



**Australian Labor Party
Northern Territory Branch
Constitution and Rules**

(As at May 2023)

TABLE OF CONTENTS

1. GENERAL	5
1.1. Name	5
1.2. Objectives and Principles	5
1.3. Application of National Principles of Organisation	8
1.4. Definition of Area	8
1.5. Platform and Policy	8
1.6. NT Labor Advisory Council	9
1.7. NT Indigenous Labor Network	9
1.8. Regional Consultative Forums	10
1.9. Composition	10
1.10. Structure	10
1.11. Elections	11
1.12. Affirmative Action	12
1.13. Public Office Pres-elections	13
2. MEMBERSHIP	15
2.1. Eligibility	15
2.2. Procedure of Application for Membership	16
2.3. Transfer from an interstate branch	16
2.4. Refusal of membership	17
2.5. Allocation to Sub-branches	17
2.6. Re-allocation to Sub-Branches	18
2.7. Commencement of Membership	19
2.8. Members' Rights	19
2.9. Members Obligations	20
2.10. Member who campaigns against an endorsed candidate	20
2.11. Life Membership	21
2.12. Membership Records	21
2.13. Financial Membership	22
2.14. Resignation	22
2.15. Affiliates	22
2.16. NT ALP Associations	23
2.17. Fees – Individual Members	25
2.18. Fees – Affiliates	26
2.19. Sustentation Fees – Sub Branches	27
2.20. Membership Recruitment	28
2.21. Revocation of Membership	28
2.22. Code of Conduct	29
3. TERRITORY CONFERENCE	30
3.1. Meetings of Conference	30
3.2. Composition	30
3.3. Union Representation	30
3.4. Sub-branch Representation	31
3.5. Political Representation	31
3.6. Qualification of Delegates	31
3.7. Agenda	32
3.8. Credentials	32
3.9. Decisions of Conference	33
3.10. Quorum	33
3.11. Elections by Conference	33
3.12. Special Territory Conference	34

3.13.	Proxy Voting	34
3.14.	Travel Pool	34
4.	ADMINISTRATIVE COMMITTEE	36
4.1.	Functions, Duties and Powers	37
4.2.	Reporting Requirements	37
4.3.	Composition	38
4.4.	Casual Vacancies	39
4.5.	Meetings	39
4.6.	Executive	40
4.6.1.	Functions, Duties and Powers	40
4.6.2.	Composition	40
4.6.3.	Meetings	40
4.6.4.	Relationship to Administrative Committee	41
4.7.	Appeals	41
4.8.	Territory Branch Secretary	41
5.	COMMITTEES	43
5.1.	Rules Committee	43
5.2.	Internal Appeals Tribunal	43
5.3.	Platform Committees	45
5.4.	Standing Committees	45
5.5.	Electoral College	45
6.	SUB-BRANCHES	47
6.1.	Establishment	47
6.2.	Formation of new Sub-branches	47
6.3.	Amalgamation of Sub-branches	47
6.4.	Boundaries	48
6.5.	Duties of Sub-branches	48
6.6.	Sub-branch Meetings and Activities	49
6.7.	Special Meetings	49
6.8.	Sub-branch Finances	50
6.9.	Sub-branch Officers	50
6.10.	Sub-branch Ballots	50
6.11.	Appeals	52
7.	PARLIAMENTARY MEMBERS	53
7.1.	Selection of Candidates	53
7.2.	Election of Leader of the Territory Parliamentary Labor Party	54
7.3.	Levies	55
8.	HAROLD NELSON HOLDINGS	56
9.	ACCOUNTABILITY	57
10.	MISCELLANEOUS	58
10.1.	Changes to these rules	58
10.2.	Financial Year	58
10.3.	Validity of Previous Rules	58
10.4.	Validity of Elections	58
10.5.	Standing Orders	58
10.6.	Office	58
10.7.	Public Officer	58
10.8.	Non-Profit	59
10.9.	Winding Up	59
	SCHEDULE A – STANDING ORDERS	60
	SCHEDULE B – MECHANISM FOR COUNTING VOTES	74
1.	The Quota	74
2.	Surpluses Arising From Counting On First Preferences	74

