rule 3.2 to be satisfied. If unelecting and excluding an elected female candidate would contravene the Affirmative Action requirements in Rule 3.1, the Returning Officer must unelect and exclude the next elected male non Aboriginal or Torres Strait Islander candidates instead; and

**8.3.** Exclude any unelected non Aboriginal or Torres Strait Islander candidates; and

**8.4.** Take all the papers off the table (including those of unelected Aboriginal or Torres Strait Islander candidates); and

**8.5.** Make a new place marker for each Aboriginal or Torres Strait Islander candidate not yet elected, and a new count-sheet for the affirmative action count carrying forward previous quotas, remainders, etc. (note: all such candidates are reintroduced to the count at zero votes, regardless of how many votes they had earlier in the count), then re-introduce

any defeated Aboriginal or Torres Strait Islander candidates into the count at a zero number of points; and

8.6. Re-distribute the papers of the non Aboriginal or Torres Strait Islander candidate/s unelected and excluded in clause 8.2 of this Schedule, in the order they were declared elected. Each continuing Aboriginal or Torres Strait Islander candidate is allotted those papers on which they indicated as preferred to any other continuing Aboriginal or Torres Strait Islander candidate. These papers will be allocated at the same values at which the papers were originally received by the non Aboriginal or Torres Strait Islander candidate/s, unless the surplus of these papers has been used to elect another candidate who has not subsequently been unelected. In that case, the value of these papers will be the value at which the papers were originally received minus the transfer value of the surplus. Once a candidate reaches the quota they will not be allocated any further ballot papers beyond the bundle that elected them; and

8.7. Distribute any surpluses not previously distributed from the already elected candidates (who have not been unelected and excluded), in the order they were declared elected, between the Aboriginal or Torres Strait Islander candidates on the table. If a candidate is elected on this surplus, they will not be allocated any further ballot papers; and

8.8. Re-distribute any previously exhausted papers bundle by bundle in the order in which they were previously declared exhausted. Each continuing Aboriginal or Torres Strait Islander candidate is allotted those papers on which they indicated as preferred to any other continuing Aboriginal or Torres Strait Islander candidate, at the same values at which the papers were originally excluded, keeping every bundle of papers separate. Once a candidate reaches the quota they will not be allocated any further ballot papers beyond the bundle that elected them; and

8.9. Re-distribute in an order determined by lot the papers of any Aboriginal or Torres Strait Islander candidate still in the count at the time clause 8.1 of this Schedule was applied, bundle by bundle in the order in which they were received by the Aboriginal or Torres Strait Islander candidate. Each continuing Aboriginal or Torres Strait Islander candidate is allotted those papers on which they indicated as preferred to any other continuing Aboriginal or Torres Strait Islander candidate, at the same values at which the papers were originally received by the first mentioned Aboriginal or Torres Strait Islander candidate, keeping every bundle of papers separate. Once a candidate reaches the quota they will not be allocated any further ballot papers beyond the bundle that elected them; and

8.10. After all the votes taken off the table under this clause have been allocated, commence the distribution of any surpluses of the Aboriginal or Torres Strait Islanders elected by virtue of the Affirmative Action provisions; and

8.11. Continue the count in accordance with clauses 3 and 4 of this Schedule.

**8.9.** To meet the requirements of Rule 8.3.2.1 in the elections of National Conference delegates under Rule 8.3.2, the Returning Officer must ensure no less than two positions are filled by non-metropolitan candidates. This shall be achieved by the following procedure:

**8.9.1.** After recording as elected the last candidate/s pursuant to clause 4.6 of this Schedule and complying with the Affirmative Action requirements in Rule 3, the Returning Officer must calculate whether at least two of the positions have been filled by non-metropolitan candidates. If not, the Returning Officer must then calculate the number of additional non-metropolitan candidates that would need to be elected to satisfy the requirements of Rule 8.3.2.1.

**8.9.2.** Starting from the last candidate elected, the Returning Officer must unelect and exclude elected metropolitan candidates until there are enough vacancies for the requirements of Rule 8.3.2.1 to be satisfied. If unelecting and excluding any elected metropolitan candidates would contravene any of the Affirmative Action requirements in Rule 3, the Returning Officer must unelect and exclude the last elected candidate/s whose unelection and exclusion would not contravene any of the Affirmative Action requirements.

**8.9.3.** Exclude any unelected metropolitan candidates.

**8.9.4.** Take all the papers off the table (including those of unelected non-metropolitan candidates).

**8.9.5.** Make a new place marker for each non-metropolitan candidate not yet elected, and a new count-sheet for the non-metropolitan delegate count carrying forward previous quotas, remainders, etc. (note: all such candidates are reintroduced to the count at zero votes, regardless of how many votes they had earlier in the count), then re-introduce any defeated non-metropolitan candidates into the count at a zero number of points.

**8.9.6.** Re-distribute the papers of the metropolitan candidate/s unelected and excluded in clause 9.2 of this Schedule, in the order they were declared elected. Each continuing non-metropolitan candidate is allotted those papers on which they are indicated as preferred to any other continuing non-metropolitan candidate. These papers will be allocated at the same values at which the papers were originally received by the metropolitan candidate/s, unless the surplus of these papers has been used to elect another candidate who has not subsequently been unelected. In that case, the value of these papers will be the value at which the papers were originally received minus the transfer value of the surplus. Once a candidate reaches the quota they are not allocated any further ballot papers beyond the bundle that elected them.

**8.9.7.** Distribute any surpluses not previously distributed from the already elected candidates, in the order they were declared elected, between the non-metropolitan candidates on the table. If a candidate is elected on this surplus, they are not allocated any further ballot papers.

**8.9.8.** Re-distribute any previously exhausted papers bundle by bundle in the order in which they were previously declared exhausted. Each continuing non-metropolitan candidate is allotted those papers on which they are indicated as preferred to any other continuing non-metropolitan candidate, at the same values at which the papers were originally excluded, keeping every bundle of papers separate. Once a candidate reaches the quota they are not allocated any further ballot papers beyond the bundle that elected them.

**8.9.9.** Re-distribute in an order determined by lot the papers of any non-metropolitan candidate still in the count at the time clause 8.9.1 of this Schedule was applied, bundle by bundle in the order in which they were received by the non-metropolitan candidate. Each continuing non-metropolitan candidate is allotted those papers on which they are indicated as preferred to any other continuing non-metropolitan candidate, at the same values at which the papers were originally received by the first mentioned non-metropolitan candidate, keeping every bundle of papers separate. Once a candidate reaches the quota they are not allocated any further ballot papers beyond the bundle that elected them.

**~~8.9.10.~~** After all the votes taken off the table under this clause have been allocated, commence the distribution of any surpluses of the non-metropolitan candidates elected by virtue of Rule 8.3.2.1.

**~~8.9.11.~~** Continue the count in accordance with clauses 3 and 4 of this Schedule.

**9.10.** To meet the requirements of Rule 9.5.14, in the election of the Aboriginal & Torres Strait Islander Affairs Policy Committee the Returning Officer must ensure all Aboriginal or Torres Strait Islander candidates are elected to the Committee before any non Aboriginal or Torres Strait Islander candidates, subject to the Affirmative Action requirements of Rule 3. This shall be achieved by the following procedure:

**9.10.1.** Before declaring any candidates elected in accordance with clause 2.4 of this Schedule, the Returning Officer must ascertain if there is Aboriginal or Torres Strait Islander candidate/s in the ballot. If so, the Returning Officer must exclude all non Aboriginal or Torres Strait Islander candidates and re-distribute their first preference papers at full value according to the first preference shown for an Aboriginal or Torres Strait Islander candidate. Voting papers which show no preference for an Aboriginal or Torres Strait Islander candidate shall be set aside and treated as exhausted papers.

**9.10.2.** Record as elected all Aboriginal or Torres Strait Islander candidates whose bundle of voting papers equals or exceeds the quota, in order of their election, commencing with the highest number of points polled, then next and so on. In the circumstances where there is an equality of the value of first preference papers, the Returning Officer shall determine the order by lot.

**9.10.3.** If the number of Aboriginal or Torres Strait Islander candidates elected in accordance with clause 10.2 of this Schedule does not fill all vacancies, the Returning Officer must follow the steps outlined in clauses 3 and 4 of this Schedule in relation to the continuing Aboriginal or Torres Strait Islander candidates.

**9.10.4.** If all Aboriginal or Torres Strait Islanders have either been elected or defeated and there are still vacancies to fill, the Returning Officer will re-introduce the defeated Aboriginal or Torres Strait Islanders candidate/s and elect them to the remaining vacancies, starting from the candidate last defeated, until all vacancies have been filled or there is no remaining defeated Aboriginal or Torres Strait Islanders candidates.

**9.10.5.** If the number of Aboriginal or Torres Strait Islander candidates elected in accordance with clauses ~~9.10.2~~ – ~~9.10.4~~ of this Schedule does not fill all vacancies, the Returning Officer must re-introduce all non Aboriginal or Torres Strait Islander candidates into the ballot.

**9.10.6.** Distribute any surpluses not previously distributed from the already elected Aboriginal or Torres Strait Islander candidates, in the order they were declared elected, between the non Aboriginal or Torres Strait Islander candidates on the table. If a candidate is elected on this surplus, they are not allocated any further ballot papers.

**9.10.7.** Any voting papers treated as exhausted papers under clause 9.1 of this Schedule will be re-introduced into the ballot and distributed to the highest non Aboriginal or Torres Strait Islander candidate preferred, at the value they held when they were set aside and treated as exhausted papers.

**9.10.8.** Commence the distribution of any surpluses of the non Aboriginal or Torres Strait Islander candidates elected by virtue of clauses ~~9.10.6~~ and ~~9.10.7~~ of this Schedule.

**9.10.9.** Continue the count in accordance with clauses 3 and 4 of this Schedule.

**9.10.10.** If at any point the election of any candidate would be contrary to the Affirmative Action requirements of Rule 3, the Returning Officer must continue the count in accordance with clause 7 of this Schedule. However, if there are any female Aboriginal or Torres Strait Islanders in the ballot, the Returning Officer must ensure all female Aboriginal or Torres Strait Islander candidates are elected to the Committee before any female non Aboriginal or Torres Strait Islander candidates. This shall be achieved by following clauses ~~9.10.1~~ – ~~9.10.9~~ of this Schedule and applying it to female candidates only.

**10.11.** Except in preselections between the end of the voting in the Local Plebiscite and the POSC meeting, no candidate shall be permitted to withdraw from the election between the close of the poll and the declaration of the ballot. A candidate for preselection may only withdraw in writing to the State Secretary.



## PRE3 LEGISLATIVE COUNCIL PRESELECTION

Proposed By: Australian Manufacturing Workers' Union – Victorian Branch

### **Description:**

Changes the preselection process for Legislative Council preselection so it is the same as the preselection process for the Senate.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**19.8.** The selection of candidates for Public Offices shall be made by the following:

**19.8.1.** For the House of Representatives, and the Legislative Assembly ~~and the Legislative Council~~, members of the Public Office Selection Committee sitting and voting after a plebiscite of Local Branch member voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast.

~~**19.8.2.** The plebiscite component of Legislative Council selection shall take place by postal ballot of all local voters residing in the electoral area concerned, after a determination by the Administrative Committee of the positions considered winnable by the party at the next State election at the time it arranges for candidate selection pursuant to Rule 19.1. The process for selection of Legislative Council Candidates must commence before July in the year prior to a State election.~~

~~**19.8.3.**~~ **19.8.2.** For the Senate and the Legislative Council, the Public Office Selection Committee.

**19.8.3.** The selection of candidates for the Legislative Council shall take place after a determination by the Administrative Committee of the positions considered winnable by the party at the next State election at the time it arranges for candidate selection pursuant to Rule 19.1. The process for selection of Legislative Council Candidates must commence before July in the year prior to a State election.

# INTERNAL ELECTIONS

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## ELECT1 VOTING RIGHTS AFTER 12 MONTHS FOR ALL MEMEBRS

Proposed By: Australian Workers' Union – Victorian Branch

### **Description:**

Amends the duration required for accrual of voting rights, from 24 months of membership continuity to 12 months.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.9.1.** A member or an applicant for Party membership who has lodged their application in compliance with Rule 5.5.1.1 shall obtain voting rights 12 months~~24 months~~ from the date they attended a meeting of a Local Branch of which they are, or are eligible to be, a member and had their attendance photo identification verified in accordance with Rule 5.9.6, except as provided in Rule 5.9.4. Once they have commenced their voting eligibility qualifying period, the member must maintain continuity of membership during the period of 12 months~~24 months~~ to obtain voting rights. The member will obtain voting rights after the period of 12 months~~24 months~~ even if they transfer to a different Local Branch during this period. Attendance at a sub branch meeting will not satisfy this requirement.

**5.9.2.** To maintain voting rights, a member must maintain continuity of membership. If a member fails to maintain continuity of membership, they will lose their voting rights. To reobtain voting rights, they will have to re-join the party and attend another meeting of a Local Branch of which they are a member and wait another period of 12 months~~24 months~~.

**5.9.3.** In a single calendar month, no more than 10 members without voting rights from the same State Electorate can begin their period of 12 months~~24 months~~ towards obtaining voting rights.

**5.9.4.** If more than 10 members and/or applicants who have not begun their period of 12 months~~24 months~~ attend a Local Branch meeting, only the first 10 of those members or applicants to sign the attendance book may begin their period of 12 months~~24 months~~ from the date of that meeting. The next 10 members to sign may begin their period of 12 months~~24 months~~ from the date of the next Branch meeting without having to attend the next Branch meeting. The remaining members and/or applicants to sign (if any) will not be able to begin their period of 12 months~~24 months~~ and will have to attend another Branch meeting in the future to begin their period of 12 months~~24 months~~.

**5.9.5.** Where there is more than one Local Branch in a State Electorate, the number of members and/or applicants who can begin their period of 12 months~~24 months~~ will be split evenly across the branches, such that no more than 10 can begin this process in any State Electorate in any month. This rule will also apply to those to those seeking to begin their period of 12 months~~24 months~~ in the subsequent month pursuant to Rule 5.9.4.

**ELECT2 VOTING RIGHTS AFTER 12 MONTHS FOR LAPSED MEMEBRS**

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Proposed By: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – Plumbing Division

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**Description:**

To amend the threshold for lapsed members who have already gained voting rights to 12 months instead of 24 months.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.9.2.** To maintain voting rights, a member must maintain continuity of membership. If a member fails to maintain continuity of membership, they will lose their voting rights. To reobtain voting rights, they will have to re-join the party and attend another meeting of a Local Branch of which they are a member and wait another period of 12 months~~24 months~~.

## ELECT3 PHOTO IDENTIFICATION

Proposed By: Australian Workers' Union – Victorian Branch

### Description:

This rule change proposes to amend the rules in the follow ways:

- allow individuals who do not hold any photographic identification to vote; and
- require State Office to provide new members with a photographic identification card, and to provide a photographic identification on request; and
- remove the requirement that a Dispute Tribunal members must have obtained trauma informed advocacy experience within a legal environment or legal practice and/or undertaken trauma informed advocacy training.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.8.8.** State office must provide new members with a photographic identification card from a photo supplied by the member themselves and the membership card will include their name, membership number, date they joined the party and current year.

**5.8.9.** All existing members will have the option to continue with the current membership card or request a new photographic identification card from a photo supplied by themselves

**10.3.8.3.** Before the FEA Returning Officer or FEA Deputy Returning Officer issue a ballot paper, the voter must produce ~~photographic~~ identification in accordance with Rule 20.5.

### **20.5. Provision of ~~photographic~~ identification**

**20.5.1.** For the purposes of ballots conducted in accordance with this Rule, other than a postal ballot, a voter must produce ~~photographic~~ identification that conforms with the form of ~~photographic~~ identification specified in the Membership Protocols.

**21.1.3.** All members of the panel must:

**21.1.3.1.** be members of the Party; and

**21.1.3.2.** be experienced in participating in tribunal or disciplinary hearings or similar dispute resolution processes; and

**21.1.3.3.** have a good understanding of the rules of procedural fairness; and

**21.1.3.4.** not be a current member of an Australian Parliament; ~~and~~

**21.1.3.5.** have:

~~21.1.3.5.1.~~ obtained trauma informed advocacy experience within a legal environment or legal practice; and/or

~~21.1.3.5.2.~~ undertaken trauma informed advocacy training; and

~~21.1.3.6.5.~~ have been:

~~21.1.3.6.5.1.~~ admitted to practice as a barrister and solicitor of the Supreme Court of Victoria for at least 10 years; or

~~21.1.3.6.5.2.~~ an Office Holder within an Australian Parliament (for example Minister, Speaker or President); or

~~21.1.3.6.5.3.~~ a former Secretary or Assistant Secretary of an affiliated trade union.

## ELECT4 DECLARATION ENVELOPES

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Proposed By: Rules Revision Committee

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**Description:**

Changes the reference to “inside the flap of the outside envelope” in Rule 20.7.8 to “declaration envelope”, to bring it in line with actual practice and Rule 20.6.4.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**20.7.8.** When returning a postal ballot, the voter shall place ~~inside the flap of the outside envelope~~ their printed name, their signature, their membership number, and their FEA or affiliated union (whichever is applicable) on the declaration envelope.

## ELECT5 ELIGIBILITY TO STAND FOR ELECTION

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Proposed By: Rules Revision Committee

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**Description:**

This proposed rule change codifies existing practice whereby – unless stated otherwise in the Rules – a member can only stand for election to a position if they are eligible to vote in the election for that position.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**20.8.** Unless otherwise provided in these Rules, a member will only be eligible to stand for election to a position if they are eligible to vote in the election for that position.



## ELECT6 CLARIFYING PROCESS FOR CHALLENGING THE ELIGIBILITY OF MEMBERS

Proposed By: Rules Revision Committee

### Description:

This rule change aims to resolve the ambiguity in the rules in relation to the process for challenging the eligibility of members under Rule 10.3.8.6, as currently it is unclear as to:

- who such challenges should be made;
- when such challenges can be made;
- how the challenged members are to be informed; and
- who is responsible for informing the challenged members

It is the State Secretary who compiles the voters roll and ultimately removes voters from the list, so it is appropriate that challenges are made to them, and that they are responsible for informing the challenged members.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**10.3.8.6.** For the purposes of compiling the voters roll, the State Secretary must only include those members whose address from the Party records ("**Party address**") corresponds with the address shown for that member on the Commonwealth electoral roll ("**AEC address**"). If there is any challenge to the eligibility of a member to nominate or vote on the basis of address after the closure of the voters roll under Rule 9.3.8.4, the challenge must be made to the State Secretary. ~~†~~ The challenger bears the onus of proving that the Party address of the challenged member at the close of nominations did not comply with Rule 5.14.2.1. If the State Secretary determines that the challenger cannot establish a prima facie case, the State Secretary must dismiss the challenge. ~~¶~~ If the State Secretary determines that the challenger has established a prima facie case, the State Secretary must notify the challenged member of the challenge and provide them with a reasonable opportunity to respond. The challenged member bears the onus of proving that their Party address at the close of nominations did comply with Rule 5.14.2.1. The State Secretary must then rule on the eligibility of the challenged member. Any member who is aggrieved by a ruling of the State Secretary under this Rule may appeal to the Chief Returning Officer pursuant to Rule 10.3.8.13.

