

**Australian Labor Party
Victorian Branch**

Book 1b

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**State Conference
May 2011**

Rules Revision Committee Report

Part B

Submissions

**Proposed amendments to the Rules of the Victorian Branch
received by Rules Revision Committee.**

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B1 - VICTORIAN BRANCH RULE 5.13 – RESIGNATIONS

PROPOSED BY PETER MARSHALL VIA ADMINISTRATIVE COMMITTEE (dated 7/10/10)

Submission:

That Rule 5.13 be amended by including the underlined text as follows.

5.13 Resignations

(a) _____ A member may resign from the Party by writing to the State Secretary. The resignation takes effect immediately it is received by the State Office and subject to subsection (b) may not subsequently be withdrawn. A former member who has resigned but wishes to re-apply for membership must do so in accordance with Rule 5.6.

(b) _____ A member who resigns may retract that resignation within 21 days, with no loss of continuity rights, provided the resigning member has complied with the ALP Rules since receipt of that resignation.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

B2 - VICTORIAN BRANCH RULE 6.4.6 – CHANGES TO BRANCH RULES

PROPOSED BY RULES REVISION COMMITTEE

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

- 6.4.1 Subject to Rules 8.1.2 (cc) and 21.6.6, no change shall be made to the Rules unless the affiliated union or constituent unit of the Party proposing such change shall have given eight weeks notice of the proposed change to the ~~Administrative Committee~~ State Secretary. The ~~Administrative Committee~~ State Secretary shall forthwith circulate all proposed changes to the Rules to all affiliated unions and constituent units and shall transmit them to the Agenda Committee for inclusion on the agenda paper of the next meeting of State Conference at which changes to the Rules are to be discussed. Any change to the Rules shall require an absolute majority of delegates entitled to attend the relevant meeting of State Conference.

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that the Rules be amended by the adoption of this item.

B3 - VICTORIAN BRANCH RULE 6.4.6 – CHANGES TO BRANCH RULES

PROPOSED BY KYNETON BRANCH (25/11/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

- 6.4.6 Subject to Rules 8.1.2 (cc) and 21.6.6, no change shall be made to the Rules unless the affiliated union or constituent unit of the Party proposing such change shall have given eight weeks notice of the proposed change to the Administrative Committee. The Administrative Committee shall ~~forthwith~~ in the period between 8 weeks and 7 weeks before the next Conference circulate all proposed changes to the Rules to all affiliated unions and constituent units and shall transmit them to the Agenda Committee for inclusion on the agenda paper of the next meeting of State Conference at which changes to the Rules are to be discussed. Amendments to proposed rules changes circulated to affiliated unions and constituent units may be submitted by those bodies and considered by the next Conference provided they are received at State Office by at least 2 weeks prior to the next Conference. State Office must send all amendments to proposed rules changes to Conference delegates at least one week prior to the Conference. Any change to the Rules shall require an absolute majority of delegates entitled to attend the relevant meeting of State Conference.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

B4 - VICTORIAN BRANCH RULE 7.1.9 – ELECTIONS BY STATE CONFERENCE

SUBMITTED BY RULES REVISION COMMITTEE

Submission:

That the Rules be amended by inserting sub section (c) to rule 7.1.9 as follows, as the current rule is contrary to rule 8.5.3:

- 7.1.9 a) Any member of the Party, including any Central Branch member, shall be eligible to stand for election to any Committee elected by State Conference, provided that he/she is a delegate to the conference conducting the election, or that he/she has their nomination signed by a delegate to the conference conducting the election.
- b) No delegate to any conference can sign more than one nomination for election to each Committee to be elected by that Conference.
- c) Central Branch members nominating for Policy Committees do not need to be delegates to the conference conducting the election or have their nomination signed by a delegate to the conference conducting the election.

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that the Rules be amended by the adoption of this item.

B5 - VICTORIAN BRANCH RULE 9.4.1 – PROXY DELEGATES TO STATE CONFERENCE

SUBMITTED BY RULES REVISION COMMITTEE

Submission:

That the Rules be amended by deleting the struck through text in rule 9.4.1 as follows, as the current rule is contrary to rule 7.1.9:

- 9.4.1 In the event of any delegate elected to State Conference being unable to attend any meeting of Conference he/she shall not later than seven days before the time set for the meeting of Conference notify in writing the Returning Officer of his/her inability to attend in order that the Returning Officer may conduct a re-count of the ballot to determine a proxy delegate in accordance with Rules. The Returning Officer shall notify the Agenda Committee of the name of any proxy delegate. ~~A proxy delegate to Conference shall not be eligible to stand for any office or position elected by and from State Conference~~

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that the Rules be amended by the adoption of this item.

B6 - VICTORIAN BRANCH RULE 12.5 & 12.6 – MUNICIPAL CAUCUS

PROPOSED BY ADMINISTRATIVE COMMITTEE (dated 25/03/10)

Submission:

That the Rules Revision Committee and the State Municipal Co-ordinating Committee be directed as a matter of urgency to review Rules 12.5 and 12.6 with the view to ensuring compliance with the Local Government Act.

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that issues regarding the Municipal Rules be included as part of the ongoing workplan of the Rules Revision Committee with the expectation that any proposed Rules changes go before the Spring 2011 State Conference.

B7a - VICTORIAN BRANCH RULE 12 – MUNICIPAL CAUCUS

REFERRED BY STATE CONFERENCE NOVEMBER 2009 (dated 21/11/10)

Submission:

Delete 12.2.1 and replace

~~12.2.1 The Administrative Committee shall annually convene in every municipality a Local Municipal Campaign and Policy Group consisting of delegates residing in the municipality, elected from each Branch with at least ten members in the municipality, Party members who hold the office of councillor in the municipality and who were either endorsed or supported by the ALP for such position and Party members who are either endorsed as ALP candidates or selected as non endorsed ALP supported candidates for election in the municipality.~~

12.2.1 The Administrative Committee shall annually convene in every municipality a Local Municipal Campaign and Policy Group consisting of delegates residing in the municipality, elected from each Branch with at least ten members in the municipality, Party members who hold the office of councillor in the municipality and who were supported by the ALP for such position and Party members who are selected as non endorsed ALP supported candidates for election in the municipality.

Delete 12.3.5 and replace

~~12.3.5 In determining a model for participation to contest each municipal vacancy, a Municipal Forum may recommend to the Administrative Committee either the endorsement of a single ALP candidate for a vacancy or that the ALP supports a non endorsed candidate or more than one candidate for each vacancy. Non endorsed ALP supported candidates may be non Party members.~~

12.3.5 In determining a model for participation to contest each municipal vacancy, a Municipal Forum may recommend to the Administrative Committee that the ALP supports a non endorsed candidate or more than one non endorsed candidate for each vacancy. A Municipal Forum may recommend that such candidate or candidates are not required to be members of the Party.