3. Optional Deferment of Transfer Of Surplus	75
4. Surplus Arising From Transfer	75
5. Exclusion	76
6. Surpluses Arising From Exclusion	77
7. Completion of Counting	77
SCHEDULE C – PRESELECTIONS	78
1. Roll and Returning Officer	78
2. Eligibility for Office	78
2A. Eligibility to Vote	78
2B Powers of Administrative Committee	78
2C Postal Ballots	79
2D Ballot by Means Other Than Postal Vote	80
3. Preselection For Assembly Seats	80
4. Preselection For House of Representative and Senate Seats	80
5. Pledge	81
SCHEDULE D – REGIONAL REPRESENTATION ON ADMINISTRATIVE COMMITTEE	82
SCHEDULE E – ACTIVE SUB-BRANCH CHARTER	83
1. Preamble	83
2. Charter	83
SCHEDULE F	86
SCHEDULE G	87
SCHEDULE H	91
SCHEDULE I – TERRITORY LABOR CODE OF CONDUCT	92
SCHEDULE J – TERRITORY LABOR POLICY FOR SEXUAL HARRASMENT PREVENTION AND RESPONSE	97
SCHEDULE K – TERRITORY LABOR COMPLAINTS AND HANDLING POLICY	101
ATTACHMENT A – COMPLAINTS HANDLING PROCESS	116
SCHEDULE L – TERRITORY LABOR POLICY ON BULLYING AND HARRASSMENT PREVENTION AND RESPONSE	119

1. GENERAL

1.1 Name

The name of the organisation is "The Australian Labor Party Northern Territory Branch" ("the Territory Branch").

1.2 Objectives and Principles

Origins

The Australian Labor Party has had its origins in:

- (i) the aspirations of the Australian people for a decent, secure, dignified and constructive way of life;
- (ii) the recognition by the trade union movement of the necessity for a political voice to take forward the struggle of the working class against the excesses, injustices and inequalities of capitalism; and
- (iii) the commitment by the Australian people to the creation of an independent, free and enlightened Australia.

Objectives

- (i) The Australian Labor Party is a democratic socialist party and has the objective of the democratic socialisation of industry, production, distribution and exchange, to the extent necessary to eliminate exploitation and other anti-social features in these fields.
- (ii) To achieve the political and social values of equality, democracy, liberty and social co-operation inherent in this objective, the Australian Labor Party stands for:
- (iii) redistribution of political and economic power so that all members of society have the opportunity to participate in the shaping and control of the institutions and relationships which determine their lives;
- (iv) establishment and development of public enterprises, based upon Federal, State and other forms of social ownership, in appropriate sectors of the economy;
- (v) democratic control and strategic social ownership of Australian natural resources for the benefit of all Australians;

- (vi) maintenance of and support for a competitive non- monopolistic private sector, including small business and farming, controlled and owned by Australians, operating within clear social guidelines and objectives;
- (vii) the right to own private property;
- (viii) recognition and encouragement of the right of labour to organise for the protection and advancement of its interests;
- (ix) the application of democracy in industry to increase the opportunities for people to work in satisfying, healthy and humane conditions, and to participate in and to increase their control over the decision-making processes affecting them;
- (x) the promotion of socially appropriate technology and the monitoring of its introduction to ensure that the needs and
- (xi) interests of labour, as well as the requirements of competitive industry and consumer demand, are taken into consideration;
- (xii) the restoration and maintenance of full employment;
- (xiii) the abolition of poverty and the achievement of greater equality in the distribution of income, wealth and opportunity;
- (xiv) social justice and equality for individuals, the family and all social units and the elimination of exploitation in the home;
- (xv) equal access and rights to employment, education, information, technology, housing, health and welfare services, cultural and leisure activities and the law;
- (xvi) reform of the Australian Constitution and other political institutions to ensure they reflect the will of the majority of Australian citizens and the existence of Australia as an independent republic;
- (xvii) recognition and protection of fundamental political and civil rights, including freedom of expression, the press, assembly, association, conscience and religion; the right to privacy; the protection of the individual from oppression by the state; and democratic reform of the Australian legal system;
- (xviii) the development of a democratic communications system, as an integral part of a free society, to which all citizens have opportunities for free access;
- (xix) elimination of discrimination and exploitation on the grounds of class, race, sex, sexuality, religion, political affiliation, national origin, citizenship, age, disability, regional location or economic or household status;

- (xx) recognition of the prior ownership of Australian land by Aborigines and Islanders; recognition of their special and essential relationship with the land as the basis of their culture and a commitment to the return of established traditional lands to the ownership of Aboriginal and Islander communities;
- (xxi) recognition and encouragement of diversity of cultural expression and lifestyle within the Australian community.
- (xxii) the use, conservation and enhancement of Australia's natural resources and environment so that the community's total quality of life, both now and in the future, is maintained and improved;
- (xxiii) recognition of the need to work towards achieving ecologically sustainable development;
- (xxiv) maintenance of world peace; an independent Australian position in world affairs; the recognition of the right of all nations to self-determination and independence; regional and international agreement for arms control and disarmament; the provision of economic and social aid to developing nations; a commitment to resolve international conflicts through the UN; and a recognition of the inalienable right of all people to liberty, equality, democracy and social justice;
- (xxv) commitment to and participation in the international democratic socialist movement as represented by the Socialist International; and
- (xxvi) recognition of the right of citizens to work for progressive changes consistent with the broad principles of democratic socialism.
- (xxvii) The Territory Branch has the following additional objects:
- (xxviii) to strengthen and consolidate the Australian Labor Party's organisation throughout the Northern Territory;
- (xxix) to actively seek membership from all sectors of the community and the affiliation of industrial unions in the Northern Territory;
- (xxx) to promote through Parliamentary and other means the objects and policies of the Australian Labor Party contained in its National and Northern Territory Platforms; and
- (xxxi) to ensure strong representation of women and Aboriginal people in the Territory Branch through affirmative action.