**10.3.8.13.** Any member who is aggrieved by a ruling of the State Secretary under Rule 10.3.8.6 or the FEA Returning Officer may appeal within twenty four hours of receiving notice of the ruling to the Chief Returning Officer who shall resolve the appeal forthwith; provided that the Chief Returning Officer may delegate powers under this Rule to any of the Deputy Chief Returning Officers. Subject to these Rules, no appeal shall lie from any decision made by the Chief Returning Officer or Deputy Chief Returning Officers delegated under this Rule.

## ELECT7 CLAUSE 4.6.3 OF SCHEDULE B & AA

Proposed By: Rules Revision Committee

### **Description:**

It is currently unclear how clause 4.6.3 of Schedule B interacts with the affirmative action rules. This was an issue in the recent National Conference delegate election count. This rule change proposes to resolve the ambiguity by stipulating clause 4.6.3 will not be applied if the affirmative action rules have not been met, or the ballot is for selection of public office in a multi-member electorate.

The rule change also proposes to delegate some unnecessary wording in clause 4.6.3 of Schedule B.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **SCHEDULE B – METHOD OF VOTING (QUOTA PREFERENTIAL)**

**4.6.** The procedure, of transferring the surpluses of successful candidates and of eliminating in succession the defeated candidates, is continued until the election is finished. The election is finished when:

**4.6.1.** The number of candidates recorded as elected equals the number of vacancies; or

**4.6.2.** Only one vacancy remains unfilled and two continuing candidates remain, in which case the candidate with the higher progress total is recorded as elected (since all the papers of the other candidate must go either to them or to exhausted); or

**4.6.3.** ~~In very rare where the number of exhausted papers in eliminations is large, †~~The number of continuing candidates is equal to the number of vacancies not yet filled, in which case all these candidates are recorded as elected.

**4.7.** Clause 4.6.3 of this Schedule will not apply if:

**4.7.1.** the affirmative action requirements of Rule 3 have not yet been met; or

**4.7.2.** the ballot is for the selection of candidates in a multi-member electorate (e.g. the Federal Senate and the Victorian Legislative Council).

## ELECT8 REPLACING POSTAL BALLOTS WITH HYBRID BALLOTS

Proposed By: Rules Revision Committee

### **Description:**

Following the successful trial of online voting for the Rainbow Labor Executive, Women's Network Executive, Labor for an Australian Republic Executive and Country Labor Executive Elections in 2023, this rule change proposes replacing all state-wide postal ballots with hybrid ballots termed 'remote ballots', comprising of online voting for those with an email address and mobile phone number, and postal ballots for those without an email address and a mobile phone number. Note: members with an email address and mobile phone will also have the option to request a postal ballot instead.

Specifically, this rule change proposes that voting be by a hybrid ballot in the following instances:

- Election for Country Labor Executive;
- Election for Victorian Labor Women's Network Executive;
- Election for Rainbow Labor Network Victoria Executive;
- Election for Labor for an Australian Republic Group Victoria Executive;
- Election for Labor Enabled Executive;
- Election for Victorian Multicultural Labor Network Executive;
- Election of the half of the National Conference delegates and proxies elected by rank-and-file members; and
- The rank-and-file component of the State Parliamentary Labor Party leadership election.

The benefits of allowing online voting in these ballots are as follows:

- Enfranchises regional members
- Reduces any delay in the conduct of the election.
- Significantly reduces the financial cost to the Party (postal ballots are generally considerably more expensive than online ballots).
- Eliminates logistical issues with having the election by postal ballot (e.g. members not receiving ballots as they are lost in mail, not having enough time to return the ballots to State Office etc.).

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**8.3.2.** Half of the National Conferences delegates and proxy delegates shall be elected by a single ~~postal~~ remote ballot of members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12. The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any member may inspect the roll for the purposes of proved errors or omissions. The election of delegates will be held in the 12 months immediately preceding the National Conference. The timeline for the election shall be determined by the Administrative Committee by an affirmative vote of at least 11 members.

**14.2.2.** Country Labor Executive (CLX) consists of 20 members elected from and by Country Labor members, by a single ~~postal~~ remote ballot held in conjunction with FEA elections.

**20.5. Provision of photographic identification**

**20.5.1.** For the purposes of ballots conducted in accordance with this Rule, other than a postal ballot or remote ballot, a voter must produce photographic identification that conforms with the form of photographic identification specified in the Membership Protocols.

### **20.8 Remote ballots**

**20.8.1.** If provided for in the Rules, an election may be conducted by a remote ballot.

**20.8.2.** Any remote ballot must comply with Schedule O. If a remote ballot fails to comply with Schedule O, this may be grounds for a member to dispute the declared results of an election under Rule 21.6.

**20.8.3.** Any online voting platform used for a remote ballot must be approved by an affirmative vote of at least 14 members of the Administrative Committee. When approving an online voting platform, the Administrative Committee must be satisfied that it meets the Standards under Schedule O. Once an online voting platform has been approved, that approval will be ongoing unless Administrative Committee decides otherwise.

**20.8.4.** For the purposes of Rule 20.8.3, “online voting platform” means a program or system used to facilitate online voting.

## **SCHEDULE F – RAINBOW LABOR NETWORK VICTORIA**

### **3. Executive**

**3.1.** Rainbow Labor Network Victoria shall by proportional representation elect five members who shall constitute the Executive and who shall appoint from amongst themselves 2 Co- Convenors, a Secretary, an Assistant Secretary and a Treasurer.

**3.2.** This ballot shall take place at the same time as FEA elections by ~~postal~~ remote ballot to members of Rainbow Labor Network Victoria.

## **SCHEDULE G – STATE PARLIAMENTARY LABOR PARTY LEADERSHIP ELECTIONS**

### **7. Ballots**

**7.1.** The SPLP Returning Officer shall complete a draw for positions on the ballot at the place specified for the receipt of nominations immediately after nominations close.

#### **7.2. Eligible Party Members**

**7.2.1.** Eligible Party members will vote in a single remote ballot.

**7.2.2.** Voting will open 14 days after the close of nominations.

**7.2.3.** Voting will close at 5pm 28 days after the close of nominations.

**7.2.1.** ~~Ballot papers will be sent to eligible Party members 14 days after the close of nominations.~~

~~7.2.2.~~ All ballot papers must be posted to each voter included on a roll pursuant to Rule 20.6.1. All such ballot papers must be returned pursuant to Rule 20.6.2. Ballots for each voting component must be distinguishable.

~~7.2.3.~~ All ballot papers must be received at the address nominated by the SPLP Returning Officer by 5.00 pm 28 days after the close of nominations.

~~7.2.4.~~ If a returning ballot paper is challenged, the SPLP Returning Officer will request from the State Secretary, who must provide, a copy of a signature from the eligible Party Member's application or renewal. If such sample is not available, the SPLP Returning Officer may request the eligible Party Members to provide a n official sample, which may include, but is not limited to, a drivers license.

9.2. At the same time as being sent a ~~postal~~ remote ballot or notice in person, each voter will also be sent a publication containing a photo of each candidate and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. Such statements and photos will also be available on the Victorian ALP website.

#### **SCHEDULE M – LABOR ENABLED**

##### **3. Executive**

**3.1.** Labor Enabled Victoria shall by proportional representation elect five members who shall constitute the Executive and who shall appoint from amongst themselves 2 Co-Convenors, a Secretary, a Communication Officer and a Treasurer.

**3.2.** This ballot shall take place at the same time as FEA elections by ~~postal~~ remote ballot to members of Labor Enabled Victoria.

#### **SCHEDULE N – VICTORIAN MULTICULTURAL LABOR NETWORK ('VMLN')**

##### **3. Executive**

**3.1.** The Victorian Multicultural Labor Network shall by proportional representation elect nine (9) members who shall constitute the Executive and who shall appoint from amongst themselves two (2) Co-Convenors, a Secretary, an Assistant Secretary and such other officers as the Executive resolves.

**3.2.** This ballot shall take place at the same time as FEA elections by ~~postal~~ remote ballot to members of the Victorian Multicultural Labor Network, ~~except that this ballot shall also take place by the end of 2023 at the same time as the ballot for the Victorian Labor Women's Network Executive.~~

#### **SCHEDULE O – STANDARDS AND PROCEDURES FOR REMOTE BALLOTS**

##### **Definitions**

For the purposes of this Schedule,

(i) "Online Elector" means, a member who is eligible to vote in the election who has provided an email address and mobile phone number to State Office.

(ii) "Postal Elector" means, a member who is eligible to vote in the election but has not provided both an email address and mobile phone number to State Office.

(iii) "Online voting platform" means, a program or system used to facilitate online voting.

(iv) "External ballot provider" means, any person or organisation that is helping to facilitate online voting and is not State Office or an employee or affiliate of State Office.

### **Standards for Online Voting**

A. All rights and responsibilities of electors under the Rules shall, as far as is possible, be maintained during any online voting process.

B. Online voting must be conducted in such a manner that the secrecy of each Online Elector's ballot is maintained, and that the only person in the Party who is able to access how an Online Elector voted is the Online Elector themselves.

C. Online Electors must not be able to vote more than once in an online ballot.

D. Online voting must be made accessible to Online Electors through email.

E. The online voting process must use two-factor authentication.

F. There must be measures in place to ensure that no member of the Party is able to access the results of the online voting until voting has closed, with the exception that the Chief Returning Officer and Party Officials may access the total number of electors who have casted votes.

G. The online voting platform must be capable of providing sufficient information about the counting of online votes so that scrutineers can properly supervise the counting of these votes.

H. The Online voting platform must aim to conform to the Web Consortium Accessibility Guidelines (WCAG 2.0) priority AA checkpoints.

### **Procedures for remote ballots**

#### **1. Management and logistics**

1.1 Any remote ballot shall be conducted or supervised by the Chief Returning Officer.

1.2 Authorised access to any online voting platform shall be only with the express approval of the Chief Returning Officer. Unauthorised access to any such platform shall be deemed to be a serious offence and may be grounds for the Dispute Tribunal to expel a member from the Party, pursuant to Rule 21.

1.3 State Office shall be responsible for organising the logistics of a remote ballot. State Office can delegate any part of this responsibility to an external ballot provider, unless otherwise stated in this Schedule.

#### **2. Notice of online voting**

2.1. Before an election by remote ballot is to commence, State Office must send an email to all Online Electors. In this email, State Office must provide the following information:

2.1.1 When online voting will open and close; and

2.1.2 How Online Electors will be able to cast their online ballot; and

2.1.3 When online ballots will be made accessible to Online Electors at their preferred email address; and

2.1.4 Who to contact if Online Electors have not received the online ballot at their preferred email address at the time set out in clause 2.1.1 of this Schedule;

2.1.5 Who to contact if Online Electors would like to check and/or change their preferred email address;

2.1.6 Who to contact if Online Electors would like to request a postal ballot instead, and the deadline by which they must make the request (which must be before an election by remote ballot is to commence); and

2.1.7 Who to contact if Online Electors need support or assistance in completing an online ballot.

2.2. At least seven days before an election by remote ballot is to commence, State Office must send an SMS to all Online Electors, notifying them of online voting and that they should have received the email outlined in clause 2.1 of this Schedule.

2.3. Both the email outlined in clause 2.1 of this Schedule and the SMS outlined in clause 2.2 of this Schedule must be sent by State Office, and this responsibility cannot be delegated to an external ballot provider.

### **3. Online ballots**

3.1 Online ballots must be made accessible to Online Electors through a preferred email address that they have provided the Party and must be made accessible at the time set out in clause 2.1.1 of this Schedule.

3.2 If two or more Online Electors share the same preferred email address, the online ballots for these Online Electors will be made accessible at the same preferred email address but in separate emails for each Online Elector, so it is clear that the online ballots are not intended for the same Online Elector.

3.3 Any attempt by a member of the Party to cast an online vote that was not intended for them shall be deemed to be a serious offence and may be grounds for the Dispute Tribunal to expel a member from the Party, pursuant to Rule 21.

3.4 Before an Online Elector can access their online ballot, they will be prompted to send themselves a PIN via SMS. When the correct PIN is entered, the Online Elector can access the online ballot.

3.5 If additional information, such as candidate statements, is included in the online ballot provided under clause 3.1 of this Schedule, this additional information must be replicated in its entirety in any postal ballots sent to Postal Electors. This does not apply to the notices sent under clause 2.1 of this Schedule nor does it apply to any other additional notices sent to Online Electors.

3.6 If an Online Elector contacts the contact set out in clause 2.1.6 before the deadline set out in clause 2.1.6 and requests a postal ballot, the Online Elector must be issued with a postal ballot, pursuant to clause 4 of this Schedule, in lieu of an online ballot.

#### **4. Postal voting**

4.1 Postal ballots will be sent to:

4.1.1. Postal Electors; and

4.1.2. an Online Elector who contacts the contact set out in clause 2.1.6 before the deadline and requests a postal ballot.

4.2. Rule 2.6 will apply to these postal ballots.

4.3 To be counted, postal ballots must be received by State Office before online voting has closed.

#### **5. Period of voting**

5.1 Voting for both the online ballot and postal ballot must open and close at the same time.

#### **6. Counting of Ballots & Scrutineering**

6.1. Candidates will be eligible to appoint up to two scrutineers each.

6.2. The Chief Returning Officer shall determine a time and place, prior to the commencement of online voting, for the scrutiny of the online voting platform settings and voter lists. The information provided for scrutiny of the online voting platform settings may be limited to information that is not commercial in confidence. Scrutineers shall be required to sign an approved form to indicate they have inspected the settings and voter lists.

6.3. The ballot cannot be counted until after voting has closed.

6.4. Scrutineers representing the candidates must be able to observe the counting of the ballot. If the counting of the online ballot is conducted in such a manner that physically observing one or more parts of the count is not possible, scrutineers must be provided with sufficient information concerning those parts of the online ballot count so that they can properly supervise the counting of votes.



## ELECT9 BALLOTS AT STATE CONFERENCE

Proposed By: Rules Revision Committee

### Description:

Removes the ability for State Conference elections to be conducted by postal ballot (except for Public Office Selection Committee) and adds protections to the current in-person State Conference election process to ensure that it is a secret ballot.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**8.1.11.** Elections by State Conference (except for the election of the POSC under Rule 9.4)~~state conference conducted by postal ballot~~ shall be conducted in accordance with ~~Rule 20.7~~the following procedures:

**8.1.11.1.** Voting will be conducted in person at the State Conference; and

**8.1.11.2.** Ballot papers will only be issued to delegates; and

**8.1.11.3.** When collecting their ballot papers, a delegate must produce photographic identification that conforms with the form of photographic identification specified in the Membership Protocols, pursuant to Rule 20.5; and

**8.1.1.4.** To ensure the option of voting secrecy the Chief Returning Officer shall ensure that a voting compartment or private place is set aside so as to screen delegates from observation by any other person while they are marking their ballot papers and provide such voting compartment or area with a pencil for the use of delegates. Delegates are not required to mark their ballot papers in this voting compartment or private place and are permitted to remove their ballot paper from the voting compartment or private place and mark their ballot paper in a different location.

**8.1.12.** An election by State Conference that complies with the procedures set out in Rule 8.1.11 shall be deemed to have been conducted by secret ballot for the purposes of the Rules.

~~**9.1.2.8.** To determine that any ballot for a Committee of State Conference shall be held by postal ballot; and~~

### ~~**20.7. Elections by State Conference conducted by postal ballot**~~

~~**20.7.1.** All elections by State Conference conducted by postal ballot will be conducted pursuant to this section.~~

~~**20.7.2.** For all elections conducted pursuant to this section, State Office must:~~

~~**20.7.2.1.** post the ballot papers to all membership delegates, the Leader and Deputy Leader of the Labor Party in the two Houses of the Victorian Parliament, and the two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party; and~~

~~20.7.2.2.~~ provide the ballot papers for union delegates to the affiliated union in the manner requested by the affiliated union. This may be, but is not required to be, by post.

~~20.7.3.~~ Delegates may elect to have their ballot issued, either in person or by post, to another member of the party provided they reside in the same FEA as the delegate. The member nominated by the delegate pursuant to this rule may sign, seal and return the ballot paper under their own name, consistent with Rule 20.7.7.

~~20.7.4.~~ Upon the request of an affiliated union, a ballot paper for a union delegate will be issued to another member of the party, provided that the member is a member of that union. The member nominated by the affiliated union pursuant to this rule may sign, seal and return the ballot paper under their own name, consistent with Rule 20.7.7.

~~20.7.5.~~ The Leader and Deputy Leader of the Labor Party in the two Houses of the Victorian Parliament, and the two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party, may elect to have their ballot issued, either in person or by post, to another member of the party. The member nominated by the delegate pursuant to this rule may sign, seal and return the ballot paper under their own name, consistent with Rule 20.7.7.

~~20.7.6.~~ The ballots must be returned to State Office by the deadline set by the Administrative Committee.

~~20.7.7.~~ Ballots must be returned by:

~~20.7.7.1.~~ posting it back to State Office; or

~~20.7.7.2.~~ returning it to State Office in person; or

~~20.7.7.3.~~ having another party member return the ballot on a delegate's behalf.

~~20.7.8.~~ When returning a postal ballot, the voter shall place inside the flap of the outside envelope their printed name, their signature, their membership number, and their FEA or affiliated union (whichever is applicable).

~~20.7.9.~~ A delegate eligible to vote in an election by State Conference which is conducted by post pursuant to this section, who has not yet voted in that election, may:

~~20.7.9.1.~~ request that State Office post them a new ballot; or

~~20.7.9.2.~~ collect a re-issued ballot from State Office in person; or

~~20.7.9.3.~~ authorise, in writing, another member to collect a re-issued postal ballot from State Office provided they have authorisation from the delegate in the form of:

~~20.7.9.3.1.~~ a letter signed by the delegate; or

~~20.7.9.3.2.~~ an email from the delegate's email address that was registered with State Office at the time of the conference from which the positions are being elected.

~~20.7.10.~~ Affiliated unions may appoint, by email or by signed letter, a member of the party to collect re-issued postal ballots on behalf of union delegates from State Office, provided the delegates for whom the request is made have not yet voted in that election.