Delete 12.4.1 and renumber existing Rule 12.4.2 to 12.4.1

~~12.4.1 Selection for ALP endorsed candidates shall be in accordance with Rule 18. For the purposes of this Rule, the term 'electoral area concerned' as it appears in Rule 18.5(a) shall mean the ward, division, or other geographic area, for which candidate endorsement is to occur.~~

Delete the words ‘endorsement or’ in existing Rule 12.7.2

12.7.2 Where there are no ALP members eligible to vote within a municipal ward or division for the selection of a candidate(s) for endorsement or support to contest a vacancy in that ward or division, all ALP members resident in the municipality who meet the requirements of Rule 12.3.8 shall be eligible to vote in such selection.

Delete the words ‘the Legislative Council and Municipal Electorates’ in existing Rule 18.5 a. and replace them with the words ‘and the Legislative Council’.

18.5 The selection of candidates for Public Offices shall be made by the following:

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

Delete existing Rule 18.5 c.

~~18.5 c. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal pre-selection panel which will serve for the two-year life of the Central panel.~~

Delete reference to Party endorsement for municipal candidates in 18.15.

18.15 Any Party member contesting an election for Public Office without Party endorsement or in the case of municipal candidates, Party endorsement or support, shall not: (1) have access to financial assistance from the Party; (2) use the Party’s name or logo; (3) in any way give the impression that they are an endorsed candidate or supported by the Party.

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that issues regarding the Municipal Rules be included as part of the ongoing workplan of the Rules Revision Committee with the expectation that any proposed Rules changes go before the Spring 2011 State Conference.

B7b - VICTORIAN BRANCH RULE 12.5 & 12.6 – MUNICIPAL CAUCUS

REFERRED BY STATE CONFERENCE NOVEMBER 2009 (dated 21/11/10)

Submission: That rules 12.5 and 12.6 be deleted and 12.7 be renumbered.

~~12.5—Obligations of Non Endorsed Supported Candidates~~

~~12.5.1—A non endorsed supported candidate elected to office shall not be obliged to caucus with ALP endorsed or other ALP supported councillors except in regard to the election or appointment of councillors to official positions and delegations. It is further expected that such elected candidates would act within ALP policy parameters as determined by State Conference.~~

~~12.5.2—A non endorsed supported candidate elected to office may join an ALP Caucus within the municipality but in doing so shall be bound to remain in that Caucus and abide by ALP Caucus Rules for the duration of their term of office.~~

~~12.6—Municipal Caucus Rules~~

~~12.6.1—An ALP Caucus shall be established in each municipal government area where two or more endorsed ALP candidates have been elected to office. All endorsed ALP candidates who have been elected to office shall belong to the ALP Caucus.~~

~~12.6.2—The Caucus shall meet prior to each council meeting.~~

~~12.6.3—At its first meeting following each annual municipal election, the Caucus shall elect a President and a Secretary. The Caucus Secretary shall advise ALP State Office and the Branches within the municipality of the election results, and further, the names of all ALP councillors, their addresses and telephone numbers.~~

~~12.6.4—Every member of Caucus shall be obliged to attend each meeting of Caucus unless excused from attendance by resolution of the Caucus.~~

~~12.6.5—The Caucus shall be required to determine only upon matters covered by the municipal candidate's pledge and the Party platform and policy, the election or appointment of councillors to official positions and delegations, the annual budget of council, appointments to senior council management positions, the implementation of the local municipal policy determined prior to the preceding municipal election and items submitted for its consideration by Caucus members.~~

~~12.6.6—The vote of an absolute majority of eligible Caucus members shall bind all members of Caucus and no member shall oppose in debate in council any matter which has been determined by Caucus, except by the agreement of Caucus.~~

~~12.6.7—The President of Caucus shall have a deliberative vote only. In the event of any vote in Caucus being equal, the question shall be resolved so as to maintain the status quo.~~

~~12.6.8—The Secretary of Caucus shall keep a written record of all decisions of Caucus and, if requested by any member of Caucus, shall note in such record the manner in which that member or all members voted.~~

~~12.6.9—Any member of Caucus first wishing to introduce an item in council under general business shall first submit that item to Caucus for its consideration.~~

~~12.6.10—In the case of a notice of motion which must be submitted before the notice paper is published, permission to submit such a motion must be given by the President of Caucus.~~

~~12.6.11—The Caucus shall determine who shall move and second motions to be introduced or coming before council arising from Caucus decisions.~~

~~12.6.12—A decision of Caucus may be rescinded by the agreement of an absolute majority of eligible Caucus members at a meeting held not less than seven days after notice has been given of the rescission motion.~~

~~12.6.13—A quorum of Caucus shall be at least half of the members of the Caucus.~~

~~12.6.14—Meetings of Caucus shall be held in camera. Unless required by these Rules, no member of Caucus shall divulge any information regarding the proceedings of Caucus unless authorised to do so by an absolute majority of eligible Caucus members or the Administrative Committee.~~

The Rules Revision Committee recommendation:

The Rules Revision Committee recommends that issues regarding the Municipal Rules be included as part of the ongoing workplan of the Rules Revision Committee with the expectation that any proposed Rules changes go before the Spring 2011 State Conference.

B8 - VICTORIAN BRANCH RULE SCHEDULE G – PROSCRIBED ORGANISATION

SUBMITTED BY WERRIBEE BRANCH (dated 14/10/10)

Submission:

Amendment to Schedule G

That the Rules be amended by inserting an additional bullet point to the proscribed Organisations in Schedule G:

SCHEDULE G - PROSCRIBED ORGANISATIONS

The following organisations are proscribed for ALP members:

- Citizens Initiated Referenda Groups
- Endeavour Forum
- League of Rights
- Industrial Action Fund
- National Civic Council
- Australia Tea Party

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

**Australian Labor Party
Victorian Branch**

**State Conference
May 2011**

Rules Revision Committee Report

PART C

**Proposed amendments to the Rules of the Victorian Branch
Referred from State Conference June 2009
back to Rules Revision Committee
for consideration in the Committees deliberations.**

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C1 - VICTORIAN BRANCH RULE 5.3.9 – AFFILIATION FEES

PROPOSED BY NUW VIC BRANCH (dated 17/03/09)

Submission:

That the Rules be amended by

- Amending rule 5.3.9(d) to read as follows:

“The membership fee for a member of an affiliated union shall be half the amount determined by State Conference under rule 5.3.9(a). A member claiming the reduced rate under this rule must specify the name of the affiliated union when paying their membership.”

