



HONESTY. INTEGRITY. UNITY.

For all Territorians

CONSTITUTION OF 1 TERRITORY PARTY

REV 5 November 2016

INTRODUCTION

This document is the Constitution of the 1Territory Party as of inception in 2015.

The 1Territory Party has been created by Territorians for the social, economic and cultural development of all the peoples who live in the Northern Territory and who call it home.

This document and its contents are subject to the 1Territory Party members and the direction of the 1Territory Party now and in the future.

ISSUE HISTORY

<u>Revision</u>	<u>Approved</u>	<u>Notes</u>
1	Aug 2015	Drafted by Temporary Establishment Committee
2	Oct 2015	Lodged with NTEC "Application to Register a Political Party"
3	Dec 2015	Submitted to Territory Convention for ratification
4	Dec 2015	Amended and ratified by the Territory Convention
5	Nov 2016	Amended and ratified by the Territory Convention

INTRODUCTION	1
TABLE OF CONTENTS	2
A. PRELIMINARY (Name, Objects, Definitions)	3
B. POWERS (Powers, Effect of the Constitution, Inconsistencies, Alterations)	4
C. MEMBERS (Membership, Rights of Members, Termination, Death, Suspension and Expulsion)	4
D. MANAGEMENT (General, Tenure of Office, Duties of Executive Members)	8
E. MEETING OF THE EXECUTIVE AND OTHER MEETINGS	12
F. GENERAL MEETINGS	13
G. FINANCIAL MANAGEMENT	16
H. GRIEVANCE AND DISPUTES	16
I. MISCELLANEOUS	17
SCHEDULE TO THE CONSTITUTION	19
STANDING ORDERS	22

Constitution of the 1Territory Party

A. Preliminary

1. Name

The name of this not for profit, unincorporated political Party is as per the Schedule.

2. Objects and purposes

The objects and purposes of 1Territory Party are specified in the Schedule.

3. Definitions

In this Constitution, unless the contrary intention appears:

Affiliation

Affiliation means a formal relationship between the Party and another political party involving an alliance to work together to achieve the objectives of the Party.

Auditor

Auditor is an accredited member of the accounting profession who either volunteers their services or who is paid to audit the accounting records of the Party.

Executive

Executive means the Executive of the Party.

Casting vote

Casting vote is a vote additional to a deliberate vote exercised by the President only where the counted votes are exactly equal for and against a motion; note that the Chair of a meeting cannot have a Casting vote and only a deliberative vote in this same situation.

Code of Conduct

Code of Conduct means the Code of Conduct Contract as ratified by the Territory Convention. The Code of Conduct Contract will be signed by all members of the Executive and all endorsed Candidates and shall be legally binding on all parties.

Constitution

Constitution means this Constitution, as amended from time to time.

Local Authority

Local Authority means any City, Regional or Shire Council in the Northern Territory.

Member

Member means a financial member of the Party.

Month

Month means a calendar month.

Notice or notify

Notice or notify means the method of giving Notice.

Party

Party means the 1Territory Party of the Northern Territory.

Party Secretary

Party Secretary means the person filling the position of Party Secretary.

Platform and Philosophy

Platform and Philosophy means the philosophic basis on which the Party is founded and which is determined periodically by the Territory Convention.

President

President means the President of the Party.

Quorum

Quorum is the minimum number of eligible persons required to be present for a meeting to be valid. This number can be expressed as a percentage of the total number of eligible participants or as a whole number and can include Members participating in the meeting by telephone or other electronic medium. Proxies can be counted to achieve a quorum.

Special Territory Convention

Special Territory Convention is a meeting convened under Section 42.

Temporary Establishment Committee (TEC)

The Temporary Establishment Committee (TEC) is the Committee set up to get the Party established.

Territorians

Territorians are the citizens and residents of the Northern Territory of Australia.

Territory Convention

Territory Convention means the governing body of the Party.

B. Powers

4. Powers

The Party may do all things necessary or convenient for carrying out its objects or purposes, and in particular, may:

- (a) acquire, hold and dispose of real or personal property;
- (b) open and operate accounts with financial institutions;
- (c) invest its money in any security in which trust monies may lawfully be invested;
- (d) raise and borrow money on the terms and in the manner it considers appropriate;
- (e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;
- (f) appoint agents to transact business on its behalf; and
- (g) enter into any other contract it considers necessary or desirable.

5. Effect of the Constitution

This Constitution binds every member of the Party to the same extent as if every member had signed and sealed this Constitution and agreed to be bound by it.

6. Inconsistency between Constitution and any Act

If there is any inconsistency between this Constitution and any Act in the Northern Territory or the Commonwealth of Australia, then the Act prevails.

7. Altering the Constitution

- (a) The Party may alter this Constitution only at the annual Territory Convention or at a Special Territory Convention convened for the purpose.
- (b) At the first Territory Convention, which the Party must hold within 6 months after its registration as a political party, members will be asked to ratify this Constitution after any amendments.