~~**20.7.11.** The member collecting a re-issued postal ballot under Rule 20.7.9.2 or 20.7.9.3 must produce photographic identification that conforms with the form of photographic identification specified in the Membership Protocols.~~

# ELECT10 NATIONAL CONFERENCE PROXY DELEGATE ELECTIONS (VERSION 1)

Proposed By: Rules Revision Committee

## Description:

This changes the process for the election of National Conference proxy delegates whereby, instead of being elected by an additional ballot following the delegate ballots, proxy delegates will be elected in a single postal ballot of the elected National Conference delegates from the unsuccessful candidates for National Conference delegates. This will be a faster and simpler process than the status quo without impacting the likely results.

NOTE: the difference between ELECT10 and ELECT11 is the method of election for the proxy delegates – ELECT10 is by postal ballot, while ELECT11 is by remote ballot (which is a hybrid of electronic and postal voting, proposed by ELECT8)

## Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

### **8.3. National Delegates**

**8.3.1.** There shall be such delegates and proxy delegates to the National Conference as are provided for in the National Constitution. The national delegates and proxy delegates shall be elected in the 12 months immediately preceding the National Conference. Any Member shall be eligible to stand for election to National Conference delegate ~~and/or proxy delegate~~.

**8.3.2.** Half of the National Conferences delegates ~~and proxy delegates~~ shall be elected by a single postal ballot of members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12. The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any member may inspect the roll for the purposes of proved errors or omissions. The election of delegates will be held in the 12 months immediately preceding the National Conference. The timeline for the election shall be determined by the Administrative Committee by an affirmative vote of at least 11 members.

**8.3.2.1.** At least two of the National Conference delegates elected under Rule 8.3.2 must reside in a non-metropolitan area. If at the close of nominations for National Conference delegates less than two non-metropolitan members have nominated, nominations will be reopened for a period of 5 days. To ensure compliance with this Rule, the procedure outlined in clause 8 of Schedule B must be applied when counting the ballot.

**8.3.2.2.** For the purposes of Rule 8.3.2.1 and Schedule B, "non-metropolitan candidate" means a member who has nominated for the ballot in Rule 8.3.2 and is residing in one of the following Legislative Council Regions:

**8.3.2.2.1.** Northern Victoria Region; or

**8.3.2.2.2.** Western Victoria Region; or

**8.3.2.2.3.** Eastern Victoria Region.

**8.3.2.3.** For the purposes of Rule 8.3.2.1 and Schedule B, “metropolitan candidate” means a member who has nominated for the ballot in Rule 8.3.2 and who does not fall within the definition of “non-metropolitan candidate” under Rule 8.3.2.2.

**8.3.3.** Half of the National Conference delegates ~~and proxy delegates~~ shall be elected by a ballot of the union delegates at the meeting of State Conference immediately preceding the National Conference. The method of election shall be by proportional representation. ~~The number of proxy delegates elected in this ballot will be half of the National Conference delegates to be elected by the union delegates, rounded down to the next whole number.~~

**8.3.4.** In the event that the total number of National Conference delegates ~~and/or proxy delegates~~ to be elected is an odd number, the ballot for National Conference delegates ~~and/or proxy delegates~~ to which the last delegate position is allocated will be determined by lot. This allocation must be conducted by the Chief Returning Officer before calling for nominations in any of ballots for National Conference delegates.

**8.3.5.** The Chief Returning Officer shall call for a set of nominations for each ballot of National Conference delegates ~~and proxy delegates~~. Candidates shall submit a nomination form signed by themselves and any thirty other members of the Party. A candidate may nominate for both ballots but once elected as a National Conference delegate in one ballot, the candidate cannot be elected as a National Conference delegate in the other ballot. ~~If a candidate is elected as a National Conference proxy delegate in one ballot, they can still be elected as a National Conference delegate in the other ballot. In the event of a proxy delegate being elected as a delegate in the other ballot, their proxy delegate position shall be declared vacant and the Chief Returning Officer shall conduct a recount of the ballot in accordance with the Rules to determine the replacement. In the event that a proxy delegate nominates for the other ballot and fails to be elected as a delegate, they shall be excluded from the proxy delegate election in the other ballot.~~

**8.3.6.** The ballots shall be conducted by the Chief Returning Officer and the required number of delegates elected under Schedule B. Following the declaration of each both ballots for National Conference delegates, the National Conference proxy delegates shall be elected by a single postal ballot of the newly elected National Conference delegates. The candidates in the ballot for proxy delegates will comprise of the unsuccessful candidates for both National Conference delegate ballots. ~~the voting papers shall be re-sorted for a fresh count to elect the required number of proxy delegates. During this second count votes that would have otherwise have been allocated to a delegate elected in the first count, shall be passed to the unsuccessful candidate in the second count ranked highest on the respective ballot papers, and hence a full Schedule B election shall progress.~~

# ELECT11 NATIONAL CONFERENCE PROXY DELEGATE ELECTIONS (VERSION 2)

Proposed By: Rules Revision Committee

## Description:

This changes the process for the election of National Conference proxy delegates whereby, instead of being elected by an additional ballot following the delegate ballots, proxy delegates will be elected in a single remote ballot of the elected National Conference delegates from the unsuccessful candidates for National Conference delegates. This will be a faster and simpler process than the status quo without impacting the likely results.

NOTE: the difference between ELECT10 and ELECT11 is the method of election for the proxy delegates – ELECT10 is by postal ballot, while ELECT11 is by remote ballot (which is a hybrid of electronic and postal voting, proposed by ELECT8)

## Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

### **8.3. National Delegates**

**8.3.1.** There shall be such delegates and proxy delegates to the National Conference as are provided for in the National Constitution. The national delegates and proxy delegates shall be elected in the 12 months immediately preceding the National Conference. Any Member shall be eligible to stand for election to National Conference delegate ~~and/or proxy delegate~~.

**8.3.2.** Half of the National Conferences delegates ~~and proxy delegates~~ shall be elected by a single postal ballot of members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12. The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any member may inspect the roll for the purposes of proved errors or omissions. The election of delegates will be held in the 12 months immediately preceding the National Conference. The timeline for the election shall be determined by the Administrative Committee by an affirmative vote of at least 11 members.

**8.3.2.1.** At least two of the National Conference delegates elected under Rule 8.3.2 must reside in a non-metropolitan area. If at the close of nominations for National Conference delegates less than two non-metropolitan members have nominated, nominations will be reopened for a period of 5 days. To ensure compliance with this Rule, the procedure outlined in clause 8 of Schedule B must be applied when counting the ballot.

**8.3.2.2.** For the purposes of Rule 8.3.2.1 and Schedule B, "non-metropolitan candidate" means a member who has nominated for the ballot in Rule 8.3.2 and is residing in one of the following Legislative Council Regions:

**8.3.2.2.1.** Northern Victoria Region; or

**8.3.2.2.2.** Western Victoria Region; or

**8.3.2.2.3.** Eastern Victoria Region.

**8.3.2.3.** For the purposes of Rule 8.3.2.1 and Schedule B, “metropolitan candidate” means a member who has nominated for the ballot in Rule 8.3.2 and who does not fall within the definition of “non-metropolitan candidate” under Rule 8.3.2.2.

**8.3.3.** Half of the National Conference delegates ~~and proxy delegates~~ shall be elected by a ballot of the union delegates at the meeting of State Conference immediately preceding the National Conference. The method of election shall be by proportional representation. ~~The number of proxy delegates elected in this ballot will be half of the National Conference delegates to be elected by the union delegates, rounded down to the next whole number.~~

**8.3.4.** In the event that the total number of National Conference delegates ~~and/or proxy delegates~~ to be elected is an odd number, the ballot for National Conference delegates ~~and/or proxy delegates~~ to which the last delegate position is allocated will be determined by lot. This allocation must be conducted by the Chief Returning Officer before calling for nominations in any of ballots for National Conference delegates.

**8.3.5.** The Chief Returning Officer shall call for a set of nominations for each ballot of National Conference delegates ~~and proxy delegates~~. Candidates shall submit a nomination form signed by themselves and any thirty other members of the Party. A candidate may nominate for both ballots but once elected as a National Conference delegate in one ballot, the candidate cannot be elected as a National Conference delegate in the other ballot. ~~If a candidate is elected as a National Conference proxy delegate in one ballot, they can still be elected as a National Conference delegate in the other ballot. In the event of a proxy delegate being elected as a delegate in the other ballot, their proxy delegate position shall be declared vacant and the Chief Returning Officer shall conduct a recount of the ballot in accordance with the Rules to determine the replacement. In the event that a proxy delegate nominates for the other ballot and fails to be elected as a delegate, they shall be excluded from the proxy delegate election in the other ballot.~~

**8.3.6.** The ballots shall be conducted by the Chief Returning Officer and the required number of delegates elected under Schedule B. Following the declaration of each both ballots for National Conference delegates, the National Conference proxy delegates shall be elected by a single remote ballot of the newly elected National Conference delegates. The candidates in the ballot for proxy delegates will comprise of the unsuccessful candidates for both National Conference delegate ballots. ~~the voting papers shall be re-sorted for a fresh count to elect the required number of proxy delegates. During this second count votes that would have otherwise have been allocated to a delegate elected in the first count, shall be passed to the unsuccessful candidate in the second count ranked highest on the respective ballot papers, and hence a full Schedule B election shall progress.~~

## BRANCHES

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## BRAN1      BRANCH EXEC NOMINATIONS (MODEL 1)

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Proposed By: Brunswick Branch & Northcote Branch

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**Description:**

This rule change requires that a member seeking to nominate for election to a branch executive must have attended a meeting of that branch previously.

NOTE: BRAN1 differs from BRAN2 because BRAN1 requires a member to have attended a meeting of the branch at any time in the past, while BRAN2 limits this to having attended a meeting of the branch since the previous branch election.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.9.** The list of who is eligible to vote in Branch elections shall be determined at the close of nominations. New Membership Applications not yet approved by the Administrative Committee as at the close of nominations are ineligible to vote in or to contest an election. Members who have not yet obtained voting rights under Rule 5.9 but have begun the process described in Rule 5.9 and received confirmation from State Office as per Rule 5.9.8 will still be eligible to vote on matters discussed at Local Branch meetings, including the election of the Local Branch Executive. Members who have not attended a meeting of their local branch will be ineligible to contest an election for that branch.

## BRAN2      BRANCH EXEC NOMINATIONS (MODEL 2)

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Proposed By: Croydon Branch & Ringwood Branch

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**Description:**

This rule change requires that a member seeking to nominate for election to a branch executive must have attended a meeting of that branch since the previous branch election.

NOTE: BRAN1 differs from BRAN2 because BRAN1 requires a member to have attended a meeting of the branch at any time in the past, while BRAN2 limits this to having attended a meeting of the branch since the previous branch election.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.8.1.** To be eligible to nominate for the Branch Executive, at the time of nomination, a branch member must have attended at least one branch meeting since the previous branch election was held.

## BRAN3 BRANCH EXEC VOTING

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Proposed By: Croydon Branch & Ringwood Branch

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**Description:**

This rule change requires that a member seeking to vote in to a branch executive election must have attended a meeting of that branch since the previous branch election.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.9.** The list of who is eligible to vote in Branch elections shall be determined at the close of nominations. New Membership Applications not yet approved by the Administrative Committee as at the close of nominations are ineligible to vote in or to contest an election. Members who have not yet obtained voting rights under Rule 5.9 but have begun the process described in Rule 5.9, ~~and~~ have received confirmation from State Office as per Rule 5.9.8 ~~and who have attended at least one branch meeting since the previous branch elections~~ will still be eligible to vote on matters discussed at Local Branch meetings, including the election of the Local Branch Executive.

## BRAN4      BRANCH MEETING LOCATION

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Proposed By: Health Services Union – Victoria No. 2 Branch

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**Description:**

This rule change requires that branch meetings shall be scheduled and take place at a location within the boundaries of the local branch.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.4.** Branches in the metropolitan area shall meet at least ten times each year and Branches in country areas at least four times each year. Any Branch which fails to meet its required minimum number of meetings shall become defunct. A quorum for any Branch meeting shall be five for Branches of less than twenty-five members and seven for Branches of twenty-five members or more. The Branch Executive shall provide reasonable notice of all Branch meetings to all members. All Branch meetings shall be scheduled and take place at a location within the boundaries of the Local Branch. The Branch Executive shall provide to State Office a contact email for the local branch which State Office shall include on a list of contact information for all local branches on the Victorian Labor website. A member seeking to obtain voting rights under Rule 5.9 must attend the Local Branch meeting during the first two hours after the commencement time for the monthly meeting scheduled in accordance with Rule 11.11.1 in order to begin obtaining voting rights from that meeting. A member will only be counted towards quorum if they have voting rights under Rule 5.9 or they have been informed of the date on which they will gain their voting rights pursuant to Rule 5.9.8.

## BRAN5 BRANCH MEMBERS CAN MOVE & SECOND

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Proposed By: Rules Revision Committee

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**Description:**

The rule change clarifies that members who have not yet obtained voting rights under Rule 5.9 but have begun the process described in Rule 5.9 will be eligible to move and second motions.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.9.** The list of who is eligible to vote in Branch elections shall be determined at the close of nominations. New Membership Applications not yet approved by the Administrative Committee as at the close of nominations are ineligible to vote in or to contest an election. Members who have not yet obtained voting rights under Rule 5.9 but have begun the process described in Rule 5.9 and received confirmation from State Office as per Rule 5.9.8 will still be eligible to move and second motions and vote on matters discussed at Local Branch meetings, including the election of the Local Branch Executive.

## BRAN6      STANDING ORDERS ONLY GUIDE FOR BRANCHES

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Proposed By: Rules Revision Committee

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**Description:**

The rule change changes the applicability of the Standing Orders to specify that it is only a guide for local branch meetings, unless the local branches resolve to observe the Standing Orders.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**23. STANDING ORDERS**

**23.1. Applicability**

**23.1.1.** At all meetings of State Conference and of any ~~Branch~~, Assembly or Committee within the Party the following Rules shall be observed in relation to the order of business and rules of debate. They shall only be used as a guide at all meetings of any Branch within the Party, unless the Branch resolves to observe them.

## BRAN7 MEMBERSHIP FEE SHARING

Proposed By: Ararat Branch, Benalla Branch, Gippsland South Central Branch, Gippsland South South Branch, Mildura Branch, South Barwon Branch & Warrnambool Branch

### **Description:**

The rule change requires that 50% of membership fees will be paid by branch members into the bank account of that branch.

By returning a proportion of membership fees to all branches Victorian Labor is investing in community led grass roots actions which will have long-term impacts in enabling branches to better advocate for the Labor movement in their areas. With a guaranteed return of local membership fees to local branches, it will be easier for branches to achieve their objectives as prescribed in 11.2 of the Party Rules.

11.2. The objectives of Local Branches are:

11.2.1. to promote and encourage membership of the Party and membership development and training within the Party; and

11.2.2. to develop strong links with the community through participation in community activities; and

11.2.3. to develop and promote the Policies and Platform of the Party; and 11.2.4. to encourage members to participate in all Party forums; and

11.2.5. to assist in the organisation of all electoral campaigns

It may also potentially attract new members from their supporter base who are currently willing to donate to local campaigns at election time but hesitant about paying ongoing membership fees to the Victorian Labor Party as they feel monies paid are not always invested back into their area.

The following Rules change was endorsed by the Country Labor Executive at its meeting held 18 February 2024.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.4.17. To assist with the associated costs of running a branch, 50% of the membership fees paid by branch members will be paid into the account of the branch they are registered with as of the 31st of May.**

## BRAN8 BRANCHES FAILING TO MEET

Proposed By: Administrative Committee

### Description:

The rule change changes what happens to a branch when it fails to meet its required minimum number of meetings; instead of becoming defunct, it will be referred to the Administrative Committee for action.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.4.** Branches in the metropolitan area shall meet at least ten times each year and Branches in country areas at least four times each year. Any Branch which fails to meet its required minimum number of meetings shall ~~become defunct~~ be referred to the Administrative Committee for action, which could include but is not limited to the spilling of the branch executive, provision of support from State Office, or the wrapping up of the branch. A quorum for any Branch meeting shall be five for Branches of less than twenty-five members and seven for Branches of twenty-five members or more. The Branch Executive shall provide reasonable notice of all Branch meetings to all members. The Branch Executive shall provide to State Office a contact email for the local branch which State Office shall include on a list of contact information for all local branches on the Victorian Labor website. A member seeking to obtain voting rights under Rule 5.9 must attend the Local Branch meeting during the first two hours after the commencement time for the monthly meeting scheduled in accordance with Rule 11.11.1 in order to begin obtaining voting rights from that meeting. A member will only be counted towards quorum if they have voting rights under Rule 5.9 or they have been informed of the date on which they will gain their voting rights pursuant to Rule 5.9.8.



# LOCAL GOVERNMENT

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## LOCAL1 REMOVE MPS FROM MUNICIPAL FORUM EXECUTIVES

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Proposed By: Rules Revision Committee

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**Description:**

Removes MPs (or their representative) from being required to be a member of the Municipal Forum Executive but specifies that they can be co-opted onto the Executive.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**13.2.1.** In each municipality there shall be established a Municipal Forum Executive which shall consist of:

**13.2.1.1.** Any Party member who holds the office of councillor in the municipality; and

**13.2.1.2.** Any Party member who is a member of an FEA executive and is a resident in the municipality; and

**13.2.1.3.** Any Party member who is endorsed as ALP candidate for election in the municipality; and

~~**13.2.1.4.** Any Party Member who is a Member of Parliament (or their representative) whose electorate includes any part of the municipality; and~~

~~**13.2.1.5.**~~ **13.2.1.4.** Any other member who is co-opted by the Municipal Forum Executive from time to time, which could include any Party Member who is a Member of Parliament whose electorate includes any part of the municipality.

**LOCAL2      ADDING BRANCH EXEC TO MUNICIPAL FORUM  
EXECUTIVES**

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Proposed By: Rules Revision Committee

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**Description:**

Adds Local Branch executive members to the Municipal Forum Executive.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**13.2.1.** In each municipality there shall be established a Municipal Forum Executive which shall consist of:

**13.2.1.1.** Any Party member who holds the office of councillor in the municipality; and

**13.2.1.2.** Any Party member who is a member of an FEA executive and/or Local Branch executive and is a resident in the municipality; and

**13.2.1.3.** Any Party member who is endorsed as ALP candidate for election in the municipality; and

**13.2.1.4.** Any Party Member who is a Member of Parliament (or their representative) whose electorate includes any part of the municipality; and

**13.2.1.5.** Any other member who is co-opted by the Municipal Forum Executive from time to time.

## LOCAL3 LOCAL GOVT PRESUMPTION

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Proposed By: Rules Revision Committee

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**Description:**

Changes the presumption in the Rules whereby there will be a presumption against endorsing candidates to contest local municipal elections as ALP candidates, as opposed to the status quo of presumption in favour of endorsing candidates.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**13.3.4.** In making its recommendations to the Administrative Committee under Rules 13.3.3.1–13.3.3.3, the Municipal Forum Committee must consider the presumption in favour of not endorsing candidates to contest local municipal elections as ALP candidates.