- And inserting rule 5.3.9(e) to read as follows:

“Applicants and members paying the concessional rate of membership under rule 5.3.9(b) are not eligible for the reduction in membership fees provided in rule 5.3.9(d).”

- And inserting rule 5.3.9(f) to read as follows:

“Upon receipt of a membership application where the applicant has applied for reduced fees under rule 5.3.9(d), the State Secretary must confirm with the relevant affiliated union that the applicant is a financial member of that union. If the applicant is not a financial member of the affiliated union, the State Secretary must write to the applicant and request that the applicant pay the full membership fee within 60 days. If an applicant does not pay the outstanding membership fee within the 60 day period, the membership application lapses and fees paid by the applicant must be refunded.”

- And inserting rule 5.3.9(g) to read as follows:

“Prior to 31 December each year, the State Secretary must write to each affiliated union and seek confirmation that all Party members who are paying a reduced membership rate under rule 5.3.6(d) because of their claimed membership of that union are financial members of that union. If a member is not a member of an affiliated union, the member shall be required to pay the full membership rate in respect of the following year.”

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C2 - VICTORIAN BRANCH RULE 5.4A – NEW RULE REGISTERED ASSOCIATE MEMBERSHIP

PROPOSED BY HOTHAM WEST BRANCH (07/04/09), TRANSPORT WORKERS UNION (09/04/09)

Submission:

Purpose: To introduce a new class of ALP membership – Registered Associate Member for the purpose of registering committed Labor supporters, linking them to the Party, establishing an active supporter resource to be mobilised for campaigns and fundraising and as a means of identifying Labor supporters for potential recruitment to full Party membership.

That the Rules be amended by inserting the following new Rules:

5.4A Registered Associate Membership

5.4A.1 A person may apply for Registered Associate Membership of the Party by applying to the State Office and providing general details as determined by the Administrative Committee and pledging their support for the Party and its candidates for public office. There shall be no fee payable for Registered Associate Membership. Such membership is only open to Party supporters. Persons who are members of other political parties or who have been such in the previous two years prior to their application are ineligible for such membership.

5.4A2 Applications for such membership must be approved by the Administrative Committee provided that it may delegate this task to a committee or employee of the Party under such terms as it deems necessary.

5.4A.3 A Registered Associate Member cannot vote in internal Party elections and cannot stand for elected positions within the Party

5.4A.4 A Registered Associate Member who wishes to become a Central Branch member or a member with full rights must make application and meet all obligations as required by the Rules for Central Branch membership or membership will full rights.

Rationale: The ALP in Victoria is regularly supported by over 1.1 million rusted on Labor voters and yet our total Victorian membership is 12,400 full members and 1,200 non-voting Central Branch members. Some Party units maintain a small list of local supporters to help out on elections but there is no statewide systematic pattern to recruiting and recording such supporters. Such a listing would serve as a significant campaign, fundraising and community linkage asset which would be invaluable in the years ahead. This proposal is to establish a formal mechanism for recruiting, building and organising a statewide ALP supporter base (at no charge to those who register) to supplement and assist the Party in campaigns, fundraising and as a potential source of new members.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C3 - VICTORIAN BRANCH RULES 5.3.6, 5.4, 8.1.2, 8.5.8 – CENTRAL BRANCH MEMBERS

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows:

5.3.6 (h) The Administrative Committee, with the exception of Central branch applicants, must in its absolute discretion decide whether to accept or reject the application. An application for which the Branch records have been provided may only be deferred by resolution stating the reason for the deferral.

5.4.1 a. A person may apply for Central membership by completing the form set out in Schedule B2 ~~and paying the prescribed fee.~~

5.4.3 All Central membership applications of previously proscribed members must be approved by the Administrative Committee. All other Central membership applications are to be processed in accordance with the recommendations of the Membership Standing Committee but do not require Administrative Committee approval.

5.4.4 a. A member with Central membership who wishes to become a member with full rights must attend a Branch meeting within the FEA which he/she resides ~~and complete the relevant transfer form (Schedule E1).~~ in accordance with rule 5.3.5

~~b. The Central member shall be admitted to membership at that Branch after a period of one month from the date of the meeting at which the member presents the relevant transfer form (Schedule E1).~~

~~c. Full membership rights shall accrue from the date of the meeting which admits the member.~~

8.1.2 (l):-To approve and reject Local branch or previously proscribed Central branch applicants

8.5.8 Any member of the Party who wishes to become an associate member of a Policy Committee may do so by writing to the State Secretary. All unsuccessful candidates for election to a Policy Committee, notwithstanding a Membership Standing Committee objection at anytime, automatically become associate members. Associate members of a Policy Committee have the same rights as elected members, except the right to vote. A Policy Committee may by resolution passed by an absolute majority of the voting members at the time remove any associate member who unreasonably disrupts meetings of the Policy Committee, or who fails to respect the confidentiality of information given to members or discussions at meetings.

State Conference Motion:

That this State Conference resolves, that in acknowledging the importance of a sustainable and strong Victorian ALP, and in accordance with rule 5.3.9 (a), that all Central branch applications and Central branch renewals after this Conference shall require no fee from the applicant.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C4 - VICTORIAN BRANCH RULE 5.5A – NEW RULE MEMBERSHIP AWARDS

PROPOSED BY HOTHAM WEST BRANCH (07/04/09)

Submission:

That the Rules be amended by inserting a new Rule 5.5A as follows:

5.5A Membership Awards

5.5A.1 In recognition of the importance of long serving volunteer members to the Australian Labor Party, State Conference may grant from time to time awards to Party members for their length of service and distinguished service to the Party in addition to Life Membership.

5.5A.2 Members who have achieved 20 years of uninterrupted membership may be awarded a 20 year long service medallion.

5.5A.3 Members who have achieved 30 years of uninterrupted membership may be awarded a 30 year long service medallion.

5.5A.4 Members who have achieved 20 years of service as a member of a Committee of State Conference or as an office bearer of a constituent unit of the Party may be awarded a distinguished service medallion.

5.5A.5 The Administrative Committee shall advise and recommend to State Conference when it is satisfied that a member has met the requirements for such Membership Awards.