C. Members

Membership

8. Application for membership

To apply to become a member of the Party a person must:

- (a) submit a written application for membership to the Party Secretary:

- (i) in a form approved by the Executive; and
 - (ii) signed by the person and both of the members referred to in paragraph (b); and
- (b) be proposed by one member and seconded by another member.
- (c) as a temporary measure, until the first Territory Convention has been held after registration with the Northern Territory Electoral Commission, all memberships are approved by the Executive and TEC without the necessity to comply with (a) and (b) above.

9. Approval of the Executive

- (1) The Executive must consider any application made under clause 8 at the next available Executive meeting and must accept or reject the application at that meeting or the next.
- (2) If an application is rejected, the applicant has no right of appeal.

10. Joining fee

- (1) If an application for membership is approved by the Executive, the applicant becomes a member on payment of the joining fee.
- (2) The joining fee is either:
- (a) A pro rata annual fee based on the remaining part of the financial year; or
 - (b) The amount determined from time to time by resolution at the annual Territory Convention meeting.

11. Annual membership fees

- (1) The annual membership fee is the amount determined from time to time by resolution at the annual Territory Convention meeting.
- (2) Each member must pay the annual membership fee to the Treasurer by the first day of each financial year or another date determined by the Executive from time to time.
- (3) A member whose subscription is not paid within 2 months after the due date ceases to be a member unless the Executive determines otherwise.

Rights of members

12. General

- (1) A member may exercise the rights of membership when his or her name is entered in the register of members.
- (2) A right of membership of the Party:
- (a) Is not capable of being transferred or transmitted to another person; and
 - (b) Terminates on the cessation of membership whether by death, resignation or otherwise.

13. Voting

- (1) Subject to subclause (2) and clause 49, each member has one vote at meetings of the Party.
- (2) A member is not eligible to vote until 10 working days after his or her application has been accepted.

14. Notice of meetings and special resolutions

The Party Secretary or other permitted officers must give all members notice of general meetings and special resolutions in the manner and time prescribed by this Constitution.

15. Access to information on the Party

The following information must be available for inspection by members:

- (a) A copy of this Constitution;
- (b) Minutes of general meetings;
- (c) Annual reports and annual financial reports;
- (d) A copy of the Code of Conduct.

16. Raising grievances and complaints

- (1) A member may raise a grievance or complaint about a committee member, the Executive or another member of the Party.
- (2) The grievance or complaint must be dealt with by the procedures set out in Part H.

Termination, death, suspension and expulsion

17. Termination of membership

Membership of the Party may be terminated by:

- (a) A notice of resignation addressed and posted to the Party or given personally to the Party Secretary;
- (b) Non-payment of the annual membership fee within the time allowed under clause 11(3); or
- (c) Expulsion in accordance with clause 19.

18. Death of member or whereabouts unknown

If a member dies or the whereabouts of a member are unknown, the Executive must cancel the member's membership.

19. Suspension or expulsion of members

- (1) If the Executive considers that a member should be suspended or expelled because his or her conduct is detrimental to the interests of the Party, the Executive must give notice of the proposed suspension or expulsion to the member.
- (2) The notice must:

- (a) be in writing and include:
 - (i) The time, date and place of the Executive meeting at which the question of that suspension or expulsion will be decided; and
 - (ii) The particulars of the conduct; and
 - (b) Be given to the member not less than 3 days before the date of the committee meeting referred to in paragraph 19 (2)(a)(i).
- (3) At the meeting, the Executive must afford the member a reasonable opportunity to be heard or to make representations in writing.
 - (4) The Executive may suspend or expel or decline to suspend or expel the member from the Party and must give written notice of the decision and the reason for it to the member.
 - (5) Subject to clause 20, the decision to suspend or expel a member takes effect immediately on the day on which notice of the decision is given to the member.
 - (6) Where a member has been summoned to a Management meeting to address disciplinary matters and refuses to attend any meeting or subsequent meetings or refuses to make any representation in writing as to why they should not be dealt with under this Section, with particular reference to Clause 3 above, the Executive can suspend or expel the member immediately; however, such an action is subject to Clause 20.
 - (7) The Executive can request the approval of any Territory Convention or any Special Territory Convention called under Section 42 to remove the membership of any member who does not abide by this Constitution or the Code of Conduct of 1 Territory and whose actions cause damage to the interests of 1 Territory; such actions may include nominating for another party or as an independent (without authorisation from the Executive) in any election.