**13.4.2.** In making its determination under Rule 13.4.1, the Administrative Committee must consider:

**13.4.2.1.** any recommendations made by the relevant Municipal Forum under Rule 13.3.3;  
and

**13.4.2.2.** the presumption in favour of not endorsing candidates to contest local municipal elections as ALP candidates.

## LOCAL4 MUNICIPAL FORUMS OPTIONAL

Proposed By: Rules Revision Committee

### Description:

This rule allows the Municipal Forum Executive to decide not to hold a Municipal Forum and if they decide not to, that they must notify the Municipal Forum members of this decision. This rule change also empowers members to petition for a meeting of the Municipal Forum if 10% of the members or 10 members sign a petition. This allows the membership to override the Municipal Forum Executive's decision not to hold a forum.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **13.3. Municipal Forum**

**13.3.1.** In each municipality there shall be established a Municipal Forum which shall consist of all the current members of the ALP in that municipality.

**13.3.2.** A quorum for a Municipal Forum shall be twenty five per cent of the total number of members eligible to vote or 25 members eligible to vote whichever is the lesser.

**13.3.3.** The Municipal Forum Executive must decide by no later than January in the year prior to a municipal election whether to convene a meeting of the Municipal Forum to consider participation in the local municipal election.

**13.3.4.** If the Municipal Forum Executive decides not to convene a meeting of the Municipal Forum to consider participation in the local municipal election, it must write to all current members of the Party in that municipality by no later than February in the year prior to a municipal election to notify them of this decision and Rule 13.3.7.

**13.3.5.** If a meeting of the Municipal Forum to consider participation in the local municipal election is held, it must be convened a meeting of the Municipal Forum in February, March or April in the year prior to a municipal election. This meeting of the Municipal Forum shall elect a Municipal Returning Officer and determine the following matters as recommendations to the Administrative Committee:

~~13.3.3.1~~ **13.3.5.1.** Whether the Party should formally endorse candidates to contest the local municipal election as ALP candidates; and

~~13.3.3.2~~ **13.3.5.2.** If the Party should formally endorse candidates, how many candidates should be endorsed in each electoral contest or ward; and

~~13.3.3.3~~ **13.3.5.3.** If the Party should formally endorse candidates, whether there should be a common how-to-vote card for each electoral contest used by all candidates or whether each candidate can have their own how-to-vote card.

~~13.3.4~~ **13.3.6.** In making its recommendations to the Administrative Committee under Rules 13.3.5.1 – 13.3.5.3 ~~13.3.3.1 – 13.3.3.3~~, the Municipal Forum Committee must consider the

presumption in favour of endorsing candidates to contest local municipal elections as ALP candidates.

**13.3.7.** The Municipal Forum Executive must convene a meeting of the Municipal Forum as soon as practicable upon receipt of a petition signed by either ten per cent of the total number of members eligible to vote in a Municipal Forum or 10 members eligible to vote in the Municipal Forum.

~~**13.3.5.**~~ **13.5.8.** Eligibility to vote in the Municipal Forum shall be restricted to members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12 on the date of the Municipal Forum.

~~**13.3.6.**~~ **13.5.9.** Where it exists the municipal caucus shall be obliged to formally report to the Municipal Forum on its performance.

## LOCALS MUNICIPAL COORDINATION COMMITTEE

Proposed By: Australian Municipal, Administrative, Clerical and Services Union - Victorian and  
Tasmanian Authorities and Services Branch

### **Description:**

Establish a Municipal Coordination Committee to be elected by State Conference.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**7.2.2.2.** Subject to the National Constitution, to make and interpret Platform and Policy and to amend and interpret the Rules of the Party; and To elect in accordance with the Rules of the Party, the Officers of the Party, the Administrative Committee, the Agenda Committee, the Rules Revision Committee, the Public Office Selection Committee, Policy Committees, the Municipal Coordination Committee and such other Committees as it may determine from time to time; and

**8.1.4.** The Municipal Coordination Committee shall be elected by the delegates to the first State Conference held after each Victorian Municipal Election Round.

### **9.6. Municipal Coordination Committee**

**9.6.1.** State Conference shall elect a Municipal Coordination Committee of 9 Members, who shall elect from amongst themselves a President and Secretary.

**9.6.2.** The Powers and Duties of the Municipal Coordination Committee shall be:

**9.6.2.1.** Work towards effective participation of the Party in Municipal Elections and during the term of each council.

**9.6.2.2.** Provide advice to the Administrative Committee and the Campaign Committee on the conduct of campaigns and candidate activities.

**9.6.2.3.** Subject to Administrative Committee co-ordination, to communicate with and provide support to Municipal candidates during elections, and Party Members elected to Council.

**9.6.2.4.** To act as a liaison point for Party Members elected across all Victorian Local Councils.

**9.6.2.5.** To convene at least two events per year which serve to improve the Party's participation in Municipal councils, as determined by the committee.

**9.6.2.6. Subject to Administrative Committee co-ordination, develop and implement both training programs for municipal candidates and Party members elected to council.**

**9.6.2.7. Develop recommendations to the Rules Revision Committee on rules and processes relating to ALP involvement in municipal elections and conduct of councillors.**

**9.6.2.8. Subject to Administrative Committee co-ordination, assist in the facilitation of municipal forums and any other process relating to municipal elections or governance, and provide advice to the Administrative committee on these matters.**



## LOCAL6 MUNICIPAL CANDIDATE OBLIGATIONS

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Proposed By: Australian Municipal, Administrative, Clerical and Services Union - Victorian and  
Tasmanian Authorities and Services Branch

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**Description:**

Clarify obligations on all ALP members elected to council.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**13.7.4.** A Party member who is a non endorsed candidate elected to office shall not be obliged to caucus with ALP endorsed councillors except in regard to the election or appointment of councillors to official positions and delegations, including mayor. ~~It is further expected that such elected candidates would act within ALP policy parameters as determined by State Conference.~~ All Party members who are elected to council, irrespective of endorsement or not, are required to loyally vote and work for the party platform and comply with the Municipal Rules.

# VALUES STATEMENT

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## VALUE1      ADDING TRANSPHOBIA TO VALUES STATEMENT

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Proposed By: Footscray Branch, LGBTI Affairs Policy Committee, Northcote Branch & Ringwood Branch

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**Description:**

To amend the values statement to include the term 'transphobia' in order to affirm the party's condemnation of discrimination against those within the transgender community.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**2.6. Values Statement**

The Values Statement of the Party is stated hereunder:

Victorian Labor values achieving social justice, fairness, inclusion and equality. The Party is a collective cause and larger than any individual.

We are proud of our deep roots and history in the labour movement. We support workers organising in union to achieve justice, fairness and equity. Our members, volunteers and supporters are our greatest assets.

Prejudice and discrimination - including sexism, racism, ableism, ~~and~~ homophobia and transphobia - have no place in our party.

We celebrate the diversity of our Party.

We support one another because we are stronger together.

This is Labor.

## VALUE2 NEW VALUE - HONESTY, INTEGRITY, TRANSPARENCY AND RESPECT

Proposed By: Gippsland East Branch, Gippsland South Central Branch, Gippsland South South Branch, Mildura Branch & Morwell Branch

### Description:

At every meeting of our Party two things happen reliably and routinely

- 1.) we acknowledge the traditional owners of the land upon which we are meeting; and
- 2.) the Party's Values Statement is read.

This requirement demonstrates how highly The Party values these actions.

There is room for variation in the wording of the first; there is no room for variation in the Values Statement. It is the constant reminder of "who we are" and "what we stand for".

The words need to have meaning and relevance to each Party member and it is beholden upon all of us to reflect upon the wording of the Values Statement to ensure that it remains worthy of repeating.

This new clause is offered for consideration, it adds a personal behaviour value that is missing from the existing statement.

Given that a quarter of the contents of the Victorian Branch Rules are devoted to standards of behaviour, breaches and consequences, providing concrete proof of the number of instances of bad behaviour and the seriousness with which the Party addresses these issues. Not to mention the amount of time devoted these matters and often there is a toll upon membership engagement and retention.

Elevating this value, to be read at every meeting, combined with the repetition effect may help to improve behaviour throughout the Party.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **2.6. Values Statement**

The Values Statement of the Party is stated hereunder:

Victorian Labor values achieving social justice, fairness, inclusion and equality. The Party is a collective cause and larger than any individual.

We are proud of our deep roots and history in the labour movement. We support workers organising in union to achieve justice, fairness and equity. Our members, volunteers and supporters are our greatest assets.

Prejudice and discrimination - including sexism, racism, ableism, and homophobia - have no place in our party.

We celebrate the diversity of our Party.

We support one another because we are stronger together.

We value honesty, integrity, transparency and respect in all interactions, arrangements, agreements and business.

This is Labor.

# STATE PARLIAMENTARY LABOR PARTY

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Proposed By: Rules Revision Committee

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**Description:**

This proposed rule change modifies the process for electing the State Parliamentary Labor Party (SPLP) by stipulating that the 3-day period of nominations can be for a shorter period if a resolution is passed by more than 80% of the members of the SPLP. This is recognition of the fact that if there is consensus/unanimous candidate for leader, having to hold nominations open for 3 days is cumbersome and unnecessary.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**26. STATE PARLIAMENTARY LABOR PARTY**

**26.1.** All members of the Party elected to the Victorian Legislative Assembly and the Victorian Legislative Council shall form and comprise the State Parliamentary Labor Party (SPLP).

**26.2.** The SPLP may make rules to govern the business of Caucus but those rules shall not conflict with any other Rule of the Party.

**26.3.** The Leader of the SPLP shall be elected by:

**26.3.1.** members of the SPLP; and

**26.3.2.** members eligible to vote under Schedule G.

**26.4.** The election under Rule 26.3 shall occur in accordance with Schedule G.

**SCHEDULE G – STATE PARLIAMENTARY LABOR PARTY LEADERSHIP ELECTIONS****1. Returning Officer**

**1.1.** The election shall be conducted by the SPLP Returning Officer. The State Secretary shall provide such administrative support as necessary to ensure the effective conduct of the ballot.

**1.2.** The SPLP Returning Officer will have the same powers as the ALP Chief Returning Officers as described in the Rules for the purposes of the SPLP election.

**2. Election of SPLP Leader required**

**2.1.** Elections for Leader of the SPLP shall be held:

**2.1.1.** Following the conclusion of an Victorian general election where the SPLP does not form government; or

**2.1.2.** Following the resignation or death of the incumbent Leader; or

**2.1.3.** At the request of the Leader; or

**2.1.4.** Following a resolution to declare the position of Leader vacant, carried by the affirmative vote of more than 50% of the members of the SPLP.

### **3. Interim SPLP Leader**

**3.1.** On the announcement of a vacancy of the SPLP Leader or during the period before the election of a new leader, the Deputy Leader of the SPLP shall act as the interim SPLP Leader. Where there is no SPLP Deputy Leader or the SPLP Deputy Leader is a candidate for Leader, the SPLP must elect an interim SPLP Leader in accordance with the SPLP caucus rules.

**3.2.** The interim SPLP Leader cannot be a candidate for Leader.

### **4. Nominations**

**4.1.** The SPLP Returning Officer will open nominations for SPLP Leader:

**4.1.1.** If it is following the conclusion of an Victorian General election where the SPLP does not form government, on the first Monday of January following an election or on the swearing in of a new Government, whichever is the latter.

**4.1.2.** If it is following the request of the SPLP Leader, within 24 hours of the request.

**4.1.3.** If it is following a vacancy in the position of SPLP Leader, within 24 hours of the vacancy arises.

**4.2.** The SPLP Returning Officer will close nominations for SPLP Leader at 5.00 pm on the day which is three days after the opening of nominations. However, the SPLP may decide on a shorter nomination period by a resolution carried by the affirmative vote of more than 80% of the members of the SPLP.

**4.3.** For a nomination to be valid, it must be:

**4.3.1.** From a current member of the SPLP; and

**4.3.2.** Must be in writing and signed by the nominee along with at least 20% of the members of the SPLP. No member of the SPLP may sign more than one nomination form. If a SPLP member signs more than one nomination form their signature shall not be counted towards the 20% requirement for any candidate; and

**4.3.3.** Delivered to the SPLP Returning Officer prior to the close of nominations.

**4.4.** Upon receipt of a nomination, the SPLP Returning Officer shall determine whether the nomination is valid and publically announce that the nomination has been accepted.

**4.5.** If only one valid nomination is received that candidate will be immediately declared the new SPLP Leader.

**4.6.** If more than one valid nomination is received, a ballot shall be conducted of SPLP Members and Eligible Party members.



**4.7.** If no valid nomination is received on the basis of not attaining the support of 20% or more of the SPLP the SPLP Returning Officer shall reopen nominations for 24 hours, disregarding the requirement for candidates to be supported by 20% of SPLP members.

## **5. Voting entitlements**

### **5.1. Eligible Party Members**

**5.1.1.** Any Victorian ALP member is entitled to vote in this election if:

**5.1.1.1.** They had the period of continuous membership as required by Rule 5.9 or they were a member on the day of the previous Victorian general election; and

**5.1.1.2.** their voting rights have not been suspended in accordance with Rule 5.12.

**5.1.2.** The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any Member may inspect the roll for the purposes of proved errors or omissions.

### **5.2. SPLP Members**

**5.2.1.** SPLP members are entitled to one ballot and may only vote in the SPLP component of the ballot.

**5.2.2.** The SPLP Returning Officer will compile the voters roll for the leadership ballot at the opening of nominations

## **6. Voting rolls**

**6.1.** The State Secretary will provide the final rolls to the SPLP Returning Officer 4 days after the close of nominations.

**6.2.** All candidates are entitled to a copy of the rolls and any contact details that members have provided for the use in the SPLP Leadership election.

## **7. Ballots**

**7.1.** The SPLP Returning Officer shall complete a draw for positions on the ballot at the place specified for the receipt of nominations immediately after nominations close.

### **7.2. Eligible Party Members**

**7.2.1.** Ballot papers will be sent to eligible Party members 14 days after the close of nominations.

**7.2.2.** All ballot papers must be posted to each voter included on a roll pursuant to Rule 20.6.1. All such ballot papers must be returned pursuant to Rule 20.6.2. Ballots for each voting component must be distinguishable.

**7.2.3.** All ballot papers must be received at the address nominated by the SPLP Returning Officer by 5.00 pm 28 days after the close of nominations.

**7.2.4.** If a returning ballot paper is challenged, the SPLP Returning Officer will request from the State Secretary, who must provide, a copy of a signature from the eligible Party

Member's application or renewal. If such sample is not available, the SPLP Returning Officer may request the eligible Party Members to provide an official sample, which may include, but is not limited to, a drivers license.

### **7.3. SPLP members**

**7.3.1.** The SPLP members shall cast their votes at a meeting of the SPLP convened for that purpose as soon as practicable after the close of ballot of Eligible Party members.

**7.3.2.** The ballot of SPLP members must be secret, and shall otherwise be in accordance with the SPLP caucus rules.

### **8. Counting of ballots**

**8.1.** Following the close of the ballot of Eligible Party members, the State Secretary shall confirm the eligibility of all ballots received and provide them to the SPLP Returning Officer sealed and uncounted.

**8.2.** Following the casting of votes by SPLP members the SPLP Returning Officer shall:

**8.2.1.** Separately count the votes of Eligible Party members and SPLP Members weighting each ballot at 100 divided by the total number of valid votes casts in each separate ballot.

**8.2.2.** The ballots shall then be combined.

**8.2.3.** If a candidate has received more than 50% of the combined vote, declare the candidate elected as SPLP Leader.

**8.2.4.** If there are more than two candidates and no candidate has received more than 50% of combined votes, the candidate that received the lowest total shall be eliminated and their preferences allocated to the remaining candidates. This process should continue until a candidate has more than 50% of the vote, or only one candidate remains in the ballot, and that candidate shall be declared elected.

**8.3.** The new SPLP Leader shall be declared at the conclusion of the ballot count.

**8.4.** The ballot shall be counted in accordance with this Schedule and the Rules.

### **9. Expenditure and publicity**

**9.1.** Candidates will be required to conduct all financial transactions in relation to the election through ALP Victorian Branch accounts established for this purpose. An expenditure cap of \$1,500.00 will apply to each candidate.

**9.2.** At the same time as being sent a postal ballot or notice in person, each voter will also be sent a publication containing a photo of each candidate and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. Such statements and photos will also be available on the Victorian ALP website.

**9.3.** The State Secretary is encouraged to organise forums for eligible voters to attend.

**9.4.** No candidate or other party may use any paid advertising (including print, TV, radio, outdoor or the internet) and paid canvassing in relation to the ballot for the Leader of the SPLP. Bulk Short Message Service (SMS) and email distribution services are permitted.

**9.5.** Enforcement of this Schedule shall be the responsibility of the Administrative Committee and penalties may include the disqualification of a candidate. A disqualified candidate may use the provisions of Rule 21.6 of the Rules.

Proposed By: Rules Revision Committee

**Description:**

This proposed rule change modifies the process for electing the State Parliamentary Labor Party (SPLP) by stipulating that:

1. whenever there is an election for the SPLP leader, the SPLP Deputy Leader position will also be declared vacant and elected concurrently (but only by a vote of the SPLP); and
2. a candidate for the SPLP Leader position cannot also be a candidate for the SPLP Deputy Leader position, and vice versa.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**26. STATE PARLIAMENTARY LABOR PARTY**

**26.1.** All members of the Party elected to the Victorian Legislative Assembly and the Victorian Legislative Council shall form and comprise the State Parliamentary Labor Party (SPLP).

**26.2.** The SPLP may make rules to govern the business of Caucus but those rules shall not conflict with any other Rule of the Party.

**26.3.** The Leader of the SPLP shall be elected by:

**26.3.1.** members of the SPLP; and

**26.3.2.** members eligible to vote under Schedule G.

**26.4.** The election under Rule 26.3 shall occur in accordance with Schedule G.

**SCHEDULE G – STATE PARLIAMENTARY LABOR PARTY LEADERSHIP ELECTIONS****1. Returning Officer**

**1.1.** The elections shall be conducted by the SPLP Returning Officer. The State Secretary shall provide such administrative support as necessary to ensure the effective conduct of the ballot.

**1.2.** The SPLP Returning Officer will have the same powers as the ALP Chief Returning Officers as described in the Rules for the purposes of the SPLP election.