Rationale:

The Party is primarily a volunteer membership organisation. Unlike other such volunteer groups we do not acknowledge or honor volunteer members who have served the Party for significant periods of their life, including those who have carried out lengthy volunteer service as working office bearers, with the important exception of those granted 40 year Life Membership. Various decisions have been made over the years to redress this issue but none have been implemented. In the current review of Party membership Rules it is appropriate to provide for such membership awards.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C5 - VICTORIAN BRANCH RULE 6.3.1 – REPRESENTATION AT STATE CONFERENCE

PROPOSED BY VYL PRESIDENT (dated 21/01/09)

Submission:

That the Rules be amended by inserting 6.3.1 (e)

“six delegates(6) elected by and from the Victorian Young Labor Annual Conference.”

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C6 - VICTORIAN BRANCH RULE 7.2.5 – PARTY OFFICERS

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

7.2.5 Subject to the direction of State Conference or the Administrative Committee, the ~~President~~ State Secretary shall be sole spokesperson for the Party in matters relating to decisions of Conference and the Administrative Committee unless otherwise determined by either body.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C7 - VICTORIAN BRANCH RULE 8.1.1 – VOTING RIGHTS AT THE ADMINISTRATIVE COMMITTEE

PROPOSED BY VYL PRESIDENT (dated 21/01/09)

Submission:

- 8.1.1 The Administrative Committee consists of:
- a. the Officers of the Party and 30 other members elected by and from State Conference as voting members, and
 - b. the President and Vice-Presidents of Victorian Young Labor as non-voting members.

That the Rules be amended by deleting 8.1.1 (b) and replacing with:

“the President and Vice-Presidents of Victorian Young Labor, as voting members”

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C8 - VICTORIAN BRANCH RULE 8.1.2 – ADMINISTRATIVE COMMITTEE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

8.1.2 The powers and duties of the Administrative Committee shall be:

w. To ~~appoint employ~~ a State Secretary, ~~and~~ Assistant State Secretary in accordance with rule 8.1.2 (gg), and to employ ~~Organisers and~~ such other staff on such terms and conditions as it may from time to time determine; provided that no person so employed shall be entitled to be an Officer or member of the Administrative, Agenda or Public Office Selection Committee. To employ such staff as may be necessary for the efficient functioning of State Office and to ensure such staff are members of an affiliated union.

gg. To approve a term of employment for a State Secretary and Assistant State Secretary that must not expire prior to a 2 year period of tenure nor extend for a period longer than 4 years. This does not preclude the Administrative Committee's prerogative to renew such employment upon the expiration of such an agreement.

hh. Termination of the employment of the State Secretary and/or Assistant Secretary can only be done by an affirmative vote of no less than 22 members of the Administrative Committee, provided that a minimum of two weeks notice of this agenda item has been given to the Administrative Committee

8.1.6 A quorum for meetings of the Administrative Committee is 15 voting members but the Administrative Committee may only exercise its powers under Rules 5.3.6(c), 5.3.9(b), 8.1.2(b), 8.1.2(o), 8.1.2 (ff), 8.1.2 (hh), 9.3.3 (d)(i), 10.1, 10.10(a), 12.3.6, 12.4.2(d), 18.2 and 21.6.5 if such a resolution is carried by an affirmative vote of at least 22 members.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C9 - VICTORIAN BRANCH RULE 9.3 – FEA ELECTIONS

PROPOSED BY GLEN IRIS BRANCH (dated 20/10/07)

Branch Resolution: That the following changes be made to the Rules of the Victorian Branch:

- FEAs be given the following options (upon legal resolution of FEA) with respect to polling hours:
 - 10.00am to 6.00pm on the first Sunday and 10.00am and 12.00 noon on second Sunday (existing times)
 - 10.00am to 5.00pm on the first Sunday only
 - 2.00pm to 5.00pm on the first Sunday and 10.00am and 12.00 noon on second Sunday
- State Secretary, Returning Officer and Deputy Returning Officer responsibilities and election conduct - best practice by these officers be codified in one section of the revised rules. This includes the By-Laws issued by the CRO of 29 May 1995 and to deal with any issues raised in disputes with the Disputes Tribunal over the past five years.
- All nominations received to date, be opened at 6.00pm on the Wednesday prior to the close of nominations in the presence of both Returning Officer and Deputy Returning Officer and any eligible scrutineers in addition to the current arrangements.
- All references in the Rules to FEA “Returning Officer” be defined to include “Deputy Returning Officer”
- All communications about FEA Elections to FEA branches, members and eligible voters be co-signed by both the Returning Officer and Deputy Returning Officer.
- Both Returning Officer and Deputy Returning Officer be prohibited from participating in any “electioneering” and involvement in candidate campaign statements and forums.
- FEA Executives be given the sole responsibility for the conduct of candidate campaign forums and distribution of candidate statements.
- To be eligible to stand and vote, members must have been members (of a local and/or central branch) for at least 12 continuous months within one calendar month of the first voting day of the FEA Election.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C10 - VICTORIAN BRANCH RULE 10 - NEW BRANCHES AND INAUGURAL BRANCH MEETINGS

PROPOSED BY THE KYNETON BRANCH:

That rule 10.1 be replaced with:

“10.1.1 The Administrative Committee may establish a branch in any Federal electorate either where ten or more people who comply with the membership requirements of these rules lodge a petition with the State Secretary requesting that one be established, or on the Committee’s own initiative where the Committee believes this is in the broader interests of the Party.

10.1.2 Where a new branch is being established an inaugural branch meeting must be held at which applications for membership, Central Branch transfers and branch to branch transfers will be received and the 2 pro tem executive positions elected.

10.1.3 The inaugural branch meeting must be chaired by the FEA president or in the Presidents absence another FEA Executive member, or a person approved prior to the meeting by the Administrative Committee.

10.1.4 Applications and transfer forms submitted at the inaugural branch meeting must be signed by the chair of the meeting and/or FEA Executive members or persons approved by the Administrative Committee prior to the meeting.

10.1.5 Notice of the inaugural meeting’s time, date and venue must be sent in writing to the State Secretary at least 7 days prior to the meeting by the person or body authorised by the Administrative Committee at the time of approving the establishment of the branch.

10.1.6 The new branch must elect at its inaugural meeting a pro-tem President and Secretary to hold office until the applications and transfers from the meeting have been approved by the Administrative Committee.

10.1.7 Subsequent to the inaugural meeting, the branch must forward to the State Secretary within 7 days of the start of the month following the meeting, the application forms, both central and branch to branch transfer forms, payments of memberships, minutes of the inaugural meeting, the meeting attendance list and the Branch Payment summary form. Where applications and transfers are not received within this period, rule 5.3.6g provisions will apply with respect to effective joining date.