20. Appeals against suspension or expulsion

- (1) A member who is suspended or expelled under clause 19 may appeal against that suspension or expulsion by giving notice to the Party Secretary and lodging a \$1,000 refundable fee within 14 days after receipt of the Executive's decision.
- (2) The appeal must be considered at a Territory Convention meeting and the member must be afforded a reasonable opportunity to be heard at that meeting or to make representations in writing prior to the meeting for circulation at that meeting.
- (3) The members present at the Territory Convention must, by resolution, either confirm or set aside the decision of the Executive to suspend or expel the member.
- (4) The member who has lodged an appeal is suspended or ceases to be a member until the decision of the Executive to suspend or expel him or her is confirmed by a resolution of the members at the next Territory Convention. If the decision of the Executive to suspend or expel the member is set aside at the Territory Convention, the member can apply to become a member once again without having to pay an additional Joining Fee as per Section 10.

D. Management

General

21. Role and powers

- (1) The business of the Party must be managed by or under the direction of the Executive.
- (2) The Executive may exercise all the powers of the Party except those matters that an Act or this Constitution requires the Party to determine through a Territory Convention meeting of members.
- (3) The Executive may appoint and remove staff.
- (4) The Executive may establish one or more subcommittees consisting of the members the Executive considers appropriate.
- (5) The Territory Convention will elect Chairs of Sub-Committees and Regional Co-Ordinators as identified and required from time to time and these Chairs will form the Management Committee.
- (6) The Management Committee will work with and under the direction of the Executive.
- (7) The number of persons on the Management Committee will not exceed 10, so that with an Executive of 7 (President, Vice-President (North), Vice- President (South), Vice -President (Rural), Party Secretary, Treasurer and Public Officer) the total number does not exceed 17.
- (8) Other members may be co-opted to the Management Committee as required.

22. Composition of the Executive

The Executive consists of:

- (a) the President;
- (b) one Vice-President (North), one Vice -President (Rural), Vice –President (South);
- (c) the Party Secretary;
- (d) the Treasurer; and
- (e) the Public Officer.

23. Delegation

- (1) The Executive may delegate to a subcommittee or staff any of its powers and functions other than –
 - (a) This power of delegation; or
 - (b) A duty imposed on the Executive by any Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Executive considers appropriate.
- (3) The Executive may, in writing, revoke wholly or in part the delegation.

Tenure of office

24. Eligibility of Executive members

- (1) An Executive member must be a member who is 18 years or over.
- (2) Executive members must be elected to the Executive at an annual Territory Convention or appointed under clause 31.
- (3) Have the additional requirements as per the Schedule.

25. Nominations for election to the Executive

- (1) A member is not eligible for election to the Executive unless the Party Secretary receives a written nomination for that member by another member not less than 7 days before the date of the next annual Territory Convention meeting.
- (2) The nomination must be signed by:
 - (a) The nominator and a seconder; and
 - (b) The nominee to signify his or her willingness to stand for election.
- (3) A person who is eligible for election or re-election under this clause may:
 - (a) Propose or second himself or herself for election or re-election; and
 - (b) Vote for himself or herself.
- (4) As a temporary measure before the Party receives formal registration approval from the Northern Territory Electoral Commission and the Australian Electoral Commission, all Executive positions are appointed by the Temporary Establishment Committee which is to be disbanded at the first Territory Convention as per Section 41 (1).

26. Retirement of Executive members

- (1) A committee member holds office until the next annual Territory Convention meeting unless the member vacates the office under clause 29 or is removed under clause 30.
- (2) Subject to subclause (3), at an annual Territory Convention the office of each committee member becomes vacant and elections for a new Executive must be held.
- (3) The President of the outgoing Executive must preside at the annual Territory Convention until a new member is elected as President.
- (4) Members may serve consecutive terms on the Executive.

27. Election by default

- (1) If the number of persons nominated for election to the Executive under clause 26 does not exceed the number of vacancies to be filled, the President must declare the persons to be duly elected as members of the Executive at the annual Territory Convention.
- (2) If vacancies remain on the Executive after the declaration under subclause (1), additional nominations of committee members may be accepted from the floor of the annual Territory Convention.

- (3) If the nominations from the floor do not exceed the number of remaining vacancies, the President must declare those persons to be duly elected as members of the Executive.
- (4) If the nominations from the floor are less than the number of remaining vacancies, the unfilled vacancies are taken to be casual vacancies and must be filled by the new Executive in accordance with clause 31.

28. Election by ballot

- (1) If the number of nominations exceeds the number of vacancies on the Executive and Management Committee, ballots for those positions must be conducted.
- (2) The ballot must be conducted in a manner determined from time to time by resolution at a Territory Convention and may include electronic means such as emails to canvass all members.
- (3) The members chosen by ballot must be declared by the President to be duly elected as members of the Executive and Management Committee.

29. Vacating office

The office of an Executive member becomes vacant if:

- (a) The member:
 - (i) Resigns by giving written notice to the Executive ;
 - (ii) Dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health;
 - (iii) Cesses to be a resident of the Territory; or
 - (iv) Cesses to be a member of the Party.
- (b) The member is absent from more than:
 - (i) 3 consecutive Executive meetings; or
 - (ii) 3 committee meetings in the same financial year;

of which meetings the member received notice and no apology to the President was tendered and the Executive has resolved to declare the office vacant.