**2. Election of SPLP Leader required**

**2.1.** Elections for Leader of the SPLP shall be held:

**2.1.1.** Following the conclusion of an Victorian general election where the SPLP does not form government; or

**2.1.2.** Following the resignation or death of the incumbent Leader; or

**2.1.3.** At the request of the Leader; or

**2.1.4.** Following a resolution to declare the position of Leader vacant, carried by the affirmative vote of more than 50% of the members of the SPLP.

### **3. Deputy Leader and Interim SPLP Leader**

**3.1.** On the announcement of a vacancy of the SPLP Leader or during the period before the election of a new leader, the position of Deputy Leader of the SPLP shall be declared vacant and act as the interim SPLP Leader. ~~Where there is no SPLP Deputy Leader or the SPLP Deputy Leader is a candidate for Leader,~~ the SPLP must elect an interim SPLP Leader in accordance with the SPLP caucus rules.

**3.2.** The interim SPLP Leader cannot be a candidate for Leader or Deputy Leader.

**3.3.** A candidate for the SPLP Leader cannot be a candidate for the SPLP Deputy Leader. If a candidate nominates for both positions, their nomination for both positions shall be declared invalid and voided.

**3.4.** The SPLP caucus rules will provide for the election of the SPLP Deputy Leader when an election for SPLP Leader is not being held.

### **4. Nominations**

**4.1.** The SPLP Returning Officer will open nominations for SPLP Leader and Deputy Leader:

**4.1.1.** If it is following the conclusion of an Victorian General election where the SPLP does not form government, on the first Monday of January following an election or on the swearing in of a new Government, whichever is the latter.

**4.1.2.** If it is following the request of the SPLP Leader, within 24 hours of the request.

**4.1.3.** If it is following a vacancy in the position of SPLP Leader, within 24 hours of the vacancy arises.

**4.2.** The SPLP Returning Officer will close nominations for SPLP Leader and Deputy Leader at 5.00 pm on the day which is three days after the opening of nominations.

**4.3.** For a nomination for SPLP Leader to be valid, it must be:

**4.3.1.** From a current member of the SPLP; and

**4.3.2.** Must be in writing and signed by the nominee along with at least 20% of the members of the SPLP. No member of the SPLP may sign more than one nomination form for SPLP Leader. If a SPLP member signs more than one nomination form for SPLP Leader their signature shall not be counted towards the 20% requirement for any candidate; and

**4.3.3.** Delivered to the SPLP Returning Officer prior to the close of nominations.

**4.4.** Upon receipt of a nomination, the SPLP Returning Officer shall determine whether the nomination is valid and publically announce that the nomination has been accepted.

**4.5.** If only one valid nomination is received for SPLP Leader that candidate will be immediately declared the new SPLP Leader. If only one valid nomination is received for SPLP Deputy Leader that candidate will be immediately declared the new SPLP Deputy Leader.

**4.6.** If more than one valid nomination is received for SPLP Leader, a ballot shall be conducted of SPLP Members and Eligible Party members. If more than one valid nomination is received for SPLP Deputy Leader, a ballot shall be conducted of SPLP Members.

**4.7.** If no valid nomination is received for SPLP Leader on the basis of not attaining the support of 20% or more of the SPLP the SPLP Returning Officer shall reopen nominations for SPLP Leader for 24 hours, disregarding the requirement for candidates to be supported by 20% of SPLP members.

## **5. Voting entitlements**

### **5.1. Eligible Party Members**

**5.1.1.** Any Victorian ALP member is entitled to vote in this election if:

**5.1.1.1.** They had the period of continuous membership as required by Rule 5.9 or they were a member on the day of the previous Victorian general election; and

**5.1.1.2.** their voting rights have not been suspended in accordance with Rule 5.12.

**5.1.2.** The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any Member may inspect the roll for the purposes of proved errors or omissions.

### **5.2. SPLP Members**

**5.2.1.** SPLP members are entitled to one ballot and may only vote in the SPLP component of the ballot.

**5.2.2.** The SPLP Returning Officer will compile the voters roll for the leadership ballot at the opening of nominations

## **6. Voting rolls**

**6.1.** The State Secretary will provide the final rolls to the SPLP Returning Officer 4 days after the close of nominations.

**6.2.** All candidates are entitled to a copy of the rolls and any contact details that members have provided for the use in the SPLP Leadership election.

## **7. Ballots**

**7.1.** The SPLP Returning Officer shall complete a draw for positions on the ballot at the place specified for the receipt of nominations immediately after nominations close.

### **7.2. Eligible Party Members**

**7.2.1.** Ballot papers will be sent to eligible Party members 14 days after the close of nominations.

**7.2.2.** All ballot papers must be posted to each voter included on a roll pursuant to Rule 20.6.1. All such ballot papers must be returned pursuant to Rule 20.6.2. Ballots for each voting component must be distinguishable.

**7.2.3.** All ballot papers must be received at the address nominated by the SPLP Returning Officer by 5.00 pm 28 days after the close of nominations.

**7.2.4.** If a returning ballot paper is challenged, the SPLP Returning Officer will request from the State Secretary, who must provide, a copy of a signature from the eligible Party Member's application or renewal. If such sample is not available, the SPLP Returning Officer may request the eligible Party Members to provide an official sample, which may include, but is not limited to, a drivers license.

### **7.3. SPLP members**

**7.3.1.** The SPLP members shall cast their votes for the SPLP Leader and SPLP Deputy Leader at a meeting of the SPLP convened for that purpose as soon as practicable after the close of ballot of Eligible Party members.

**7.3.2.** The ballot of SPLP members must be secret, and shall otherwise be in accordance with the SPLP caucus rules.

### **8. Counting of ballots**

**8.1.** Following the close of the ballot of Eligible Party members, the State Secretary shall confirm the eligibility of all ballots received and provide them to the SPLP Returning Officer sealed and uncounted.

**8.2.** Following the casting of votes by SPLP members the SPLP Returning Officer shall:

**8.2.1.** Separately count the votes of Eligible Party members and SPLP Members for SPLP Leader weighting each ballot at 100 divided by the total number of valid votes casts in each separate ballot.

**8.2.2.** The ballots shall then be combined.

**8.2.3.** If a candidate has received more than 50% of the combined vote, declare the candidate elected as SPLP Leader.

**8.2.4.** If there are more than two candidates and no candidate has received more than 50% of combined votes, the candidate that received the lowest total shall be eliminated and their preferences allocated to the remaining candidates. This process should continue until a candidate has more than 50% of the vote, or only one candidate remains in the ballot, and that candidate shall be declared elected.

**8.3.** The new SPLP Leader shall be declared at the conclusion of the ballot count.

**8.4.** The ballot shall be counted in accordance with this Schedule and the Rules.

### **9. Expenditure and publicity**

**9.1.** Candidates will be required to conduct all financial transactions in relation to the election through ALP Victorian Branch accounts established for this purpose. An expenditure cap of \$1,500.00 will apply to each candidate.

**9.2.** At the same time as being sent a postal ballot or notice in person, each voter will also be sent a publication containing a photo of each candidate and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. Such statements and photos will also be available on the Victorian ALP website.

**9.3.** The State Secretary is encouraged to organise forums for eligible voters to attend.

**9.4.** No candidate or other party may use any paid advertising (including print, TV, radio, outdoor or the internet) and paid canvassing in relation to the ballot for the Leader of the SPLP. Bulk Short Message Service (SMS) and email distribution services are permitted.

**9.5.** Enforcement of this Schedule shall be the responsibility of the Administrative Committee and penalties may include the disqualification of a candidate. A disqualified candidate may use the provisions of Rule 21.6 of the Rules.



Proposed By: Rules Revision Committee

**Description:**

This proposed rule change modifies the process for electing the State Parliamentary Labor Party (SPLP) when in government in two ways:

1. Replaces the rank-and-file member component election the Public Office Selection Committee (POSC). This is in recognition of the fact that it is unsustainable to not have a permanent Premier of the State for approximately 30 days while a postal ballot is conducted of rank-and-file members
2. Increases the threshold for triggering leadership spill in government to a petition signed by more than 60% of the caucus, to bring it in line with the rules for the Federal Parliamentary Labor Party.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**26. STATE PARLIAMENTARY LABOR PARTY**

**26.1.** All members of the Party elected to the Victorian Legislative Assembly and the Victorian Legislative Council shall form and comprise the State Parliamentary Labor Party (SPLP).

**26.2.** The SPLP may make rules to govern the business of Caucus but those rules shall not conflict with any other Rule of the Party.

**26.3.** When the SPLP is not in government, ~~the~~ Leader of the SPLP shall be elected by:

**26.3.1.** members of the SPLP; and

**26.3.2.** members eligible to vote under Schedule G.

**26.4.** When the SPLP is in government, the Leader of the SPLP shall be elected by:

**26.3.1.** members of the SPLP; and

**26.3.2.** the Public Office Selection Committee (POSC).

~~26.4, 26.5.~~ The elections under Rules 26.3 and 26.4 shall occur in accordance with Schedule G.

**SCHEDULE G – STATE PARLIAMENTARY LABOR PARTY LEADERSHIP ELECTIONS**

**1. Returning Officer**

**1.1.** The election shall be conducted by the SPLP Returning Officer. The State Secretary shall provide such administrative support as necessary to ensure the effective conduct of the ballot.

**1.2.** The SPLP Returning Officer will have the same powers as the ALP Chief Returning Officers as described in the Rules for the purposes of the SPLP election.

## **2. Election of SPLP Leader required**

### **2.1. Elections for Leader of the SPLP shall be held:**

**2.1.1.** Following the conclusion of an Victorian general election where the SPLP does not form government; or

**2.1.2.** Following the resignation or death of the incumbent Leader; or

**2.1.3.** At the request of the Leader; or

**2.1.4.** following a resolution of the SPLP to declare the position of Leader vacant.

**2.2.** When the SPLP is not in government, the resolution under Rule 2.1.4 must be carried by the affirmative vote of more than 50% of the members of the SPLP. When the SPLP is in government, the resolution under Rule 2.1.4 must be carried by the affirmative vote of more than 60% of the members of the SPLP.

## **3. Interim SPLP Leader**

**3.1.** On the announcement of a vacancy of the SPLP Leader or during the period before the election of a new leader, the Deputy Leader of the SPLP shall act as the interim SPLP Leader. Where there is no SPLP Deputy Leader or the SPLP Deputy Leader is a candidate for Leader, the SPLP must elect an interim SPLP Leader in accordance with the SPLP caucus rules.

**3.2.** The interim SPLP Leader cannot be a candidate for Leader.

## **4. Nominations**

**4.1.** The SPLP Returning Officer will open nominations for SPLP Leader:

**4.1.1.** If it is following the conclusion of an Victorian General election where the SPLP does not form government, on the first Monday of January following an election or on the swearing in of a new Government, whichever is the latter.

**4.1.2.** If it is following the request of the SPLP Leader, within 24 hours of the request.

**4.1.3.** If it is following a vacancy in the position of SPLP Leader, within 24 hours of the vacancy arises.

**4.2.** The SPLP Returning Officer will close nominations for SPLP Leader at 5.00 pm on the day which is three days after the opening of nominations.

**4.3.** For a nomination to be valid, it must be:

**4.3.1.** From a current member of the SPLP; and

**4.3.2.** Must be in writing and signed by the nominee along with at least 20% of the members of the SPLP. No member of the SPLP may sign more than one nomination form. If a SPLP member signs more than one nomination form their signature shall not be counted towards the 20% requirement for any candidate; and

**4.3.3.** Delivered to the SPLP Returning Officer prior to the close of nominations.

**4.4.** Upon receipt of a nomination, the SPLP Returning Officer shall determine whether the nomination is valid and publically announce that the nomination has been accepted.

**4.5.** If only one valid nomination is received that candidate will be immediately declared the new SPLP Leader.

**4.6.** If more than one valid nomination is received, a ballot shall be conducted of SPLP Members and Eligible Party members if the SPLP is not in government. If the SPLP is in government, a ballot shall be conducted of SPLP Members and the Public Office Selection Committee (POSC).

**4.7.** If no valid nomination is received on the basis of not attaining the support of 20% or more of the SPLP the SPLP Returning Officer shall reopen nominations for 24 hours, disregarding the requirement for candidates to be supported by 20% of SPLP members.

## **5. Voting entitlements**

### **5.1. Eligible Party Members**

**5.1.1.** Any Victorian ALP member is entitled to vote in ~~this~~ the election of the SPLP Leader when the SPLP is not in government if:

**5.1.1.1.** They had the period of continuous membership as required by Rule 5.9 or they were a member on the day of the previous Victorian general election; and

**5.1.1.2.** their voting rights have not been suspended in accordance with Rule 5.12.

**5.1.2.** The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any Member may inspect the roll for the purposes of proved errors or omissions.

### **5.2. Public Office Selection Committee (POSC)**

**5.2.1.** Members of the POSC will be entitled to vote in the election of the SPLP Leader when the SPLP is in government.

### **~~5.2.~~ 5.3. SPLP Members**

**~~5.2.5.3.1.~~ 5.3.1.** SPLP members are entitled to one ballot and may only vote in the SPLP component of the ballot. However, if an SPLP member is also a member of the POSC, they can appoint a proxy to attend and vote in the POSC meeting convened under clause 7.3.1, in accordance with Rule 19.10.

**~~5.2.5.3.2.~~ 5.3.2.** The SPLP Returning Officer will compile the voters roll for the leadership ballot at the opening of nominations

## **6. Voting rolls**

**6.1.** If the election is being held when the SPLP is not in government, ~~the~~ State Secretary will provide the final rolls to the SPLP Returning Officer 4 days after the close of nominations.

**6.2.** All candidates are entitled to a copy of the rolls and any contact details that members have provided for the use in the SPLP Leadership election.

## **7. Ballots**

**7.1.** The SPLP Returning Officer shall complete a draw for positions on the ballot at the place specified for the receipt of nominations immediately after nominations close.

### **7.2. Eligible Party Members**

**7.2.1.** If the election is being held when the SPLP is not in government, Bballot papers will be sent to eligible Party members 14 days after the close of nominations.

**7.2.2.** All ballot papers must be posted to each voter included on a roll pursuant to Rule 20.6.1. All such ballot papers must be returned pursuant to Rule 20.6.2. Ballots for each voting component must be distinguishable.

**7.2.3.** All ballot papers must be received at the address nominated by the SPLP Returning Officer by 5.00 pm 28 days after the close of nominations.

**7.2.4.** If a returning ballot paper is challenged, the SPLP Returning Officer will request from the State Secretary, who must provide, a copy of a signature from the eligible Party Member's application or renewal. If such sample is not available, the SPLP Returning Officer may request the eligible Party Members to provide an official sample, which may include, but is not limited to, a drivers license.

### **7.3. Public Office Selection Committee (POSC)**

**7.3.1.** If the election is being held when the SPLP is in government, members of the POSC shall cast their votes at a meeting convened for that purpose as soon as practicable after the close of nominations.

### **~~7.3.~~ 7.4. SPLP members**

**~~7.3.1.~~ 7.4.1.** The SPLP members shall cast their votes at a meeting of the SPLP convened for that purpose as soon as practicable after the close of ballot of Eligible Party members or POSC.

**~~7.3.2.~~ 7.4.2.** The ballot of SPLP members must be secret, and shall otherwise be in accordance with the SPLP caucus rules.

## **8. Counting of ballots**

**8.1.** Following the close of the ballot of Eligible Party members or the POSC, the State Secretary shall confirm the eligibility of all ballots received and provide them to the SPLP Returning Officer sealed and uncounted.

**8.2.** Following the casting of votes by SPLP members the SPLP Returning Officer shall:

**8.2.1.** Separately count the votes of Eligible Party members or POSC and SPLP Members weighting each ballot at 100 divided by the total number of valid votes casts in each separate ballot.

**8.2.2.** The ballots shall then be combined.

**8.2.3.** If a candidate has received more than 50% of the combined vote, declare the candidate elected as SPLP Leader.

**8.2.4.** If there are more than two candidates and no candidate has received more than 50% of combined votes, the candidate that received the lowest total shall be eliminated and their preferences allocated to the remaining candidates. This process should continue until a candidate has more than 50% of the vote, or only one candidate remains in the ballot, and that candidate shall be declared elected.

**8.3.** The new SPLP Leader shall be declared at the conclusion of the ballot count.

**8.4.** The ballot shall be counted in accordance with this Schedule and the Rules.

### **9. Expenditure and publicity**

**9.1.** Candidates will be required to conduct all financial transactions in relation to the election through ALP Victorian Branch accounts established for this purpose. An expenditure cap of \$1,500.00 will apply to each candidate.

**9.2.** At the same time as being sent a postal ballot or notice in person, each voter will also be sent a publication containing a photo of each candidate and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. Such statements and photos will also be available on the Victorian ALP website.

**9.3.** The State Secretary is encouraged to organise forums for eligible voters to attend.

**9.4.** No candidate or other party may use any paid advertising (including print, TV, radio, outdoor or the internet) and paid canvassing in relation to the ballot for the Leader of the SPLP. Bulk Short Message Service (SMS) and email distribution services are permitted.

**9.5.** Enforcement of this Schedule shall be the responsibility of the Administrative Committee and penalties may include the disqualification of a candidate. A disqualified candidate may use the provisions of Rule 21.6 of the Rules.

**9.6.** Clause 9 will not apply if the election is being held when the SPLP is in government.

## COUNTRY LABOR EXECUTIVE

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## CLX1 UPDATED AND EXPANDED RULES FOR COUNTRY LABOR

Proposed By: Ararat Branch, Benalla Branch, Gippsland South Central Branch, Gippsland South South Branch, Mildura Branch, South Barwon Branch & Warrnambool Branch

### Description:

On taking office in September 2023, the Country Labor Executive established a Rules Revision Working Group to review its existing rules, to determine whether any updates or adjustments were needed to better position the committee to respond to current and future challenges.

The review identified the following problems -

- Its name was misleading;
- Its existing role and purpose was insufficient to guide its work and priorities;
- There was no agreed definition of “rural and regional” Victoria; FEA boundaries of a certain size are currently used which results in the exclusion of Party members who identify as rural or regional;
- It lacked any specific accountability mechanisms; and
- There were insufficient rules to guide good governance, including not specifying any office bearing positions.

The following principles were applied -

- All Party members who identify as rural or regional ought have the opportunity to vote and nominate for CLX;
- The work of CLX should reflect the priorities and interests of country Victorians;
- Participation of country members in the work of CLX should be encouraged;
- CLX should be accountable to its members;

The Working Group then researched -

- Rules applying to other constituent units of Victorian Labor;
- Rules pertaining to Country Labor in other State Branches;
- The various options that could be applied to a geographic definition for rural and regional; finding that no single existing administrative or electoral boundary was sufficient to define Country Labors’ constituency.

Each of these activities informed the final Updated and Expanded Rules for Country Labor.