10.1.8 The Administrative Committee must accept or reject the applications and transfers, both central and branch to branch, arising from attendees of the inaugural meeting within 2 Administrative Committee meetings of the date of receipt from the branch by the State Secretary of all of the items required under 10.1.7.

10.1.9 New branches may conduct meetings in the period between their inaugural meeting and the time when the Administrative Committee processes the applicants from the inaugural meeting but no new applications or transfers may be processed by these meetings. Minutes and an attendance book must be kept at these meetings and the branch pro-tem executive must give the State Secretary at least 7 days notice in writing of the date, time and place of the meetings.

10.1.10 On approval of the applicants from the inaugural branch meeting by the Administrative Committee, the branch must conduct a full Executive election by and from the members approved by the Administrative Committee from the inaugural meeting.

10.1.11 Where a new branch has been established in an FEA by the Administrative Committee in response to a petition for a new branch, all of those who complied with the membership requirements of the rules who signed the petition and who also attended the inaugural meeting, plus up to 13 new applicants or Central branch transfers who attended the inaugural meeting can be approved by the Administrative Committee. Only branch to branch transferees who have signed the petition and who attend the inaugural meeting may be approved as members of the new Branch.

10.1.12 Where a new branch has been established by the Administrative Committee other than as a response to a petition then no limit will apply to the numbers of branch to branch transfers into the branch who attend the inaugural meeting but a maximum of 13 new applicants or Central branch transfers who attend the inaugural meeting can be approved by the Administrative Committee.”

And that Rule 10.1 A become 10.2A and rule 10.2 become 10.2B and in rule 8.1.6 the reference to 10.1 now be to 10.1.1.”

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C11 - VICTORIAN BRANCH RULE 10.3 – LOCAL BRANCHES

PROPOSED BY RULES REVISION COMMITTEE (17/03/09), HOTHAM WEST BRANCH (07/04/09), TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended by deleting existing Rule 10.3 and replacing it with the following:

10.3 Branches in the metropolitan area shall meet at least six times each year and Branches in country areas at least four times each year. 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. A Branch may only recommend approval of membership applications or receive transfers from Central Branch during the first two hours after the commencement time for the meetings scheduled in accordance with 10.10(a).

10.3A If any Branch fails to meet its required minimum number of meetings each year or falls below five members, the State Secretary must notify the Administrative Committee in order for it to resolve the branch's status. The Administrative Committee in conjunction with the local FEA Executive shall attempt to re-activate the Branch. As part of re-activation initiatives the Administrative Committee may appoint the relevant FEA Executive as the Branch executive pro-tem and the FEA Executive members will be counted as members of the relevant Branch for the purposes of quorum for a period not greater than 13 weeks to assist with the re-activation of the Branch. If re-activation is unsuccessful the Branch may be declared defunct by an affirmative vote of at least 22 members.

And:

That Rule 8.1.6 be amended to include the reference to 10.3A.

Rationale: The application of the current Rule is difficult, creates confusion and is open to abuse. The suggested changes aim to give re-activation of branches a priority in preference to closure, ensure that FEA Executive's role and obligations are set out and establish a clear and open way of determining their status.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C12 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended by deleting the words 'ten other members of the Party' as it appears in current Rule 18.3 and replacing them with the words 'at least fifty other members of the Party or at least a number of other members of the Party equal to 15% of the number of local branch members within the subject House of Representatives, Legislative Assembly, Legislative Council or Municipal constituency, whichever is the lesser.'

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C13 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY CAUFIELD BRANCH (dated 21/02/08)

Branch Resolution:

That the Rules be amended by deleting the words 'ten other members of the Party' as it appears in current Rule 18.3 and replacing them with the words 'at least fifty other members of the Party or at least a number of other members of the Party equal to 15% of the number of local branch members within the subject House of Representatives, Legislative Assembly, Legislative Council or Municipal constituency, whichever is the lesser, provided that the nomination form must be signed by not less than 10 other members.'

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C14 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

Amend Rule 18.3 as follows:

~~18.3 An applicant for selection shall submit a nomination form signed by himself/herself and any ten other members of the Party and a questionnaire in a form approved by the Administrative Committee.~~

18.3. a. An applicant for selection shall submit a nomination form signed by her/himself and at least fifty other members of the Party or at least a number of other members of the Party equal to 15% of the number of local branch members within the subject House of Representatives, Legislative Assembly or Municipal constituency, whichever is the lesser and a questionnaire in a form approved by the Administrative Committee.

18.3 b. An applicant for selection to the Legislative Council shall submit an application for selection that provides 10 POSC Delegate signatures, in addition to at least a number of local branch members of the Party equal to 10% or 150 signatures within the subject constituency, whichever is the lesser and a questionnaire in a form approved by the Administrative Committee.

18.3. (c) In the case of a sitting ALP member of Parliament seeking preselection for the same electorate as in the last ALP preselection round or a nomination for the Senate, Rule 18.3. (a) and (b) shall not apply. Such a member shall only be required to provide both their own signature in addition to that of ten other members of the party within their electorate nominating them for the position and a form approved by the Administrative Committee.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C15 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

Amend Rule 18.3 as follows:

18.3 (a) An applicant for selection shall submit a nomination form signed by himself/herself and any ten other members of the Party and a questionnaire in a form approved by the Administrative Committee.

18.3 b. An applicant for selection to the Legislative Council shall submit an application for selection that provides 10 POSC Delegate signatures, in addition to at least a number of local branch members of the Party equal to 10% or 150 signatures within the subject constituency, whichever is the lesser and a questionnaire in a form approved by the Administrative Committee.

18.3. (c) In the case of a sitting ALP member of Parliament seeking preselection for the same electorate as in the last ALP preselection round or a nomination for the Senate, Rule 18.3. (a) and (b) shall not apply. Such a member shall only be required to provide both their own signature in addition to that of ten other members of the party within their electorate nominating them for the position and a form approved by the Administrative Committee.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C16 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

Amend Rule 18.3 as follows:

~~18.3 An applicant for selection shall submit a nomination form signed by himself/herself and any ten other members of the Party and a questionnaire in a form approved by the Administrative Committee.~~

18.3. a. An applicant for selection shall submit a nomination form signed by her/himself and at least fifty other members of the Party or at least a number of other members of the Party equal to 15% of the number of local branch members within the subject House of Representatives, Legislative Assembly or Municipal constituency, whichever is the lesser and a questionnaire in a form approved by the Administrative Committee.

18.3 b. An applicant for selection to the Legislative Council shall submit a nomination for form that provides 15 POSC Delegate signatures and a questionnaire in a form approved by the Administrative Committee.