Principles of Action

- (i) The Australian Labor Party believes the task of building democratic socialism is a cooperative process that requires:
- (ii) constitutional action through the federal and state parliaments; municipal and other statutory authorities;
- (iii) union action; and
- (iv) ongoing action by organised community groups.

1.3 Application of National Principles of Organisation

Notwithstanding anything to the contrary in these Rules the National Principles of Organisation and Rules of the Australian Labor Party apply to these Rules.

1.4 Definition of Area

In these Rules "Northern Territory" means the Federal Senate electorate of the Northern Territory.

1.5 Platform and Policy

- (i) The Platform, as amended from time to time, shall be the Platform of the Territory Branch. Conference may determine the method by which the Platform is to be decided and amended.
- (ii) Party Policy: Subject to the Platform, decisions of Conference and decisions of the Administrative Committee authorised under these Rules, Territory Legislative Assembly Caucus is responsible for the development and co-ordination of Party policy.
- (iii) Platform Committee: Conference shall elect an NT Platform Committee consisting of a Chair, Deputy Chair and ten other members, all of whom have considerable experience in policy development;
- (iv) The Committee will be responsible for coordinating development of the Party Platform, conducting ongoing reviews of the Platform, preparing the draft platform for NT Branch Conference, and conducting regular forums in which rank and file participation is encouraged;
- (v) The Committee has the power to co-opt non voting members with particular expertise

when examining specific policy areas,

- (vi) The Committee will report to the Administrative Committee at least once a year and report to each NT Branch Conference;
- (vii) The Secretary will be responsible for the administration of the Platform Committee.

1.6 NT Labor Advisory Council

- (i) The Administrative Committee shall establish an NT Labor Advisory Council consisting of 4 senior members of the Territory frontbench, including the Leader of the Parliamentary Labor Party, 4 representatives of UnionsNT, the Secretary and the President of the NT ALP;
- (ii) The role of the NT LAC will be to provide a formal consultative mechanism between the party and the union movement;
- (iii) The NT Platform Committee must consult with the NT LAC in relation to policy relevant to the NT LACs role and resolutions of the NTLAC relevant to Party Platform must be considered by the NT Platform Committee;
- (iv) NT LAC shall meet at least three times a year and will be resourced by the NT Branch Secretary

1.7 NT Indigenous Labor Network

1.7.1 The Administrative Committee shall establish an NT Indigenous Labor Network;

1.7.2 Membership will be open to all indigenous people who are financial members of the NT ALP;

1.7.3 Non indigenous ALP members can nominate to be associate members;

1.7.4 The role of the Indigenous Labor Network is to encourage indigenous people to join and participate in the Australian Labor Party and assist in the development of policy and ensure indigenous people participate in policy;

1.7.5 The indigenous Labor Network shall provide two delegates to Conference on the same basis as Young Labor and Labor Women.

1.7.5.1 NT ILN shall meet at least three times a year and will be resourced by the NT Branch Secretary.

1.8 Regional Consultative Forums

- (i) Caucus or Caucus Member(s) shall convene a Regional Consultative Forum in each region every three (3) months, for the purpose of obtaining regional views on strategy and policy.
- (ii) Caucus or Caucus Member(s), together with the Regional Representative of the Administrative Committee for the area in which the Forum is to be held and nominees from the local Sub-branches, Affiliates, Labor Women and Young Labor where appropriate in the region, are to organise the Forum.
- (iii) Caucus shall inform the Administrative Committee in advance of the venue, date and time of a Forum.
- (iv) Reporting about Regional Consultative Forums
- (v) Caucus is to report to the Administrative Committee every three (3) months on the activities of the Regional Consultative Forums.
- (vi) The President is to report to Sub-branch members and affiliates every three (3) months about Regional Consultative Forum and their activities.

1.9 Composition

The Territory Branch comprises Sub-branches, individual members, affiliated unions and other bodies.