The following Rules change was endorsed by the Country Labor Executive at its meeting held 18 February 2024.

### Rule change:

*Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:*

#### ~~14. COUNTRY LABOR — COUNTRY LABOR EXECUTIVE POLICY COMMITTEE~~

##### ~~14.1. Membership~~

~~14.1.1. Country Labor consists of all ALP members residing in FEA’s of not less than 4000 square kilometres in size.~~

##### ~~14.2. Country Labor Executive~~

~~14.2.1. Country Labor Executive (CLX) is charged with policy development and advocacy for Rural and Regional Victoria.~~

~~14.2.2. Country Labor Executive (CLX) consists of 20 members elected from and by Country Labor members, by a single postal ballot held in conjunction with FEA elections.~~

#### **14.3. Regional Forums**

~~14.3.1. Three forums for rural and regional ALP members shall be held annually, one in each of the Eastern, Northern and Western Legislative Council Regions, at such times and venues as are fixed by the Administrative Committee in consultation with the President and Secretary of CLX.~~

~~14.3.2. The regional forums of Country Labor may propose policy to the State Conference on State and National issues that affect rural and regional areas.~~

#### **14.4. Meetings of the Country Labor Executive**

~~14.4.1. Meetings of the Country Labor Executive shall be held on the third Sunday of every month.~~

~~14.4.2. Decisions of the Country Labor Executive shall be made by a majority of those members present and voting.~~

~~14.4.3. If members of the Country Labor Executive in attendance at the venue of the meeting at the time and date advertised by the Secretary and not cancelled previously, find there is not a voting quorum, said members are authorised to make decisions which can be ratified by 75% of members of the Country Labor Executive, signifying their assent to the Secretary for such measures by a verifiable communications source.~~

~~14.4.4. A quorum of any meeting of the Country Labor Executive shall be five members. Recommendations to State Conference or resolutions can only be adopted by Country Labor Executive if at least 75% of members eligible to vote confirm their agreement to the Secretary via a verifiable communication.~~

~~14.4.5. Any member of the Executive who fails to attend three consecutive meetings, without gaining leave of absence from the President, may have their position declared vacant by a vote of the CLX.~~

### **14. COUNTRY LABOR VICTORIA (CLV)**

#### **14.1. Membership**

**14.1.1. The membership of Victorian Country Labor shall be those members residing in a designated Rural and Regional Area (DRARA) in Victoria.**

**14.1.1.1. The Designated Rural and Regional Area (DRARA) shall comprise -**

**14.1.1.1.1. Northern Victorian State Electoral Region;**

**14.1.1.1.2 Western Victorian State Electoral Region, excluding the State Electoral District of Melton; and**

**14.1.1.1.3. Eastern Victorian State Electoral Region, excluding the State Electoral Districts of Evelyn, Pakenham, Hastings, Mornington and Nepean.**



14.1.1.2. Any ALP member who lives in a rural location and is from any of the excluded State Districts listed in 14.1.1.1.2 and 14.1.1.1.3, can apply to be a member of Country Labor by supplying their address, contact details and ALP membership number to the Secretary of CLX; All requests will be considered by CLX and the applicant will be notified in writing of the decision.

14.1.1.3. Following any VEC redistribution of State Electoral Regions, CLX shall review the changes and recommend any DRARA boundary adjustments to the next State Conference.

#### **14.2 Country Labor Executive (CLX)**

14.2.1. CLX shall consist of 15 voting members, elected from and by members from the DRARA, by a single postal ballot held in conjunction with FEA elections.

14.2.1.1. There shall be a minimum of 4 members elected from each State Electoral Region (Upper House).

14.2.1.2. There shall be a maximum of 2 members elected from a single State Electoral District (Lower House).

14.2.2. The voting members of CLX shall at its first meeting elect from among themselves a President and Secretary.

14.2.2.1. CLX can at any time resolve to elect such other officers as the work of CLX requires.

14.2.3. The objectives of CLX shall be -

14.2.3.1. To provide a voice for people in the DRARA both within the party and in the general community;

14.2.3.2. To advocate policies within the Labor movement which are of concern to the Country Labor members;

14.2.3.3. To promote and adopt mechanisms which encourage the participation of people from the DRARA in the party;

14.2.3.4. To support the objectives and platform of the party and in doing so educate members of the party, trade unions and other party bodies in the DRARA;

14.2.3.5. To assist in the election to public office of endorsed Victorian Labor candidates at a National, State and Local level; and

14.2.3.6. To undertake any other duties referred to it by State Conference or the Administrative Committee.

To achieve the objectives outlined above CLX is responsible for -

14.2.3.7. Developing and recommending policy affecting the DRARA to the Administration Committee, Policy Committees, State conference and any other constituent unit of the Party;

14.2.3.8. Organising 3 forums per annum, including deciding the agenda and order of business and developing any policy recommendations that may emerge from the

proceedings for submission to the Administration Committee, Policy Committees, State conference and any other constituent unit of the Party;

14.2.3.9. Facilitating engagement on policy, training and campaigns between constituent units in the DRARA, the Trade Union movement and the Parliamentary party.

14.2.4. CLX shall report regularly to its members on its activities via email and triannual forums and shall provide a report on its activities to each State Conference.

14.2.5. Replacement of CLX members shall occur in accordance with the casual vacancy provisions of rule 20.2.2 and any member so appointed shall hold office for the remainder of the term of the officer whose position is so filled.

14.2.5.1. Where 14.2.5 does not apply due to insufficient nominations to fill available positions, vacancies may be filled by eligible Country Labor members on the recommendation of existing members or by direct approach to CLX provided that appointment is affirmed by not less than three quarters of the members of CLX eligible to vote.

14.2.6. Any Country Labor member who wishes to become an Associate Member of CLX may do so by writing to the State Secretary. All unsuccessful candidates for election to CLX automatically become Associate Members.

14.2.6.1. Associate Members shall be non-voting members but shall have full speaking rights.

14.2.6.2. CLX may by resolution passed by an absolute majority of the voting members at the time remove any Associate Member who unreasonably disrupts meetings of CLX, or who fails to respect the confidentiality of information given to members or discussions at meetings or who behaves in a manner seriously contrary to the values of the Party.

### 14.3. Meetings

14.3.1. CLX shall meet at dates, times and mode to be determined by the members, with a minimum of 8 meetings per year.

14.3.2. CLX may conduct its meetings in any manner it deems appropriate including but not limited to in person, teleconference, video conference, online or any combination of the above. Any CLX member who attends a meeting via electronic means is deemed to be present.

14.3.3. A quorum of any meeting of CLX shall be the presence of more than one third of the members eligible to vote at the time.

14.3.4. Decisions of CLX shall be made by a majority of those members present and voting except where Rules 14.2.5.1 and 14.2.6.2 apply.

14.3.5. Any elected or associate member of CLX who fails to attend three (3) consecutive meetings, without gaining leave of absence approved by CLX, may have their position declared vacant by a vote of the CLX. Any member of CLX who has failed to attend 2 consecutive meetings shall be advised of this rule prior to the next meeting. Any member whose position is declared vacant shall be notified in writing within seven (7) days of the decision.

**14.3.6.** Any member of the Party can apply to be an Observer at a CLX meetings provided that they complete a “Registration to Attend Form”, found on the CLX webpage and CLX approves their attendance at the meeting prior to their attendance.

## ADMINISTRATIVE COMMITTEE

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## ADMIN1 INCREASE ADMIN FROM 20 TO 27

Proposed By: Macedon-Kyneton Branch

### **Description:**

This rule change proposes to increase the Administrative Committee from 20 members to 27, and to change the corresponding special majorities in the rules accordingly. The rationale for this rule change is as follows: the reduction in the size of the Administrative Committee from 33 members (3 officers and 30 other elected members) to 20 members (3 officers and 17 others) has increased the quota to be elected from 19.5 conf delegate votes to 33.7 and has reduced the diversity of voices in the Party's governing body whilst significantly increasing the workload of individual Admin Committee members. A 33 member Admin Committee was too big but a 20 member one has proved too small.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.4.2.** The membership protocols will be set and amended by an affirmative vote of at least ~~15~~ 21 members of the Administrative Committee.

**5.4.13.** Eligibility for any concessional membership fee must be limited to full-time students and those members who currently hold a Centrelink Health Care Card (or, if the name of, or eligibility for that card is changed, such other government card as is determined by an affirmative vote of at least ~~14~~ 18 members of the Administrative Committee).

### **7.1.2. Special State Conferences**

**7.1.2.1.** Special State Conferences shall be convened by the Administrative Committee in accordance with the Rules in the event of the following requiring such a Special Conference:

**7.1.2.1.1.** A decision of State Conference made by a simple majority of delegates present and voting; or

**7.1.2.1.2.** A decision of the Administrative Committee made by the affirmative vote of ~~11~~ 14 members of that Committee;

**8.3.2.** Half of the National Conferences delegates and proxy delegates shall be elected by a single postal ballot of members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12. The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any member may inspect the roll for the purposes of proved errors or omissions. The election of delegates will be held in the 12 months immediately preceding the National Conference. The timeline for the election shall be determined by the Administrative Committee by an affirmative vote of at least ~~11~~ 14 members.

**9.1.1.** The Administrative Committee consists of:

**9.1.1.1.** The Officers of the Party and ~~17~~ 24 other members elected by State Conference as voting members; and

**9.1.2.14.** To suspend and refer members alleged to have been engaged in branch stacking with no less than ~~17~~ 23 affirmative votes to the Disputes Tribunal. No imposition of suspension shall exceed 2 months in duration without resolution;

**9.1.2.25.** To act upon matters that may arise, upon which the Rules are silent; provided that no motion determining any such matter shall have effect unless it is carried by an affirmative vote of at least ~~eleven~~ fourteen members of the Administrative Committee, and to refer such matters to the Rules Revision Committee for a report to the next Conference;

**9.1.2.29.** To make urgent statements not inconsistent with the Platform or Policy; 38 provided that no such statement shall be made unless it is carried by an affirmative vote of at least ~~eleven~~ fourteen members of the Administrative Committee and that any such statement shall lapse unless it is ratified by an absolute majority of those delegates who are credentialed for the session of the next following meeting of State Conference at which the statement is submitted for ratification;

**9.1.8.** A quorum for meetings of the Administrative Committee is ~~10-14~~ voting members but the Administrative Committee may only exercise its powers under Rules 5.4.2, 5.4.6, 5.4.13, 9.1.2.2, 9.1.2.33, 10.3.8.5, 11.1, 11.11.1.2, 13.4.3, 13.6.3.2, 13.10.1.2, 19.4, 19.8.6, 22.3.3, 22.3.5, 22.3.6, 28.1.1 and 28.1.4 if such a resolution is carried by an affirmative vote of at least ~~14~~ 18 members.

**9.1.9.2.** Subject to the next two sub-rules, a resolution of the Administrative Committee, to be adopted, must receive ~~11~~ 14 votes.

**9.1.9.3.** The following decisions of the Administrative Committee must receive ~~15~~ 21 votes:

**9.1.9.3.1.** The appointment of the State Secretary and Assistant State Secretaries;

**9.1.9.3.2.** The appointment of members to the standing sub-committees under Rule 9.1.14.6;

**9.1.9.3.3.** Rule change recommendations;

**9.1.9.3.4.** The approval or amendment of key strategic documents including annual organisational plans and budgets and internal policies;

**9.1.9.3.5.** The making or amendment of membership protocols;

**9.1.9.3.6.** The establishment of an additional local branch in a state electorate; and

**9.1.9.3.7.** The appointment of or removal of the Party Monitor.

**9.1.9.4.** A resolution to permit a member whose membership was revoked by the Administrators or who resigned during the period of Administration to re-join the Party earlier than 31 December 2023 must receive ~~15~~ 21 votes.

**9.1.11.** The State Secretary shall ensure that agenda items and papers for an Administrative Committee meeting are forwarded to all members at least three clear days prior to the meeting. Late items may be included only if approved by an affirmative vote of at least ~~eleven~~ fourteen members of the Administrative Committee and received by the State Secretary at least 48 hours prior to the Administrative Committee meeting.

**9.1.14.7.** The powers, voting members, President and Secretary of each sub-committee must be determined at the same time in the same resolution passed by an affirmative vote of at least ~~15~~ 21 members of the Administrative Committee

**10.3.8.5.** The Administrative Committee by the affirmative vote of ~~14-18~~ members may abridge the time for preparation and distribution of the roll under Rule 10.3.8.4 in special cases requiring urgent elections (for example, by-elections).

**13.4.3.** If a Municipal Forum has made recommendations to the Administrative Committee under Rule 13.3.3, the Administrative Committee can make a determination under Rule 13.4.1 that is inconsistent with these recommendations but only if such a resolution is carried by an affirmative vote of at least ~~14~~ 18 members.

**13.6.3.** The preferencing requirement under Rule 13.6.1 may be waived if:

**13.6.3.1.** all ALP members standing for the relevant vacancy so agree in writing and that their written agreement is lodged with State Office prior to the relevant ballot; or

**13.6.3.2.** upon application by one of the candidates the Administrative Committee so determines by a vote of at least ~~14~~ 18 members of the Administrative Committee.

**19.8.6.** Upon a recommendation by the municipal preselection panel, the Administrative Committee may vary the selected candidates but only if such a resolution is carried by an affirmative vote of at least ~~14~~ 18 members.

**21.1.1.** The Administrative Committee must, at its first meeting after a new Administrative Committee has been elected, by resolution passed with at least 15 members in favour appoint six persons to form the panel for the Disputes Tribunal, one of whom the Administrative Committee must designate as the President, also by resolution with at least ~~15~~ 21 members in favour.

**21.1.2.** Whenever there is a vacancy in a position on the panel of the Disputes Tribunal, the Administrative Committee must by resolution passed with at least ~~15~~ 21 members in favour appoint a replacement to fill that vacancy.

**21.1.4.** A member of the panel may only be removed by the affirmative vote of at least ~~15~~ 21 members of the Administrative Committee.

## **21.5. Disciplinary Offences**

**21.5.1.3.6.** a resolution of the Administrative Committee passed by the affirmative vote of at least ~~11~~ 14 members;

**22.2.2.** Notwithstanding Rule 22.2.9, the Administrative Committee may by resolution passed with ~~11~~ 14 votes in favour rename the fund to commemorate an individual who has made an outstanding contribution to the labour movement.

**22.3.3.** The shareholders and directors of the LSH Trustee must at all times be the Officers and 2 other nominees of the Administrative Committee determined with ~~14~~ 18 votes in favour of the nomination (being a total of 5 persons).

**22.3.6.** The Administrative Committee may at any time by resolution passed with ~~14~~ 18 votes in favour of the resolution require the trust deed constituting the LSH Trust to be varied to limit the rights and powers of the LSH Trustee as trustee of the trust in respect of:

**28.1.1.** The Administrative Committee must, by an affirmative vote of at least ~~14~~ 18 members, appoint a Party Monitor whenever there is a vacancy in that position.

**28.1.4.** A Party Monitor may only be removed by the affirmative vote of at least ~~14~~ 18 members of the Administrative Committee.



## ADMIN2 COUNTRY MEMEBRS ON ADMIN

Proposed By: Gippsland East Branch, Gippsland South Central Branch, Gippsland South South Branch, Mildura Branch & Morwell Branch

### **Description:**

This rule change proposes to require at least three members of the Administrative Committee must live in the "Designated Rural and Regional Area" (the definition of which is only provided for another proposed rule change, CLX1).

The rationale for this rule change is as follows: There are unique features to being an ALP member in Rural and Regional Victoria that ought to be taken account of, when decisions are being made by the Party machinery;

- 23% of Victorians live in a rural or regional area;
- Rural and Regional Victoria has the lowest density of ALP members; this can result in a minimal number of office-bearers shouldering a large workload in order to maintain the viability of branches and retain members; their considerable effort often not known and not acknowledged;
- Rural and Regional members are less likely to have networks, connections or relationships with Party officials and Officers;
- Factions are only interested in held and marginal seats;
- A lot of rural and regional members come from un-held seats and may never have known the thrill of an election win;
- The main political competitor in rural and regional areas is the National Party whereas State Campaigns tend to focus on the Liberal Party; sometime the features of a State ALP campaign are less relevant in National Party held seats;
- The Admin Committee of the NSW Branch requires at least 6 members who in live in a designated country area.

There is a perception of a metro-centric bias by Party officials and Officers; the adoption of this amendment is a small concession and may start to build bridges rather than barriers.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**9.1.1.1 At least three of the members elected under Rule 9.1.1.1 must live in the Designated Rural and Regional Area at the time of their election.**

## VICTORIAN YOUNG LABOR

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## VYL1 INTERVENTION OF VYL EXECUTIVE

Proposed By: Ringwood Branch

### **Description:**

This rule change proposes to establish a provision that allows the administrative committee to intervene should the VYL executive remain inactive for a long period of time or fail to comply with the office bearer requirements under rule 15. This ensures that VYL members have an active executive at all times.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**15.13.1.** The Administrative Committee shall have the power to formally intervene in the Victorian Young Labor Executive should the executive or office bearers fail to perform its duties as specified in rule 15 of this document.

**15.13.2.** Any voting member of the VYL executive may write to the Administrative Committee asking for a formal intervention, provided that one of the following requirements have been satisfied:

**15.13.2.1.** The VYL Executive have not met for a consecutive period of two (2) months; or

**15.13.2.2.** An office bearer who has failed to perform a specific duty as stated in Part 15 of this document without providing a valid reason to the VYL executive as to why that specific requirement has not been satisfied; or

**15.13.2.3.** Where a reason has been provided to members of the VYL executive as to why a specific requirement or function has not been satisfied but it is deemed by a collective as an invalid explanation.

**15.13.3.** Should an eligible VYL Executive member write to the Administrative Committee citing rule 15.13.2.3, an additional three (3) signatures of eligible VYL Executive members shall be required in order for the Administrative Committee to accept the correspondence.

**15.13.4.** The Administrative Committee shall be the ultimate deciding authority as to the type of intervention that is required. Should the Administrative Committee decide to remove a VYL Executive member from their respective position, an affirmative vote of at least 14 members of the Administrative Committee is required. Vacancies created by this provision shall be filled in accordance with the casual vacancy provisions of Schedule B.

## VYL2 VYL MEMBERSHIP FOR OFFICE HOLDERS

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Proposed By: Ringwood Branch

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**Description:**

This rule change will remove the provisions that allow aged out VYL members to hold any Young Labor office bearer position or remain a member of VYL.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

~~**15.1.2.** Despite Rule 15.1.1, financial members of the Victorian Branch remain VYL members whilst they:~~

~~**14.1.2.1.** Are delegates to AYL National Conference; or~~

~~**14.1.2.2.** Hold an office in VYL or AYL under these rules.~~

**15.1.2.** VYL members who exceed the age limit stipulated in rule 15.1.1. on 1 January and are either a) delegates to AYL National Conference; or b) hold an office in VYL or AYL under these rules shall not be considered members of Victorian Young Labor. As such, any positions that are held by aged out VYL members shall be automatically declared vacant, with positions being replaced in accordance with the casual vacancy provisions of Schedule B.