18.3. (c) In the case of a sitting ALP member of Parliament seeking preselection for the same electorate as in the last ALP preselection round or a nomination for the Senate, Rule 18.3. (a) and (b) shall not apply. Such a member shall only be required to provide both their own signature in addition to that of ten other members of the party within their electorate nominating them for the position and a form approved by the Administrative Committee.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C17 - VICTORIAN BRANCH RULE 18.3 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text as follows

Amend Rule 18.3 as follows:

18.3 (a) An applicant for selection shall submit a nomination form signed by himself/herself and any ten other members of the Party and a questionnaire in a form approved by the Administrative Committee.

18.3 b. An applicant for selection to the Legislative Council shall submit a nomination for form that provides 15 POSC Delegate signatures and a questionnaire in a form approved by the Administrative Committee.

18.3. (c) In the case of a sitting ALP member of Parliament seeking preselection for the same electorate as in the last ALP preselection round or a nomination for the Senate, Rule 18.3. (a) and (b) shall not apply. Such a member shall only be required to provide both their own signature in addition to that of ten other members of the party within their electorate nominating them for the position and a form approved by the Administrative Committee.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C18 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text as follows:

18.5 The selection of candidates for Public Offices shall be made by the following:

- a. For the House of Representatives, the Legislative Assembly, the Legislative Council and Municipal Electorates, members of the Public Office Selection Committee sitting and voting after a plebiscite of local voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast. Both the Leader and Deputy Leader of the ALP Parliamentary Party in each Chamber at either a State or Federal level shall also exercise one additional vote without weighting for preselections relevant to their jurisdiction. Proxies shall be appointed in accordance with rule 18.7.
- b. For the Senate, the Public Office Selection Committee.
- c. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal pre-selection panel which will serve for the two-year life of the Central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C19 - VICTORIAN BRANCH RULES 8.4A, 18.5 – NEW RULE MEMBER REPRESENTATIVE SELECTION COMMITTEE

PROPOSED BY HOTHAM WEST BRANCH (07/04/09)

Submission:

PURPOSE: To establish a Member Representative Selection Committee (MRSC) of 50 members elected by and from membership delegates to State Conference. Arguably it is anomalous that there is no weighted membership vote in determining Senate selections in same proportions to all other Party selections for public office. It is intended that the MRSC would constitute 50% of the total selection vote for Senate and Legislative Council selections with the POSC constituting the other 50% which would arguably address this anomaly. This approach could be trialed for the Senate and/or Legislative Council in the forthcoming pre-selections. This could be done by a sunset clause in the Rule which required the Rule to be reconsidered by State Conference after 2010.

That the Rules be amended by the adoption of the following amendments:

(1) Insert new Rule as follows:

8.4A Member Representative Selection Committee

8.4A.1 Member delegates to State Conference shall elect a Membership Representative Selection Committee of 50 members.

8.4A.2 Save for Rule 8.4A.5 this Committee shall be elected at the same time and in the same manner as the Public Office Selection Committee save that voting in its election shall be limited to member delegates to State Conference.

8.4A.3 The Chief Returning Officer or his/her nominee(s) shall be responsible for organising and conducting meetings of this Committee for all purposes under these Rules.

8.4A.4 If a member of the Member Representative Selection Committee is unable to be present at a meeting of this Committee they may nominate in writing to the Chief Returning Officer or his/her nominee a proxy member with all the rights of the elected member to attend the Committee meeting for which they will be absent. Such proxy member must be a financial member (excluding Central Branch members) of the Party.

8.4A.5 The Chief Returning Officer is empowered to organise and conduct the initial election for this Committee at the earliest opportunity after the June 2009 State Conference.

AND

(2a) Amend Rule 18.5 as follows:

Delete reference to the '*Legislative Council*' in Rule 18.5 a.

Delete existing Rule 18.5 b. and replace with the following:

b. For the Senate and the Legislative Council a vote of the Public Office Selection Committee and the Member Representative Selection Committee. The votes of the Membership Representative Selection Committee members will be weighted so that each of these votes is the equivalent of two votes for each vote by a member of the Public Office Selection Committee in the relevant selections.

OR

(2b) Amend Rule 18.5 as follows:

Delete reference to the '*Legislative Council*' in Rule 18.5 a.

Add new sub-clause 18.5 c as follows and renumber existing sub-clause c. to sub-clause d.

c. For the Legislative Council a vote of the Public Office Selection Committee and the Member Representative Selection Committee. The votes of the Membership Representative Selection Committee members will be weighted so that each of these votes is the equivalent of two votes for each vote by a member of the Public Office Selection Committee in the relevant selections.

OR

For consideration of State Conference – Mandatory review of these Rules after two years:

'That the Rules be amended as follows and that these amendments apply up to and including all selections for public office for all Federal and State elections until they are reconsidered/reviewed at the first State Conference in 2011 :

(1) Insert new Rule as follows:

8.4A Member Representative Selection Committee

8.4A.1 Member delegates to State Conference shall elect a Membership Representative Selection Committee of 50 members.

8.4A.2 Save for Rule 8.4A.5 this Committee shall be elected at the same time and in the same manner as the Public Office Selection Committee save that voting in its election shall be limited to member delegates to State Conference.

8.4A.3 The Chief Returning Officer or his/her nominee(s) shall be responsible for organising and conducting meetings of this Committee for all purposes under these Rules.

8.4A.4 If a member of the Member Representative Selection Committee is unable to be present at a meeting of this Committee they may nominate in writing to the Chief Returning Officer or his/her nominee a proxy member with all the rights of the elected member to attend the Committee meeting for which they will be absent. Such proxy member must be a financial member (excluding Central Branch members) of the Party.

8.4A.5 The Chief Returning Officer is empowered to organise and conduct the initial election for this Committee at the earliest opportunity after the June 2009 State Conference.

AND

(2a) Amend Rule 18.5 as follows:

Delete reference to the '*Legislative Council*' in Rule 18.5 a.

Delete existing Rule 18.5 b. and replace with the following:

b. For the Senate and the Legislative Council a vote of the Public Office Selection Committee and the Member Representative Selection Committee. The votes of the Membership Representative Selection Committee members will be weighted so that each of these votes is the equivalent of two votes for each vote by a member of the Public Office Selection Committee in the relevant selections.

OR

(2b) Amend Rule 18.5 as follows:

Delete reference to the '*Legislative Council*' in Rule 18.5 a.