- (c) The member acts in the manner or commits offences as per the Schedule.

30. Removal of Executive member

- (1) The Party, through a Special Territory Convention, may remove any Executive member before the member's term of office ends.
- (2) If a vacancy arises through removal under subclause (1), an election must be held to fill the vacancy.

31. Filling casual vacancy on Executive

- (1) If a vacancy remains on the Executive after the application of clause 29 or if the office of an Executive member becomes vacant under clause 30, the Executive may appoint any member of the Party to fill that vacancy.

Duties of Executive members

32. Collective responsibility of the Executive

- (1) As soon as practicable after being elected to the Executive, each member must become familiar with the Northern Territory of Australia Electoral Act and regulations made under that Act and the appropriate Commonwealth of Australia Electoral Act or Acts.
- (2) The Executive is collectively responsible for ensuring the Party complies with the Electoral Acts and regulations made under those Acts.

33. President and Vice-Presidents

- (1) Subject to subclauses (2) and (3), the President must preside at all Territory Convention meetings and Executive meetings.
- (2) If the President is absent from a meeting, one of the Vice-Presidents must preside at the meeting.
- (3) If the President and the Vice-Presidents are all absent, the presiding member for that meeting must be:
 - (a) A member elected by the other Executive members present if it is an Executive meeting; or
 - (b) An Executive member elected by the other Executive members present if it is a Territory Convention meeting.

34. Party Secretary

The Party Secretary must:

- (a) Coordinate the correspondence of the Party and manage the day-to-day business of the Party;
- (b) Ensure minutes of all proceedings of general meetings and of committee meetings are kept;
- (c) Maintain the register of members;
- (d) Unless the members resolve otherwise at a Territory Convention meeting – have custody of all books, documents, records and registers of the Party, other than those required by clause 35(5) to be in the custody of the Treasurer;
- (e) Act as the Party Agent; and
- (f) Perform any other duties imposed by this Constitution on the Party Secretary.

35. Treasurer

- (1) The Treasurer must:
 - (a) Receive all moneys paid to or received by the Party and issue receipts for those moneys in the name of the Party;

- (b) Pay all moneys received into the account of the Party within 5 working days after receipt;
 - (c) Make any payments authorised by the Executive or by a Territory Convention meeting of the Party from the Party's funds; and
 - (d) Ensure cheques are signed by him or her and at least one other Executive member, or by any 2 other Executive members authorised by the Executive or that if payments are made by direct debit, that the appropriate number of Executive members have the relevant access codes and keys.
- (2) The Treasurer must ensure the accounting records of the Party are kept in accordance with good accounting practices.
 - (3) The Treasurer must coordinate the preparation of the Party's annual statement of accounts.
 - (4) If directed to do so by the President, the Treasurer must submit to the Executive a report, balance sheet or financial statement in accordance with that direction.
 - (5) The Treasurer has custody of all securities, books and documents of a financial nature and accounting records of the Party unless the members resolve otherwise at a Territory Convention.
 - (6) The Treasurer must perform any other duties imposed by this Constitution on the Treasurer.

E. Meetings of Executive and other committee meetings

36. Frequency and calling of meetings

- (1) The Executive must meet together for the conduct of business not less than 4 times in each financial year unless otherwise determined by the Territory Convention. Other committee meetings to be held as required.
- (2) The President, or at least half the committee members, may at any time convene a special meeting of the Executive. Special meetings of other committees can be convened by the Chair or by half of the committee members.
- (3) A special Executive meeting may be convened to deal with an appeal under clause 19.

37. General voting and decision making

- (1) Each member present at the meeting has a deliberative vote.
- (2) A question arising at a meeting must be decided by a majority of votes.
- (3) If there is no majority, if the President is the person presiding at the meeting, then he or she has a casting vote in addition to a deliberative vote.
- (4) If the meeting is being Chaired, the Chair does not have a casting vote in addition to a deliberative vote.

38. Quorum

For any Executive or other committee meeting, one-half of the committee members constitutes a quorum unless otherwise provided in the Schedule.

39. Procedure and order of business

- (1) The procedure to be followed at a committee meeting must be determined from time to time by the Executive or the Territory Convention.
- (2) The order of business may be determined by the members present at the meeting.
- (3) Only the business for which the meeting is convened may be considered at a special meeting.

40. Disclosure of interest

- (1) A committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Party must disclose the nature and extent of the interest to the committee.
- (2) The person taking the minutes must record the disclosure in the minutes of the meeting.

F. General Meetings

41. Convening general meetings

- (1) The Party must hold its first annual Territory Convention within 6 months after its registration as a political party.
- (2) The Party must hold all subsequent annual Territory Conventions within 5 months after the end of the Party's financial year.
- (3) The Party:
 - (a) May at any time convene a special general meeting;
 - (b) May, within 30 days after the Party Secretary receives a notice under clause 20(1), convene a special Territory Convention to deal with the appeal to which the notice relates; and
 - (c) May, within 30 days after it receives a request under clause 42(1), convene a Special Territory Convention for the purpose specified in that request.