## VYL3 VYL PEOPLE OF COLOUR CAUCUS AND CO-CONVENORS

Proposed By: Ringwood Branch

### **Description:**

This rule change proposes to establish a People of Colour Caucus and two (2) People of Colour Co-Convenors on the VYL executive (as non-voting members). The co-convenors will also be made non-voting members of the Victorian Multicultural Labor Network (VMLN Executive).

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**15.3.5.1.** To elect in accordance with these rules, the President, Senior Vice President, Junior Vice President, Executive of Victorian Young Labor and delegates and alternate delegates to AYL Conference, VYL People of Colour Co-Convenors; and

**15.6.1.3.** Two (2) People of Colour Co-Convenors elected in one ballot by proportional representation, as governed by rule 15.12 of this document.

### **15.12. VYL People of Colour Caucus and Co-Convenors**

**15.12.1.** Victorian Young Labor shall contain a VYL People of Colour Caucus.

**15.12.2.** Membership of the VYL PoC Caucus shall comprise of any VYL member who identifies as a Person of Colour (and so would be represented by the Co-Convenors).

**15.12.3.** The main objectives of the VYL PoC Caucus are:

**15.12.3.1.** To attract and support People of Colour who want to get involved in progressive politics through VYL; and

**15.12.3.2.** Find new avenues and areas in which to bring more people of diverse backgrounds into politics through VYL; and

**15.12.3.3.** Increase awareness of issues that People of Colour are facing in VYL and the wider party; and

**15.12.3.4.** Work collaboratively with other VYL members to achieve greater representation of cultural minority groups across VYL; and

**15.12.3.5.** Advocate for improvements to state and federal government policy on areas of interest to People of Colour through VYL's policy platform.

**15.12.4.** The VYL PoC Caucus shall be led by two (2) People of Colour Co-Convenors.

**15.12.5.** The primary responsibilities of the VYL People of Colour Co-Convenors are to:

**15.12.5.1.** Organise, maintain, and support a VYL PoC Caucus; and

15.12.5.2. Coordinate and ensure that the voices of People of Colour within VYL are being heard and supported; and

15.12.5.3. Work collaboratively with the VYL Executive, Young Labor groups and the Victorian Multicultural Labor Network to achieve greater representation of People of Colour across VYL; and

15.12.5.4. With the support of the VYL Executive, plan and organise meetings and events of the PoC Caucus; and \_\_\_\_\_

15.12.5.5. Regularly report to the VYL Executive on their ideas, plans, progress and challenges so that they can be fully supported by the party in their activities.

15.12.6. The VYL PoC Co-Convenors of the PoC Caucus are to be elected at Young Labor Conference as per rule 15.6.1.3.

15.12.7. The People of Colour Co-Convenors must convene the VYL PoC caucus (whether that be through a meeting or an event) at least three (3) times a year.

15.12.8. The People of Colour Co-Convenors shall be non-voting members of the Victorian Young Labor Executive and the Victorian Multicultural Labor Network Executive for the life of their term. The Co-Convenors shall report back to the VYL executive on their work with the VMLN Executive at each VYL Executive meeting.

15.12.9. Only members of Victorian Young Labor who identify as a Person of Colour shall be able to nominate for the position and/or participate in the ballot for these positions.

15.12.10. To assist with the election process, the Returning Officers shall be provided with a list of VYL members who have self-identified as a Person of Colour or CALD on the Victorian Labor Membership Form. However, it is not a requirement for a VYL member to have identified as such in order to nominate for the position or participate in the ballot.

15.12.11. The Returning Officers shall keep a record of VYL members who have self-identified as a Person of Colour when participating in the voting/ballot process for record keeping purposes.

#### **SCHEDULE N – VICTORIAN MULTICULTURAL LABOR NETWORK ('VMLN')**

**3.1.** The Victorian Multicultural Labor Network shall by proportional representation elect nine (9) members who shall constitute the Executive and who shall appoint from amongst themselves two (2) Co-Convenors, a Secretary, an Assistant Secretary and such other officers as the Executive resolves. Two (2) Victorian Young Labor People of Colour Co-Convenors (elected under rule 15.12) shall be additional non-voting members of the executive.

## MISCELLANEOUS

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## MISC1 MEMBERS WHO RESIGN BEFORE A DISPUTE HAS BEEN HEARD

Proposed By: Rules Revision Committee

### Description:

The Rules are currently silent on how formal complaints about a member are dealt with when the member the subject of the complaint ceases to be a member.

This rule change provides that when a formal complaint has been filed against a member, but the member resigns before the complaint can be finalised by the Disputes Tribunal, the following occurs:

- The member will be banned from being able to rejoin the Party for a period of 5 years. However, this ban can be reversed by a resolution of Administrative Committee with 14 votes.
- The complaint is put on hold, but the Disputes Tribunal will immediately consider the charge referred to it if the member re-joins.

This rule change also stipulates that the 6-month time limit in Rule 21.5.3 does not apply if the member who committed the offence has resigned from the party.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **5.3. Eligibility to join the party**

**5.3.1.** Individual membership of the Party shall be open to any person fourteen years of age or over.

**5.3.2.** Applicants who have been members of a proscribed organisation or another political party, or who have nominated against any endorsed Labor candidate shall only be admitted to the Party after a minimum period of two years from the date they have ceased to be members of such organisation or Party, or from the date they so nominated, subject to Rule 5.15.

**5.3.3.** The Administrative Committee may admit such members to the Party within the minimum two year period however they cannot stand or vote in internal Party elections or represent a constituent unit at any Party conference until the minimum two year period has expired.

**5.3.4.** Any person who is an employer of labour, and who applies to join the Party must give an undertaking that they will actively encourage union membership.

**5.3.5.** Any person who is not a member of any union at the time of their application who is eligible to belong to a Union which is affiliated with the Party must belong to such a Union before they can be admitted to membership of the Party.

**5.3.6.** ~~If a member is charged with an offence under Rule 21.5.1 but ceases to be a member before the Disputes Tribunal has decided on the charge, the member shall forfeit the right~~



to rejoin the Party for five years after they cease to be a member. This forfeiture can only be reversed by a resolution passed by no less than 14 members of the Administrative Committee

**21.5.3.** With the exception of charges brought or referrals made by the Party Monitor (including the Inaugural Party Monitor), the complaint must be made within 6 months of the offence being committed, unless the Disputes Tribunal is satisfied there is good reason for the delay or the member/s who committed the offence have resigned from the Party within 6 months of the offence being committed.

**21.5.4.** The member charged is the respondent to the complaint.

**21.5.5.** If a member is charged with an offence under Rule 21.5.1 but ceases to be a member before the Disputes Tribunal has decided on the charge, the Disputes Tribunal's consideration of the charge shall be adjourned. If the member later rejoins the Party, the Disputes Tribunal will readjourn to consider the charge and the member will be automatically suspended from the Party until the Disputes Tribunal has decided on the charge. If when the Disputes Tribunal readjourns the member who initially made the complaint is no longer able to pursue the complaint, the Party Monitor will assume carriage of the complaint.

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Proposed By: Rules Revision Committee

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**Description:**

This rule change aims to encourage union and party membership and to simplify the membership fee reduction for members of affiliated unions.

Rule 5.4.16 as it currently reads states that the membership fee is reduced by 'the amount of the per capita affiliation fee paid by affiliated unions'. This ties the reduction to the fee paid by the relevant union, which itself is tied to the number of members of that union (r 5.2.5; sch A2).

This rule change simplifies the discount to a reduction of 50% of the membership fee.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.4.16.** The membership fee for members of affiliated unions must be reduced by 50%~~the amount of the per capita affiliation fee paid by affiliated unions~~, rounded up to the next whole dollar. A member claiming the reduced rate must give the name of the affiliated union when paying their membership.

## MISC3 FINANCIAL SUPPORT FOR NON-HELD SEATS

Proposed By: Mildura Branch

### Description:

This rule change proposes to prescribe a certain percentage of VEC public campaigning for non-held Legislative Assembly seats.

This motion recognises that:

- Held seats have the continuing support of their MP through the four year parliamentary cycle.
- non held seats do not have the resources of held seats to put funding into media and community campaigns.
- during election campaigns most of the attention is devoted to winnable seats, meaning non held seats and those considered "unwinnable" get little administrative or financial support.
- during election campaigns, ministers and MPs spend most of their time in their own electorates, so branches are left with the duty of doing the community work of selling the Labor message.
- giving a part of the VCE election money should be seen as a just reward for branches doing the leg work for the party considering little central support. It also encourages branches in "unwinnable" seats to do the thankless task of pre-polling and election day.
- the work of branches in un-held seats is critical for our upper house candidates. The failure of support for these branches resulted in the loss of our second upper house seat in Northern Victoria and a precarious position in the Eastern Victoria ie Harriet Shings seat.
- it shows the value that Head Office puts on its members in non held seats, and the work that members do on its behalf in these seats which are often staunch National and Liberal seats.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **12.12. Central financial support for campaigns for non-held Victorian Legislative Assembly Seats**

For every State Election the Administrative Committee will provide financial support to each State Electorate Campaign Committee for a non-held State Legislative Assembly seat to assist in conducting the campaign for election of the Labor Candidate for that seat.

The level of financial support for each non-held Legislative Assembly Seat will be 30% of the VEC public campaigning funding arising from the Labor primary vote for that seat in the preceding State election to a maximum of \$10,000 other than where the seat has been chosen by the Administrative Committee for greater funding because of its special circumstances. This financial support will be in addition to the standard pre-poll and election day support which includes Corflutes, How to Vote leaflets and T-shirts

## MISC4 MINIMUM REQUIREMENTS FOR CAMPAIGNING

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Proposed By: Ararat Branch, Benalla Branch, Gippsland South Central Branch, Gippsland South South Branch, Mildura Branch, South Barwon Branch & Warrnambool Branch

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### **Description:**

This rule change proposes to prescribe a minimum number of how-to-vote cards, corflutes, campaign clothing, advertising expenditure and travel allowance/fuel cards that must be provided to each election campaign.

One of the objectives of the Victorian Labor Party seeks to eliminate discrimination based on regional location. However, come election time, be it State or Federal, there are particular challenges faced by campaign volunteers and candidates in our regional seats, especially those seats without an incumbent Labor member.

In many instances these campaigns receive very little support from Victorian Labor Head Office, and candidates are often required to fund campaign resources out of their own pocket. At a time when it becomes increasingly important to attract quality candidates and volunteers to campaigns, as we frequently see people disengaging with major parties across the political spectrum, it is imperative that measures are introduced to ensure that all campaigns across the state are sufficiently resourced. As such, the following resources should be provided to every electorate as a minimum, and additional resources can be provided as Head Office sees fit, or purchased by campaigns if required:

- Minimum How to Vote Cards
- Minimum Corflutes (based on voting centres, state rules and membership +20% to be used for supporters and non-party volunteers)
- Minimum T-Shirts (based on local branch members +20% to be used for supporters and nonparty volunteers)
- Minimum advertising budget
- Travel allowance/ fuel voucher for candidates in electorates above a certain area, scaled dependant on electorate size, this also acknowledges that the larger the electorate the less opportunities there will be for candidates to use options such as public transport, increasing the need for private car usage.

The introduction of these standards will create an environment where all campaigns can feel supported by Head Office, and candidates are not limited by their own personal finances. This will encourage greater participation in the preselection and campaign process, as well as assisting to address issues of a falling primary vote in some areas of the state which currently puts at risk upperhouse seats (such as in Northern Victoria at the 2022 election when a seat was lost).

The following Rules change was endorsed by the Country Labor Executive at its meeting held 18 February 2024.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**19.25 Minimum Requirements for Campaigning**

Once a candidate has been successfully preselected and the State Secretary has notified members of the electorate. The relevant FEA or SECC will be able to contact Head Office to access the following resources, provided as a minimum requirement to each election campaign, local campaigns should also be provided with an opportunity at this time to indicate design preferences for items being ordered. Should additional resources be required they may be ordered by the campaign or assigned pursuant to the perceived need:

- Minimum number of How to Vote Cards to be sent to each FEA or SECC based on the number of registered voters. Election day How To Vote Cards should be delivered no later than one week prior to election day to electorates larger than 1350 square kilometres to allow for timely distribution.
- Minimum number of corflutes is equal to the maximum requirements for voting centres based on State electoral commission rules, and one corflute for every party member registered in the electorate at the time of preselection plus 20% for placement throughout the campaign.
- Minimum number of campaign clothing items is equal to one item for every party member registered in the electorate at the time of preselection plus 20%.
- Minimum advertising budget to be spent on social media and traditional media advertising – \$500.00.
- Travel allowance/ fuel vouchers for candidates:
  - \$250 – state or federal electorates up to 1,350 square kilometres
  - \$500 - state or federal electorates between 1,351 square kilometres and 5,000 square kilometres
  - \$750 - state or federal electorates between 5,001 square kilometres and 20,000 square kilometres
  - \$1000 - state or federal electorates above 20,001 square kilometres

## MISC5 URGENCY RESOLUTION DEADLINE

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Proposed By: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – Plumbing Division

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**Description:**

To amend the timeframe for Urgency Resolutions to give delegates more time to appropriately consider these motions, specifically two additional weeks.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**7.4. Conduct of Business**

**7.4.11.** An urgency resolution or motions arising from the minutes of the previous State Conference shall only be considered by the State Conference if they are submitted to State Office by 12.00 noon on the Tuesday two weeks before the scheduled Conference, has a mover and a seconder and is deemed to be genuinely urgent by the Agenda Committee.

**9.2. Agenda Committee**

**9.2.4.** At least 15 days before each meeting of Conference, the Agenda Committee shall circulate an agenda paper and committee reports to all State Conference delegates. At least 5 days before Conference, supplementary reports and urgency resolutions must be circulated.

## MISC6 TIMING OF STATE CONFERENCE

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Proposed By: Rules Revision Committee

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**Description:**

Amends Rule 7.1.1 to specify that the default date for the annual State Conference is the last weekend in May, rather than 'a weekend in May' which currently fails to serve the purpose of a default date.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**7.1.1.** There shall be a State Conference which, subject to the Rules, shall meet once a year at such times and places as are specified by the Administrative Committee. Unless the Administrative Committee resolves to the contrary, the Annual two day Conference will be held on a~~the~~ last weekend in May.

## MISC7 STATE ELECTORATES

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Proposed By: Caulfield Branch

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**Description:**

To amend the rules to provide for a State Electorate Assembly of members in each State Legislative Council Province.

To amend the rules to provide for the election of a Returning Officer and Deputy Returning Officer in each State Electorate Assembly of members in each Legislative Council Province.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**12.1.** In each State Legislative Assembly ~~electorate~~district and each Legislative Council province there shall be established a State Electorate Assembly of all the current members of the ALP in that electorate.

**12.3.2.** Electing a Legislative Returning Officer and a Legislative ~~Assembly~~ Deputy Returning Officer by proportional representation; and



## MISC8      TABLING MINUTES

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Proposed By: Rules Revision Committee

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**Description:**

Amends the Standing Orders to change the reference to 'Reading' the minutes to 'Tabling' the minutes, to better reflect actual practice.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**23.3.1.** Subject to the meeting at any time on motion without debate determining some other order of business, the order of business shall be:

**23.3.1.1.** Acknowledgment of Country.

**23.3.1.2.** Values Statement.

**23.3.1.3.** ~~Reading~~ Tabling and confirmation of minutes.

**23.3.1.4.** Reports.

**23.3.1.5.** Correspondence.

**23.3.1.6.** General business.

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Proposed By: Macedon-Kyneton Branch

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**Description:**

This rule change proposes to amend Rule 11.11.1.1 so that for a local branch to amend its meeting schedule (without Administrative Committee resolving to make an exception) it must provide the amendment to the State Office at least one week before the scheduled meeting or at least one week prior to the new meeting date, whichever is earlier. This is instead of the five days required under the current rules.

The rationale for this rule change is as follows: The rule as it currently stands is potentially ambiguous with some interpreting the rule as meeting notification to State Office a week before the date of the new branch meeting time. This can result in potential new members or a Memberships Sub-Committee member turning up to a non-existent scheduled meeting because the new details have not yet been submitted to State Office.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**11.11.1.1.** they are received by the State Secretary in writing at least ~~5 days~~ one week prior to the scheduled meeting or at least one week prior to the new meeting date, whichever is earlier.

## MISC10 CHANGING DEFINITION OF 'DAY'

Proposed By: Macedon-Kyneton Branch

### Description:

This rule change proposes to:

- change the definition of 'day', so instead of it meaning a working day as is the case under the current rules, it means an ordinary day; and
- remove the reference to 'ordinary day' and change it to 'working day';
- clarify how to count 'days' under the rules where a task has a deadline for completion; and
- clarifying that under Rule 11.11.1.1 for a local branch to amend its meeting schedule (without Administrative Committee resolving to make an exception) it must provide the amendment to the State Office at least one week before the scheduled meeting

The rationale for this rule change is as follows: The current rules cause confusion and errors because understandably many people reading the rules interpret "day" in its normal sense as meaning "ordinary day" not "working day" as defined in the current rules. Given almost all returns and notifications to State Office these days are done electronic there is no good reason to retain the current "working day:" definition.

### Rule change:

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

#### **4.12. Time standards**

**4.12.1.** A reference to "day" in these rules, Party protocols or Administrative Committee decisions means "~~working ordinary day~~" and refers to all days including ~~includes days which being a 24 hour period beginning at 12.00 midnight which does not fall on a~~ weekends, declared public holidays and ~~or~~ any period for which the State Office of the Party is closed. A reference to "days" is the multiple as specified in the relevant rule of "day" as defined in this clause.

**4.12.1.1** That where a task has a deadline for completion a certain number of days before a specified or implied time on a particular date, the deadline for completion will be determined by counting back in blocks of 24 hours (one day) from the specified or implied time until the required number of days is reached.

**4.12.2.** A reference to "~~ordinary working day~~" in these rules ~~means a 24 hour period beginning at 12 midnight includes~~ excludes days which ~~do not~~ fall on weekends or declared public holidays or any period for which state office is closed. A reference to "~~ordinary working days~~" is the multiple as specified in the relevant rule of "~~ordinary working day~~" as defined in this clause.

**4.12.3.** A reference to "week" in these rules means seven ordinary days. A reference to "weeks" is the multiple as specified in the relevant rule of "week" as defined in this clause.