Add new sub-clause 18.5 c as follows and renumber existing sub-clause c. to sub-clause d.

c. For the Legislative Council a vote of the Public Office Selection Committee and the Member Representative Selection Committee. The votes of the Membership Representative Selection Committee members will be weighted so that each of these votes is the equivalent of two votes for each vote by a member of the Public Office Selection Committee in the relevant selections.

Rationale: The current pre-selection Rules were designed prior to the Victorian Constitutional changes that have established the new Legislative Council. Our Rules were not designed to deal with the very large Legislative Council provinces and their multi member configuration. The last round of Legislative Council pre-selections were done under the plenary powers of the National Executive because Victorian ALP had not updated its Rules. The proposals above are submitted for debate amongst other submissions by the June Rules Conference.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C20 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That the Rules be amended to include the underlined text and delete the struckthrough text as follows

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

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

b. For the Senate, the Public Office Selection Committee.

c. For the Legislative Council, members of the Public Office Selection Committee sitting and voting after a plebiscite of local FEA State Conference Delegates who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d) and (e).

d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.

e. In a Legislative Council Region with a small number of FEA Delegates, the value of an FEA State Conference Delegate vote shall not exceed the value of 2 Public Office Selection Committee votes.

~~(e)~~ f. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C21 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows:

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

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

b. For the Senate, the Public Office Selection Committee.

c. For the Legislative Council, members of the Public Office Selection Committee sitting and voting after a plebiscite of local FEA State Conference Delegates who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d) and (e).

d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.

e. In a Legislative Council Region with a small number of FEA Delegates, the value of an FEA State Conference Delegate vote shall not exceed the value of 3 Public Office Selection Committee votes.

~~(e)~~ f. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C22 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows

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

- a. For the House of Representatives, the Legislative Assembly, ~~the Legislative Council~~ and Municipal Electorates, members of the Public Office Selection Committee sitting and voting after a plebiscite of local voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast.
- b. For the Senate, the Public Office Selection Committee.
- c. For the Legislative Council, members of the Public Office Selection Committee sitting and voting after a plebiscite of local FEA State Conference Delegates who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d)
- d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.
- ~~(c)~~ e. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C23 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows

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

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

b. For the Senate, the Public Office Selection Committee.

c. For the Legislative Council, the POSC and any local FEA State Conference Delegate voters present who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d), (e) and (f).

d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.

e. In a Legislative Council Region with a small number of FEA Delegates, the value of an FEA State Conference Delegate vote shall not exceed the value of 2 Public Office Selection Committee votes.

f. In the event of any local FEA State Conference Delegate being unable to attend, he/she shall notify in writing the POSC President of the name of any ALP member within the FEA that they reside that he/she appoints as proxy for all or any particular pre-selection ballot that he/she would otherwise be eligible to attend, provided such proxy is a current member of the Party.

~~(c)~~ g. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C24 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That this State Conference resolves, in accordance with rule 6.2.1 and in supporting a Legislative Council preselection process requiring a local vote component consisting of FEA State Conference delegates but acknowledging that no election of such delegates can taken place prior to 2010, that that the Victorian ALP Administrative Committee with an affirmative vote of 22 be empowered to determine the ALP endorsed candidates for the 2010 Legislative Council and that the following rules are to apply thereafter:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows

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

- a. For the House of Representatives, the Legislative Assembly, ~~the Legislative Council~~ and Municipal Electorates, members of the Public Office Selection Committee sitting and voting after a plebiscite of local voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast.
- b. For the Senate, the Public Office Selection Committee.
- c. For the Legislative Council, members of the Public Office Selection Committee sitting and voting after a plebiscite of local FEA State Conference Delegates who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d) and (e).
- d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.
- e. In a Legislative Council Region with a small number of FEA Delegates, the value of an FEA State Conference Delegate vote shall not exceed the value of 2 Public Office Selection Committee votes.
- f. Both the Leader and Deputy Leader of the ALP Parliamentary party in each Chamber at either a State or Federal level shall also exercise one additional vote without weighting for preselections relevant to their jurisdiction. Proxies shall be appointed in accordance with rule 18.7.
- ~~(e)~~ g. At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C25 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That this State Conference resolves, in accordance with rule 6.2.1 and in supporting a Legislative Council preselection process requiring a local vote component consisting of FEA State Conference delegates but acknowledging that no election of such delegates can taken place prior to 2010, that that the Victorian ALP Administrative Committee with an affirmative vote of 22 be empowered to determine the ALP endorsed candidates for the 2010 Legislative Council and that the following rules are to apply thereafter:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows

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

- a. For the House of Representatives, the Legislative Assembly, ~~the Legislative Council~~ and Municipal Electorates, members of the Public Office Selection Committee sitting and voting after a plebiscite of local voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast.
- b. For the Senate, the Public Office Selection Committee.
- c. For the Legislative Council, the POSC and any local FEA State Conference Delegate voters present who reside within the relevant Legislative Council Province with a weighting of 1/100 of the total vote of the valid local delegate votes cast subject to rule 18.5 (d), (e) and (f).
- d. For the Legislative Council, the eligibility of the relevant FEA delegate vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.
- e. In a Legislative Council Province with a small number of FEA Delegates, the value of an FEA State Conference Delegate vote shall not exceed the value of 2 Public Office Selection Committee votes.
- f. In the event of any local FEA State Conference Delegate being unable to attend, he/she shall notify in writing the POSC President of the name of any ALP member within the FEA that they reside that he/she appoints as proxy for all or any particular pre-selection ballot that he/she would otherwise be eligible to attend, provided such proxy is a current member of the Party.
- g. Both the Leader and Deputy Leader of the ALP Parliamentary party in each Chamber at either a State or Federal level shall also exercise one additional vote without weighting for preselections relevant to their jurisdiction. Proxies shall be appointed in accordance with rule 18.7.
- ~~(e)~~ (h). At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C26 - VICTORIAN BRANCH RULE 18.5 – SELECTIONS FOR PUBLIC OFFICE

PROPOSED BY TRANSPORT WORKERS UNION (09/04/09)

Submission:

That Rule 18.5 be amended to include the underlined text and delete the struckthrough text as follows