42. Special Territory Convention

- (1) Half the number of members constituting a quorum for a Territory Convention may make a written request to the Executive for a Special Territory Convention.
- (2) The request must:
 - (a) State the purpose of the Special Territory Convention ; and
 - (b) Be signed by the members making the request.
- (3) If the Executive fails to convene a Special Territory Convention within the time allowed:

- (a) For clause 41(3)(b) – the appeal against the decision of the Executive is upheld; and
 - (b) For clause 41(3)(c) – the members who made the request may convene a special general meeting as if they were the Executive.
- (4) The Party Secretary must give to all members not less than 21 days' notice of a Special Territory Convention.
- (5) The notice must specify:
- (a) When and where the meeting is to be held; and
 - (b) The particulars of and the order in which business is to be transacted.

43. Annual Territory Convention

- (1) The Party Secretary must give to all members not less than 30 days' notice of an annual Territory Convention unless otherwise provided in the Schedule.
- (2) The notice must specify:
- (a) When and where the meeting is to be held;
 - (b) The particulars of and the order in which business is to be transacted;
 - (c) The order of business for each annual Territory Convention is as determined by the Executive and Management Committee;
 - (d) The manner in which all members will be given the opportunity to vote for members of the Executive and Management Committee.

44. Special resolutions

- (1) A special resolution may be moved at any general meeting of the Party.
- (2) The Party Secretary must give all members not less than 21 days' notice of the meeting at which a special resolution is to be proposed.
- (3) The notice must include the resolution to be proposed and the intention to propose the resolution as a special resolution.

45. Notice of meetings

- (1) The Party Secretary must give a notice by –
- (a) Serving it on a member personally; or
 - (b) Sending it by post or by electronic transmission such as email to a member at the address or email address of the member appearing in the register of members.
- (2) If a notice is sent by post under subclause (1)(b), sending of the notice is taken to have been properly effected if the notice is addressed and posted to the member by ordinary prepaid mail.

46. Quorum at general meetings

At a general meeting, the number or the proportion of members present in person specified in the Schedule constitutes a quorum.

47. Lack of quorum

- (1) If within 30 minutes after the time specified in the notice for the holding of a general meeting a quorum is not present –
 - (a) For an annual general meeting or special general meeting convened under clause 41(3)(a) – the meeting stands adjourned to the same time on the same day in the following week and to the same place;
 - (b) For a meeting convened under clause 41(3)(b) – the members who are present in person or by proxy may proceed with hearing the appeal for which the meeting is convened; or
 - (c) For a meeting convened under clause 41(3)(c) – the meeting lapses.
- (2) If within 30 minutes after the time appointed by subclause (1)(a) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may proceed with the business of that general meeting as if a quorum were present.
- (3) The Chair may, with the consent of a general meeting at which a quorum is present, and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- (4) There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- (5) If a general meeting is adjourned for a period of 30 days or more, the Secretary must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

48. Voting

- (1) Subject to clause 13(2), each member present in person or by proxy at a general meeting is entitled to a deliberative vote.
- (2) At a general meeting:
 - (a) An ordinary resolution put to the vote is decided by a majority of votes made in person or by proxy; and
 - (b) A special resolution put to the vote is passed if three-quarters of the members who are present in person or by proxy vote in favour of the resolution.
- (3) A poll may be demanded by the Chair or by 3 or more members present in person or by proxy.
- (4) If demanded, a poll must be taken immediately and in the manner the Chair directs.

49. Proxies

A member may appoint in writing another member to be the proxy of the appointing member; this proxy will count as if the appointing member was attending the meeting for quorum purposes and as a vote on any issue to be discussed at that meeting, regardless whether the meeting is an Executive or other Committee or sub- Committee meeting.

G. Financial Management

50. Financial year

The financial year of the Party is specified in the Schedule.

51. Funds and accounts

- (1) The Party must open an account with a financial institution from which all expenditure of the Party is made and into which all of the Party's revenue is deposited.
- (2) Subject to any restrictions imposed by the Party at a Territory Convention, the Executive may approve expenditure on behalf of the Party within the limits of the budget.
- (3) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Executive members.
- (4) All funds of the Party must be deposited into the financial account of the Party no later than 5 working days after receipt or as soon as practicable after that day.
- (5) With the approval of the Executive, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

52. Accounts and audits

The responsibility of the Executive is to:

- (a) Keep accounting records;
- (b) Prepare and present the Party's annual statement of accounts; and
- (c) Arrange an audit the Party's accounts by an Auditor as defined.

53. Financial liability

Any person who incurs expenses without authority from the Executive or any delegated committee or person empowered to give such authority shall be liable for such expenditure.