**4.12.4.** A reference to "month" or "months" in these rules means a calendar month or months.

**11.11.1.1.** they are received by the State Secretary in writing at least ~~5 days~~ one week prior to the scheduled meeting or at least one week prior to the new meeting date, whichever is earlier.

## MISC11 CENTRAL BRANCH

Proposed By: Australian Municipal, Administrative, Clerical and Services Union - Victorian and  
Tasmanian Authorities and Services Branch

**Description:**

Tidy up references to Central Branch.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**8.1.9.** Any member of the Party, ~~including any Central Branch member~~ who has paid their annual membership by traceable means, shall be eligible to stand for election to any Committee elected by State Conference.

**9.1.2.13.** To promote and encourage membership of the Party. To provide for appropriate membership development and training for Party members. To approve and reject applications to begin accrual of voting rights ~~transfers from Central Branch~~ and all applications for membership of the Party; and

**15.1.3** ~~Central Branch~~ All Party members who are under the age of 26 on 1 January are members of Victorian Young Labor and are eligible to participate in the election of the VYL Executive, VYL Officers and Delegates and Alternate Delegates to AYL Conference

## MISC12 RULES CLEAN-UP (PART 1)

Proposed By: Rules Revision Committee

### **Description:**

Cleans up various parts of the Rules by:

- removing out of date references (e.g. references to 2023, references to central branch etc).
- removing rules, or parts of rules, that are no longer applicable.
- using consistent terminology when referring to rules (e.g. removing references to 'sub-rules', capitalizing the word 'Rule').
- changing references to "ALP" to "Party" where appropriate, to ensure consistency in terminology throughout the Rules.
- fixing up typos.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**5.11.6.** Notwithstanding the requirements of ~~sub-rule~~ Rule 5.11.4 a member must ensure that the State Office is notified of any change in their residential address, including any change in their phone number or email address, and the date of the change within 15 days of the change taking place.

**8.1.1.** ~~The State Conference shall, at its meeting in 2023, elect the members of the Administrative Committee, the Party Officers, the Agenda Committee and the Rules Revision Committee. Subsequent elections for the Administrative Committee, the Party Officers, the Agenda Committee and the Rules Revision Committee shall be conducted~~ elect by the delegates to the annual meeting of State Conference in each even numbered year.

**8.1.2.** ~~Elections for members of~~ ~~the~~ ~~Public Office Selection Committee shall be conducted~~ elect by the delegates to the annual meeting of State Conference ~~in 2023 and then~~ in each odd numbered year.

**8.1.9.** Any member of the Party, ~~including any Central Branch member who has paid their annual membership by traceable means,~~ shall be eligible to stand for election to any Committee elected by State Conference.

**9.1.2.13.** To promote and encourage membership of the Party. To provide for appropriate membership development and training for Party members. To approve and reject ~~transfers from Central Branch and~~ all applications for membership of the Party; and

**9.1.9.2.** Subject to ~~the next two sub-rules~~ Rules 9.1.9.3 and 9.1.9.4, a resolution of the Administrative Committee, to be adopted, must receive 11 votes.

**9.1.14.8.** If for any reason a member must resign their position on a sub-committee, their vacancy will be reappointed pursuant to ~~Rule~~ 9.1.14.7.

**10.4.6.** At any stage in the recount process under Rule 10.4.5, a candidate may decline to be elected to a higher position. In such circumstances, the relevant Returning Officer shall count past that candidate when distributing the ballot papers.

***Refer to ALP-Party By-Laws (Schedule E) for further information on the conduct of internal ALP-Party ballots.***

**12.1.** In each State Legislative Assembly electorate there shall be established a State Electorate Assembly of all the current members of the ALP-Party in that electorate.

**13.2.1.3.** Any Party member who is endorsed as ALP-a Party candidate for election in the municipality; and

**13.3.1.** In each municipality there shall be established a Municipal Forum which shall consist of all the current members of the ALP-Party in that municipality.

**13.3.3.1.** Whether the Party should formally endorse candidates to contest the local municipal election as ALP-Party candidates; and

**13.3.4.** In making its recommendations to the Administrative Committee under Rules 13.3.3.1– 13.3.3.3, the Municipal Forum Committee must consider the presumption in favour of endorsing candidates to contest local municipal elections as ALP-Party candidates.

**13.4.1.1.** Whether the Party should formally endorse candidates to contest the local municipal election as ALP-Party candidates; and

**13.4.2.2.** the presumption in favour of endorsing candidates to contest local municipal elections as ALP-Party candidates.

### **13.5. Candidate Selection**

**13.5.1.** Selection for ALP-Party endorsed candidates shall be in accordance with Rules 19.8.4, 19.8.5 and 19.8.6.

**13.5.2.** The selection for ALP-Party endorsed candidates for Municipal Electorates shall be conducted by the Municipal Returning Officer elected under Rule 13.3.3.

**13.6.3.1.** all ALP-Party members standing for the relevant vacancy so agree in writing and that their written agreement is lodged with State Office prior to the relevant ballot; or

**13.7.4.** A Party member who is a non endorsed candidate elected to office shall not be obliged to caucus with ALP-Party endorsed councillors except in regard to the election or appointment of councillors to official positions and delegations, including mayor. It is further expected that such elected candidates would act within ALP-Party policy parameters as determined by State Conference.

**13.7.5.** A Party member who is a non endorsed candidate elected to office may join an ALP Party Caucus within the municipality but in doing so shall be bound to remain in that Caucus and abide by ALP-Party Caucus Rules for the duration of their term of office.

**13.8.1.** In each municipality there shall be established a Municipal Caucus which shall consist of:

**13.8.1.2.** the ALP-Party endorsed candidates elected to the office of councillor in the municipality; and

**13.8.1.3.** any non endorsed candidates elected to the office of councillor in the municipality that elect to join the Municipal Caucus under Rule 13.7.5.

**13.8.2.** If there are no ALP-Party endorsed candidates elected to the office of councillor in a municipality but there are two or more Party members who were non endorsed candidates elected to office, these non endorsed candidates may establish a ALP-Party Municipal Caucus.

**13.9.1.** State Office shall provide ALP-Party endorsed candidates with access to Party resources to assist with their municipal election campaign.

**14.1.1.** Country Labor consists of all ALP-Party members residing in FEA's of not less than 4000 square kilometres in size.

**14.3.1.** Three forums for rural and regional ALP-Party members shall be held annually, one in each of the Eastern, Northern and Western Legislative Council Regions, at such times and venues as are fixed by the Administrative Committee in consultation with the President and Secretary of CLX.

**15.2.1.** The aims of Victorian Young Labor are:

**15.2.1.1.** To support the objectives and platform of the Australian Labor Party; and

**15.2.1.2.** To provide a forum for young people across the state to debate progressive issues and ALP-Party policies within the labour movement; and

**15.2.1.3.** To develop campaign skills and support endorsed ALP-Party candidates; and

**15.2.1.4.** To encourage young people to join the ALP-Party; and

**15.2.1.5.** To engage with ALP-Party Branches and support young members involvement in party structures; and

**15.2.1.6.** To engage with young people, and encourage young people to join the ALP-Party in rural and regional Victoria; and

**15.2.1.7.** To advise the Australian Labor Party and the Victorian and Federal Parliamentary Caucuses on matters concerning young people; and

**15.2.1.8.** To involve young ALP-Party members in the ALP-Party Policy development process, and provide an independent forum to debate and develop policy across a wide range of issues; and

**15.2.1.9.** To advocate the policy adopted at VYL Conferences; and

**15.2.1.10.** To foster youth involvement with Trade Unions and the general community; and

**15.2.1.11.** To increase the profile and act as a lobby group for youth issues in the community; and

**15.2.1.12.** To organise social events and regular meetings.

**16.1.1.** The aims of the Victorian Labor Women's Network ("**VLWN**") are:

**16.1.1.1.** to encourage women to join and participate in the Australian Labor Party; and

**16.1.1.2.** to increase the number of women in the Party; and

**16.1.1.3.** to maintain and expand e-communication between Labor women; and

**16.1.1.4.** to devise and promote training programs to improve skills, confidence and participation of Labor women throughout the ALP-Party; and

**16.1.1.5.** to organise social and networking activities for women ALP-Party members; and

**16.1.1.6.** to encourage women to participate in political education programs; and

**16.1.1.7.** to develop support systems for elected women, especially at the local government level; and

**16.1.1.8.** to alert women to career opportunities within the Party; and

**16.1.1.9.** to co-ordinate a State based women's conference; and

**16.1.1.10.** to work with the Executive of the National Labor Women's Network to assist, with other interested groupings, the co-ordination of National Women's Conference; and

**16.1.1.11.** to promote contact between the ALP-Party and women's organisations in the community; and

**16.1.1.12.** to be responsible for determining a proposal for the introduction of local Labor Women's Networks in consultation with FEA Women's Officers.



**20.1.2.5.** To establish by-laws by which elections must be conducted. Any such by-law may be revoked by simple majority of State Conference. No by-law shall contravene any provision of the ALP National Constitution. (See By-Laws of the Chief Returning Officer, Schedule E)

~~**21.1.5.** Subject to this Rule, the three Disputes Tribunal panel members appointed by the Administrators will continue to hold office until their successors are appointed by the Administrative Committee following the 2023 State Conference.~~

**23.8.1.** Any members designated to be a non-voting member of a body under these Rules shall not have the ability to move or second motions at meetings of the body of which they are a non-voting member.

#### **25. REVOCATION OF MEMBERSHIP**

~~**25.1.** The National Executive's resolution of 29 April 2011 pertaining to serious criminal offences has been incorporated into Rule 9 of these Rules.~~

~~**27.3.1.**~~ **28.3.1.** Notwithstanding that the appointment of the Administrators ceased as at midnight on 31 January 2021, charges laid by the Administrators during the period of the Administration shall be heard and determined by the Disputes Tribunal in accordance with ~~Rule 27~~ as it applied during the administration and any suspension of the member in question shall continue.

#### **SCHEDULE B – METHOD OF VOTING (QUOTA PREFERENTIAL)**

1. Complete the normal arrangements for the proper conduct of the ballot ensuring that:

**1.1.** Voting papers are prepared with the names of candidates listed in an order determined by lot and showing the number of persons to be elected; and

**1.2.** Only members properly qualified in accordance with the ALP Party Rules can obtain a vote; and

**1.3.** Voters are instructed either verbally or in writing, whichever is the more convenient, to the following effect: "For your vote to be valid you must vote for at least one candidate by placing the figure 1 opposite the first candidate of your first choice. You may then show continuing preferences by placing the continuing figures 2, 3, 4 and so on, opposite the names of the other candidates in the order of your choice."

#### **SCHEDULE D – PROSCRIBED ORGANISATIONS**

The following organisations are proscribed for ALP Party members:

- Citizens Initiated Referenda Groups
- Endeavour Forum
- League of Rights

- Industrial Action Fund
- National Civic Council

## **SCHEDULE G – STATE PARLIAMENTARY LABOR PARTY LEADERSHIP ELECTIONS**

### **1. Returning Officer**

**1.1.** The election shall be conducted by the SPLP Returning Officer. The State Secretary shall provide such administrative support as necessary to ensure the effective conduct of the ballot.

**1.2.** The SPLP Returning Officer will have the same powers as the ALP Chief Returning Officers as described in the Rules for the purposes of the SPLP election.

### **5.1. Eligible Party Members**

**5.1.1.** Any ~~Victorian ALP Party~~ member is entitled to vote in this election if:

**5.1.1.1** They had the period of continuous membership as required by Rule 5.9 or they were a member on the day of the previous Victorian general election; and

**5.1.1.2** their voting rights have not been suspended in accordance with Rule 5.12.

**9.1.** Candidates will be required to conduct all financial transactions in relation to the election through ~~ALP Victorian Branch Party~~ accounts established for this purpose. An expenditure cap of \$1,500.00 will apply to each candidate.

**9.2.** At the same time as being sent a postal ballot or notice in person, each voter will also be sent a publication containing a photo of each candidate and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. Such statements and photos will also be available on the ~~Victorian ALP Party~~ website.

## **SCHEDULE M – LABOR ENABLED**

### **3. Executive**

**3.1.** Labor Enabled Victoria shall by proportional representation elect five members who shall constitute the Executive and who shall appoint from amongst themselves 2 Co-Convenors, a Secretary, a Communication Officer and a Treasurer.

**3.2.** This ballot shall take place at the same time as FEA elections by postal ballot to members of Labor Enabled Victoria.

**3.3.** The Executive must ensure the aims of Labor Enabled Victoria are fulfilled.

**3.4.** The Executive must report regularly to the membership on its activities via email and/or at meetings or events and must provide an annual report on its activities to the Annual meeting of the State Conference.

~~3.5. Notwithstanding Rule 3.2, the ballot to elect the Labor Enabled Executive in 2023 shall be conducted at the same time as the ballot for the Rainbow Labor Network Victoria Executive. This rule will be repealed in its entirety on 1 January 2024.~~

#### **SCHEDULE N – VICTORIAN MULTICULTURAL LABOR NETWORK ('VMLN')**

##### **3. Executive**

**3.1.** The Victorian Multicultural Labor Network shall by proportional representation elect nine (9) members who shall constitute the Executive and who shall appoint from amongst themselves two (2) Co-Convenors, a Secretary, an Assistant Secretary and such other officers as the Executive resolves.

**3.2.** This ballot shall take place at the same time as FEA elections by postal ballot to members of the Victorian Multicultural Labor Network, ~~except that this ballot shall also take place by the end of 2023 at the same time as the ballot for the Victorian Labor Women's Network Executive~~

## MISC13 RULES CLEAN-UP (PART 2)

Proposed By: Rules Revision Committee

### **Description:**

Cleans up various parts of the Rules by removing parts of the rules that are unnecessary (e.g. because they might duplicate wording) and fixing typos.

### **Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**8.3.1.** There shall be such delegates and proxy delegates to the National Conference as are provided for in the National Constitution. The national delegates and proxy delegates shall be elected in the 12 months immediately preceding the National Conference. Any Member shall be eligible to stand for election to National Conference delegate and/or proxy delegate.

**8.3.2.** Half of the National Conferences delegates and proxy delegates shall be elected by a single postal ballot of members who have had the period of continuous membership required by Rule 5.9 and not have had their voting rights suspended in accorded with Rule 5.12. The State Secretary will compile the voters' roll at the close of nominations subject to proved errors or omissions notified within 3 days after closure of the roll. Any member may inspect the roll for the purposes of proved errors or omissions. ~~The election of delegates will be held in the 12 months immediately preceding the National Conference.~~ The timeline for the election shall be determined by the Administrative Committee by an affirmative vote of at least 11 members.

**19.6.** Where the applicant for selection is applying for a position for the Victorian Upper House or Australian Senate the applicant for selection shall submit a nomination form (Schedule C) signed by ~~themselves~~ themselves and any thirty other members of the Party who live within the electorate the applicant is nominating for and a questionnaire in a form approved by the Administrative Committee.

### **SCHEDULE B – METHOD OF VOTING (QUOTA PREFERENTIAL)**

**4.6.** The procedure, of transferring the surpluses of successful candidates and of eliminating in succession the defeated candidates, is continued until the election is finished. The election is finished when:

**4.6.1.** The number of candidates recorded as elected equals the number of vacancies; or

**4.6.2.** Only one vacancy remains unfilled and two continuing candidates remain, in which case the candidate with the higher progress total is recorded as elected (since all the papers of the other candidate must go either to them or to exhausted); or

**4.6.3.** ~~In very rare where the number of exhausted papers in eliminations is large, †~~The number of continuing candidates is equal to the number of vacancies not yet filled, in which case all these candidates are recorded as elected.

## MISC14 REMOVING RULE 5.10

Proposed By: Rules Revision Committee

### Description:

Removes Rule 5.10 as it ceased to apply from 1 January 2024. Please note that Rules 27.1 and 27.2 provide that the old system of membership renewals will apply until the new membership database system has been implemented.

### Rule change:

*Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:*

#### **5.10. Renewal and continuity of membership in 2023**

**5.10.1.** ~~This Rule 5.10 will apply for the renewal and continuity of memberships in 2023 and will cease to apply on 1 January 2024, or at an earlier stage determined by the Administrative Committee.~~

**5.10.2.** ~~This Rule 5.10 operates retrospectively and applies to all members who retained continuity of membership by renewing their membership by the last working day in May in 2022.~~

**5.10.3.** ~~Member rights and entitlements accrued or obtained by a member between 1 January 2022 and 31 May 2023 will expire at 12 noon on 31 May 2023.~~

**5.10.4.** ~~In order to retain continuity of membership, retain voting rights, or continue to accrue voting rights members must renew their membership in accordance with Rule 5.10.5 by 12 noon 31 May 2023.~~

**5.10.5.** ~~Members must renew their membership personally by:~~

**5.10.5.1.** ~~payment of the prescribed fee by traceable means by automatic deduction from their bank account or credit card; or~~

**5.10.5.2.** ~~payment by traceable means direct to the State Office of the invoiced prescribed fee posted to all members by the State Secretary.~~

**5.10.6.** ~~Members who, in 2021, renewed their membership for three years, will be deemed to retain continuity and membership rights in 2023~~

**5.10.7.** ~~Members who, in 2022, renewed their membership for two or more years, will be deemed to retain continuity and membership rights until the period they renewed for has expired.~~

**5.10.8.** ~~Members who have accrued voting rights, or commenced accruing voting rights, who do not renew by 12 noon on 31 May 2023 lose their continuity as a local branch member and as a member of Party for voting purposes, however, if they renew their membership by 5.00 pm on 30 November 2023 they will not be required to reapply for membership. Further, in this case, voting rights will accrue, in accordance with Rule 5.9.1, from the date they renewed their membership and not the date they attended their first branch meeting.~~

~~**5.10.9.** For the purposes of transitioning to automatic renewal of memberships set out in Rules 5.11 and 5.12, all members who retain continuity of membership and voting rights in 2023 will be deemed to have made their last membership payment in December 2023. As the Party transitions to automatic renewals, the State Office will notify members of the day on which their membership fee will be due for the purposes of Rules 5.11 and 5.12.~~

## MISC15 COUNTRY & YOUTH CONFERENCE REFERENCES

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Proposed By: Rules Revision Committee

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**Description:**

This rule change removes the reference to 'Country Conference' in Rule 4.2, as there no longer such a body, and changes the reference to 'Youth Conference' to 'Young Labor Conference'.

**Rule change:**

***Add the following words underlined and remove the words struck through, and renumber all other parts of the Rules accordingly:***

**4.2. "Constituent Unit"** means, a constituent unit of the Party being each Federal Electorate Assembly, each State Electorate Campaign Committee, each Municipal Forum Executive, each Branch, ~~Country Conference~~, ~~Youth~~Young Labor Conference, each Committee of State Conference and the State Parliamentary Labor Party.