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

- a. For the House of Representatives, the Legislative Assembly, ~~the Legislative Council~~ and Municipal Electorates, members of the Public Office Selection Committee sitting and voting after a plebiscite of local voters residing in the electoral area concerned with a weighting of 1/100 of the total vote of the valid local votes cast.
- b. For the Senate, the Public Office Selection Committee.
- c. For the Legislative Council, members of the Public Office Selection Committee sitting and voting after a plebiscite of the combined individual panels of 20 local branch members elected in accordance with schedule D from each Legislative Assembly District of the relevant Legislative Council region or province with a weighting of 1/100 of the total vote of the valid local votes cast.
- d. For the Legislative Council, the eligibility of the relevant FEA panel members vote shall be finalised at the time of the closing of nominations for the relevant Legislative Council position.
- e. In the event of any Legislative Council panel member elected in accordance with (c) being unable to attend the relevant plebiscite, he/she shall notify in writing the POSC President of the name of any ALP member within their State assembly district that they reside that he/she appoints as proxy for all or any particular pre-selection ballot that he/she would otherwise be eligible to attend, provided such proxy is a current member of the Party.
- f. Both the Leader and Deputy Leader of the ALP Parliamentary party in each Chamber at either a State or Federal level shall also exercise one additional vote without weighting for preselections relevant to their jurisdiction. Proxies shall be appointed in accordance with rule 18.7.
- ~~(e)~~ (g). At the commencement of its life, the Public Office Selection Committee will elect a ten member municipal preselection panel which will serve for the two-year life of the central panel.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

C27 - VICTORIAN BRANCH RULE 20.8.5 – DISPUTES TRIBUNAL

PROPOSED BY KYNETON BRANCH (dated 19/02/08)

Branch Resolution: That the following changes be made to the Rules of the Victorian Branch:

That the Rules be amended by the adding at the end of rule 20.8.5 the sentences:

“That where a respondent has not given a response to the complaint within the required 14 days the Disputes Tribunal may, if requested by the respondent, grant an extension of a maximum 14 further days. If the response is not supplied within the time required by this rule then the Tribunal must decide the dispute on the basis of the rules and the material provided by the complainant alone.”

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

**Australian Labor Party
Victorian Branch**

**State Conference
May 2011**

Rules Revision Committee Report

Part D

Submissions

**Proposed amendments to the Rules of the Victorian Branch
Not Submitted to Rules Revision Committee.**

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D1 - VICTORIAN BRANCH RULE 5.6e(i) – MULTIPLE RECRUITMENT

PROPOSED BY THE AWU (dated 24/03/11)

Submission:

That Rule 5.6e(i) be amended by including the underlined text as follows.

Multiple Recruitment Requirements and Notifications

- e. (i) A Branch must not recommend admission of more than 13 new or transferred members at a single meeting.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

D2 - VICTORIAN BRANCH RULE 5.11 – BRANCH TO BRANCH TRANSFERS

PROPOSED BY THE AWU (dated 24/03/11)

Submission:

That the Rules be amended to include the underlined text as follows

5.11 Branch to Branch Transfer

- a. A member may transfer to another Branch within their existing FEA by completing a membership transfer form (Schedule E2).
- b. Transfers within an existing FEA take effect 6 weeks from receipt by State Office.
- c. Transfers within an existing FEA notified to State Office less than 6 weeks prior to Branch elections will not be eligible to stand and vote in that Branch election.
- d. The membership transfer form must be signed by the Branch Secretary of the Branch which the applicant is transferring into.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

D3 - VICTORIAN BRANCH RULE 5.11 – BRANCH TO BRANCH TRANSFERS

PROPOSED BY THE AWU (dated 24/03/11)

Submission:

That the Rules be amended to include the underlined text as follows

5.11 Branch to Branch Transfer

- a. A member may transfer to another Branch within their existing FEA by completing a membership transfer form (Schedule E2).
- b. Transfers within an existing FEA take effect 6 weeks from receipt by State Office.
- c. Transfers within an existing FEA notified to State Office less than 6 weeks prior to Branch elections will not be eligible to stand and vote in that Branch election.
- d. Where there are 7 or more transfers into a single branch within a month, approval must be granted by the Administrative Committee.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

D4 - VICTORIAN BRANCH RULE 8.1.2 – POWERS AND DUTIES OF THE ADMINISTRATIVE COMMITTEE

PROPOSED BY THE AWU (dated 24/03/11)

Submission:

That the Rules be amended to include the underlined text as follows

8.1.2 The powers and duties of the Administrative Committee shall be:

gg. To instruct branches to meet at a certain time and/or location if the current conduct of that branch restricts or deters members from engagement.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.

D5 - VICTORIAN BRANCH RULE 6.3.1 & 7.1 – OFFICERS OF THE PARTY

PROPOSED BY KYNETON BRANCH (23/03/11)

Submission:

That the Rules be amended to include the underlined text as follows

- 6.3.1 State Conference shall consist of:
- a. Delegates elected by and from members of each Federal Electorate Assembly (membership delegates).
 - b. Delegates appointed by affiliated unions (union delegates).
 - c. The Leader and Deputy Leader of the Labor Party in the two Houses of the Victorian Parliament.
 - d. Two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party.
 - e. Three Officers of the Party elected by members of the Party across Victoria

7.1 Officers of the Party

- 7.1.1 The Officers of the Party will be elected by a postal ballot of all members of the Party eligible to vote under 9.3.3a conducted by the Chief Returning Officer in conjunction with the elections of each odd numbered year of FEA Executives and State Conference Delegates.
- 7.1.2 Nominations for the Party Officer Positions will open and close on the same days as nominations for FEA positions open and close.
- 7.1.3 The Officers of the Party will be voting members of State Conference and of the Administrative Committee.
- 7.1.4 No person shall serve as an Officer for more than two successive terms

- 7.1.5 Subject to Rule 9.4.6 the Officer who is first elected under clause 7.1.4 above shall be declared President of the Party. The Officer who is next elected shall be Senior Vice-President and the Officer who is third elected shall be Junior Vice-President.
- 7.1.6 The President shall preside over all meetings of State Conference and the Administrative Committee. In his/her absence the Senior-Vice-President shall preside and in the absence of both the President and the Senior Vice-President, the Junior Vice-President shall preside.
- 7.1.7 Subject to the direction of State Conference, the President shall be sole spokesperson for the Party in matters relating to decisions of Conference and the Administrative Committee.
- 7.1.8 It shall be the responsibility of the Officers to resolve disputes within the Party which do not involve charges before the Disputes Tribunal.
- 7.1.9 The campaigning restrictions that apply to candidates for the National Officers positions will apply to the election of the Victorian Party Officers.

That all items prefaced currently with 7.1 be changed to 7.2 prefaces and that “the Party Officers” be deleted from the first point of this General section.

That all of the current 7.2 Officers section be deleted as it has been replaced by the new 7.1 section.

The Rules Revision Committee recommendation:

The Rules Revision Committee makes no recommendation on this proposal.