H. Grievance and disputes

54. Grievance and disputes procedures

- (1) This clause applies to disputes between:
 - (a) A member and another member; or

- (b) A member and the Executive.
- (2) Within 14 days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve the dispute.
- (3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days after the meeting, hold another meeting in the presence of a mediator.
- (4) The mediator must be:
 - (a) A person chosen by agreement between the parties; or
 - (b) in the absence of agreement, for a dispute between a member and another member, a person may appointed by the Executive.
- (5) A member of the Party can be a mediator.
- (6) The mediator cannot be a party to the dispute.
- (7) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (8) The mediator, in conducting the mediation, must:
 - (a) Give the parties to the mediation process every opportunity to be heard;
 - (b) Allow due consideration by all parties of any written statement submitted by any party; and
 - (c) Ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- (9) The mediator must not determine the dispute.
- (10) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute otherwise at law.

I. Miscellaneous

55. Distribution of surplus assets on winding up

- (1) If on the winding up or dissolution of the Party, and after satisfaction of all its debts and liabilities, there remain any assets, the assets must not be distributed to the members or former members.
- (2) The surplus assets must be given or transferred to another party with which the Party has Affiliation and which:
 - (a) Has similar objects or purposes;
 - (b) Is not carried on for profit or gain to its individual members; and
 - (c) Is determined by resolution of the members.

56. Indemnity

The Trustees, members of the Executive, Officers of all Standing Committees and other officers for the time being of the Party acting in relation to any of the affairs of the Party and every one of them and every one of their heirs, executors and administrators are hereby indemnified and saved harmless out of the funds and the profits of the Party from and against all actions, costs, charges, losses, damages and expenses, which they or any of them, or any of their heirs, executors and administrators shall or may incur or sustain by or by reason of any act done, concurred in, or omitted in or about the execution of their duty or supposed duty in their respective offices, except such (if any) as they shall incur and sustain by or through their own wilful neglect or wilful default and none of them shall be answerable for the acts or defaults of the other or others of them or for joining in any receipt for the sake of conformity, or for the default of any bankers or other persons with whom any moneys or effects belonging to the Party shall or may be lodged or deposited for safe custody or for the insufficiency or deficiency of any security upon which any moneys of or belonging to the Party shall be placed or invested, or for any other loss, misfortune or damage which may happen in the execution of their respective offices or trusts or in relation thereto except where the same shall happen by or through their own wilful neglect or wilful default respectively.

Schedule to the Constitution

Part 1 – Mandatory Details

Name (Clause 1)

The name of the Party shall be 1Territory Party of the Northern Territory and may be abbreviated to 1TP.

Objects and purposes (Clause 2)

The objects and purposes of the Party are as follows:

- (a) Pursue the social, economic and cultural development of the Northern Territory;
- (b) Improve the health and wellbeing of all Territorians;
- (c) Protect the environment of the Northern Territory both onshore and offshore;
- (d) Protect the community and lifestyle of the people of the Northern Territory;
- (e) Improve working relationships with all local governments and statutory authorities within the Northern Territory, to ensure better social, economic and cultural outcomes;
- (f) Improve relationships with all neighbouring states, territories and countries of the Northern Territory, to ensure better social, economic and cultural outcomes;
- (g) Improve working relationships with the Federal Government of the day to ensure better social, economic and cultural outcomes for the Northern Territory;
- (h) Form a Government of the Northern Territory that listens to and seeks the input of Territorians; and the evaluates those inputs in the context of the objects and purposes of this Constitution; and implements the outcomes of this evaluation ensuring those outcomes are for the greater good or interests of Territorians.
- (i) Form a Government that produces policies for Territorians by Territorians;
- (j) Form a Government that becomes a vehicle of the people of the Northern Territory to get the job done, in the interest of Territorians;
- (k) Form a Government that acts in a fair and equitable manner in the interests of all Territorians;
- (l) To pre-select candidates to contest Northern Territory, Senate and House of Representatives elections to best represent Territorians under the aforementioned objects and purposes of this Constitution.

Quorum at general meetings (Clause 46)

At a general meeting 5 members present in person constitutes a quorum.

Financial year (Clause 50)

The financial year of the Party is the period of 12 months ending on 30 June.

Part 2 – Replaceable Details

Clause	Description of clause	Default detail	Replacing detail
36(1)	Frequency of committee meetings	At least 4 times each financial year	
38	Quorum for committee meeting	Half the committee members	
42	Number of members who can request a special general meeting	Half the quorum of members for a general meeting	
43(1)	Notice of an annual general meeting	At least 30 days	
44(2)	Notice of special resolution	At least 21 days	

Part 3 – Additional Details

Eligibility for the pre-selection for candidates (Clause 2)

Candidates who wish to be considered for pre-selection must:

1. Agree to provide a criminal history check in the form of a National Police Certificate;
2. Agree to voluntary drug and alcohol tests;
3. Agree to psychological and aptitude tests;
4. Agree to a health check;
5. Agree to sign and abide by Code of Conduct Contract with the Party;
6. Agree to act in the interest of Territorians first and foremost without fear or favour, to be loyal to 1 Territory Party and its objectives and purposes of this Constitution and to serve the Northern Territory and its people.

Eligibility of Executive and Management Committee members (Clauses 21 and 24)

In addition to the criterion specified in the Constitution, an Executive member must meet the following criteria:

1. Agree to the principles on which the Party is based.
2. Must be able to demonstrate honesty and integrity without prejudice.
3. Must not be bankrupt or subject to a composition or arrangement with creditors under the Bankruptcy Act (CTH).
4. Must not be certified mentally unfit to carry out the functions of a member.

Vacating office (Clause 29)

In addition to the circumstances specified in the Constitution, the office of an Executive and Management Committee member becomes vacant if the member –

1. Fails to recognise the principles on which the Party is based;
2. Creates disharmony within the Party;
3. Is proven to breach the Code of Conduct Contract;
4. Is convicted of an unlawful act that has a jail sentence of greater than 12 months.
5. Is bankrupt or subject to a composition or arrangement with creditors under the Bankruptcy Act (CTH).
6. Is certified mentally unfit to carry out the functions of a member.

STANDING ORDERS

These standing orders shall be applicable to all Party meetings.

Attendance register and voting tickets	1	(a) Each member shall sign the attendance register and having done this the member will be issued with a voting ticket. Except where a ballot is required, a member entitled to vote will be required to show the voting ticket to register a vote for or against a notice of motion. (b) Each member shall sign the attendance register for a session at which a ballot is to be conducted (providing it is in advance of the designated closing time for the issue of ballot papers in that session) and shall be given the relevant ballot paper or papers.
Chair	2	The President or a Vice-President or Chair or Deputy Chair of the Party committee concerned (as the case may be) (or in the absence of such persons, a member appointed by the meeting) shall be the Chair.
	3	When the Chair rises to speak any member shall resume their seat.
Casting vote	4	The Chair shall have the right to a deliberative vote but shall not have a casting vote on an equality of votes in addition to their own deliberative vote. Only the President can exercise a Casting vote.
Rulings by the Chair	5	Before ruling on a matter of interpretation of the Constitution or these Standing Orders the Chair may request a member or members present to make submissions thereon.
Dissent	6	A motion of dissent from the ruling of the Chair shall lapse unless seconded. Discussion on a motion of dissent shall be limited to six minutes, the mover and the Chair, each having no more than three minutes to put their case.
Participation in debate	7	The Chair may at their discretion vacate the Chair to participate in the debate.
Counting of votes	8	The Chair shall declare a motion carried or lost. Should the Chair's declaration be disputed by ten or more voting delegates present, or should the Chair so require, a count of votes for or against the motion shall be taken provided that a request by such voting delegates shall be made immediately after the Chair shall have made their declaration.
Tellers and Secret Ballots	9	In the event of a count of votes being required in accordance with the preceding Standing Order, the Chair may appoint two or more tellers to count the votes for or against the motion then before the Chair

and report the result to the Chair. Should 50% of the voting delegates then in attendance request a ballot, a secret ballot shall be taken. The Chair may appoint two or more tellers to count the ballot papers and report the result.

Moving of Motions	10	Unless the meeting otherwise resolves, a motion standing in the name of a committee shall be moved by a delegate from such a committee or by a member of the Territory Convention, being a member of the Party in whose name it stands, and such motion does require to be seconded.
Agenda	11	The Agenda as accepted by the meeting shall be proceeded with in the order in which it is set out.
Urgent Motions	12	If the Agenda as accepted by the meeting provides a time for the consideration of urgent motions, any member may notify the Chair of the member's intention to propose such a motion prior to the time specified for commencement of such business, or such earlier time as the meeting may determine. At the time specified for commencement of such business, the Chair shall advise the meeting of the motions which have been duly notified. The motions will be called on for debate in the order determined by the Chair. The mover of each such motion shall have one minute to explain the urgency, after which the meeting shall determine by a simple majority whether the motion should be accepted for further discussion. If the meeting determines that the motion should be accepted, debate will proceed as provided in these Standing Orders, but otherwise the motion shall lapse.
Right to Speak	13	Each member shall have the right to speak; (a) once on any substantive motion before the Chair; and (b) once on any amendment.
Opposition to Motions	14	The Chair shall read all motions before the Chair and inquire whether there is any opposition to the motion and if there is none, they may, at their discretion, put the motion to the vote without further debate.
Time limit for mover of motion	15	The mover of a motion shall be allowed three minutes to introduce the motion and at the conclusion of discussion as set out in Standing Order 28, even though their original motion shall have been amended, a further two minutes for reply to wind up the debate. There shall be no right of reply attached to the moving of an amendment.
Time limit for subsequent speakers	16	Speakers subsequent to the introduction of the motion shall be limited to two minutes.

Discussion time per Agenda item	17	Discussion of any item on the agenda may continue for twenty minutes, but on a motion carried by not less than 75% of those in attendance there shall be an extension of ten minutes making a total of thirty minutes for discussion.
Suspension of Standing Orders	18	No motion to suspend Standing Orders or any of them shall be moved unless on a matter of urgent necessity. The member proposing any such motion shall first state it and the reasons why such motion should be forthwith considered. The member shall be allowed three minutes to explain the urgency whereupon the motion for suspension shall be put forthwith and shall be carried by not less than 75% of those then in attendance.
Right to speak	19	A member desiring to speak shall rise in their place and address the Chair. On receiving the Chair's recognition they shall announce themselves by name and state the capacity in which they attend. Once a member has received the Chair's recognition any other member on their feet shall resume their seat.
Extension of time	20	An extension of time amounting to 50% of the time provided in Standing Orders 15 and 16 may be granted to a speaker on a motion carried by not less than 75% of those then in attendance.
Expiration of Speaker's time	21	A speaker shall be warned by the sounding of a bell one minute prior to the expiration of the time to which the speaker is entitled in accordance with these Standing Orders. A bell shall be sounded a second time when the speaker's time has expired and the speaker shall immediately cease to address the meeting.
Points of order	22	A member may rise to a point of order, which shall be related to procedure and/or relevance, but not to argument, when the speaker called to order shall resume their seat. The member rising to the point of order shall state concisely within one minute the point of order whereupon the Chair shall give their ruling and subject to that ruling the person speaking when the point of order was raised shall be entitled to proceed.
Seconding of Motions	23	A motion shall be seconded and if not seconded shall lapse.
Withdrawal of Notices of motion	24	A notice of motion may be withdrawn only with consent of the meeting.
Amendments	25	A member may move to amend a substantive motion before the meeting, but before moving the amendment the mover shall hand the proposed amendment in writing to the Chair. Such amendment shall be seconded and if not seconded shall lapse.

Lapsed motions or amendments	26	A motion or an amendment which has lapsed shall not be considered again during that meeting.
Notice of, or foreshadowed, Amendments	27	During the consideration of an amendment a member may give notice of or foreshadow a further amendment specifying its terms, but there shall be no discussion on such further amendment until the amendment then under consideration is disposed of.
Amendments	28	Discussion of any amendment to a motion shall be considered as debate on the original motion, taking place before the mover of the motion exercises their right of reply.
Moving that question be now put	29	Any member who has not spoken to the question may move at any time, but so as not to interrupt a member addressing the Chair, that the question be now put and thereupon such motion upon being seconded may be put to the meeting at the discretion of the Chair. Upon the motion that the question be now put being carried, the mover of the original motion shall have the right of speaking for three minutes after which the question shall, without further discussion, be put.
Other Procedural Motions	30	Any member may move a procedural motion, which upon being moved and seconded shall supersede debate on the substantive motion under discussion. The Chair shall have a discretion as to whether or not to accept the motion. There shall be no right to speak in favour of, or against, a procedural motion other than a motion that the substantive motion be referred to some other Party committee. The mover of the procedural motion shall have the right to speak for 2 minutes in favour of it, after which the mover of the substantive motion, or if the mover declines, some other member, shall have the right to speak against it for 2 minutes, after which the motion shall be put. This Standing Order does not apply to a motion of dissent from a ruling of the Chair, or a motion that the motion be put.
Personal explanations	31	Any member may at any time make a personal explanation not exceeding two minutes to explain themselves in regard to some material part of their speech which has been misquoted or misunderstood, but in such case they shall not introduce any new matter or interrupt any member addressing the Chair.
Presentation of Reports allowed	32	Chairs of Committees presenting reports will be three minutes within which to move the adoption thereof and each speaker to a report shall be limited to two minutes. The time limit for the discussion of such reports shall be at the discretion of the Chair..
Reconsideration of decision	33	No decision of a Territory Convention shall be reconsidered during that Territory Convention except as provided by Standing Order 18.

Ballot paper order	34	Names of nominees on ballot papers shall appear in order determined by lot. The Chair shall appoint scrutineers.
Chair for election of President.	35	The Immediate Past President, or in their absence such other person as the Chair shall appoint, shall occupy the Chair for the election of the President.
Uncompleted business	36	Any business not completed or debated in the course of the Territory Convention shall lapse, and be referred to the Executive for review.
Questions	37	Questions may be directed to the Chair regarding procedure and/or interpretation. No questions shall be directed to speakers concerning argument except at the discretion of the Chair.
Westminster System	38	All Standing Orders will be in accordance with the Westminster System.
Other Provisions	39	Where a point is not covered in these Standing Orders, it shall be governed by the procedures stated in the current edition of Horsley's "Meetings: Procedure Law and Practice" or Joske's "Law & Procedures at Meetings in Australia".

1 TERRITORY

HONESTY. INTEGRITY. UNITY.

For all Territorians