1.10 Structure

The Territory Branch has the following constituent units:

- (i) The Annual Northern Territory Conference, or "Conference";
- (ii) Administrative Committee;
- (iii) Executive;
- (iv) Sub-branches;
- (v) Affiliated Unions;
- (vi) Members of the Northern Territory Parliamentary Labor Party; and
- (vii) Northern Territory Members of the Federal Parliamentary Labor Party;
- (viii) Northern Territory Labor Women;
- (ix) Australian Young Labor (Territory Branch);

- (x) The Indigenous Labor Network; and
- (xi) NT ALP Associations .

1.11 Elections

- (i) All elections within the Territory Branch must be conducted by the voting system set out in Schedule B to these Rules.
- (ii) Conference elections for Administrative Committee
- (iii) The ballot conducted for the election of Administrative Committee members shall follow the procedure below;
- (iv) Except in the event that rule 1.8 (c) applies, The Secretary shall be elected by separate ballot, then
- (v) The Returning Officer shall apply the Affirmative action requirements established by Rules 1.9(a) and 1.9(d)(i) to the whole of the Administrative Committee, including members who are elected by plebiscite and nominated by caucus and unions. To achieve this the Returning Officer shall calculate the requisite numbers of women and Aboriginal people to satisfy
- (vi) these requirements prior to conducting the conference ballot for Administrative Committee members.
- (vii) The Returning Officer shall announce the results of the four (4) positions elected by plebiscite (President, Northern Rep,
- (viii) Southern Rep and Alice), then
- (ix) The Returning Officer shall announce the seven (7) positions nominated by the caucus and unions (Leader of the NTPLP, NTPLP Rep, FPLP Rep, 2 Union Reps, Young Labor Rep and Labor Women Rep), then
- (x) The Returning Officer shall conduct the ballot of the six(6) general positions and the six (6) members selected as per Schedule B are announced as elected, provided
- (xi) If Affirmative Action is not achieved as set out in section 1.9 the Returning Officer shall eliminate the lowest elected candidate who affects Affirmative Action negatively and is replaced with the highest non-elected candidate who positively affects Affirmative Action.
- (xii) At least 28 days must elapse between the sending out of nomination forms for an election by plebiscite and the last day for close of nominations.

- (xiii) Position of Secretary - If the Secretary of the Territory Branch is employed by the Territory Branch, no election for Secretary shall be conducted by Conference.
- (xiv) National Conference Delegates Will be elected in the following manner
- (xv) The base component of delegates shall be determined by separate ballots in each NT Federal Division, each electing a single delegate by and from financial members residing in each electorate in accordance with these rules.
- (xvi) The supplementary component will be elected directly by Conference, as outlined in clause 3.11(a)(ii), unless the Conference is held more than twelve months prior to a National Conference.
- (xvii) In the event that a Territory Conference does not occur more than twelve months prior to a National Conference, or does not directly elect the supplementary component as per clause 1.8(d)(ii) the supplementary component will be included in the plebiscite undertaken under clause 1.8(d)(i).

1.12 Affirmative Action

The ALP is committed to men and women in the Party working in equal partnership. It is our objective to have 50% women at all levels in the Party organisation, and in public office positions the Party holds. To achieve this, the Party adopts the affirmative action model in this clause:

Minimum percentage

- (i) In this clause, “minimum percentage” means 40%. From 2022 it means 45%; and from 2025 it means 50%.
- (ii) Party positions
- (iii) For all Party and office bearer positions (other than public office pre selections and party employees), appointed or elected on a statewide or national basis, where 3 or more positions are to be elected or appointed, at least the minimum percentage of the positions must be filled by women.
- (iv) Union delegations
- (v) For all union delegations to Party conferences and forums, at least the minimum percentage of the delegates must be women, unless the proportion of women who are members of the union is less than the minimum percentage, in which case the number of delegates who are women must be at least equal to that proportion.

1.13 Public Office Pre Selections

- a) For all public office pre selections, at least the minimum percentage of the candidates preselected for each of the following groups of seats must be women:
- b) the seats currently held by the ALP,
- c) the seats that would be won by the ALP with a 5% increase in its two party preferred vote since the last election (“winnable seats”), and all other seats to be preselected.
- d) For the purposes of paragraph (d), the relevant seats shall be considered in each of the following separate groups:
 - e) The seats currently held by the ALP. (The held seats in the Federal Parliament only - both lower house and upper house must be grouped together). This must be implemented over three preselection cycles.
 - f) The “winnable” seats not held by the ALP as defined by those that received a two party preferred vote between 45% and 49.99% at the last election. (The seats in the Federal Parliament lower house and upper house must be grouped together). The Administrative Committee must declare the winnable seats for each preselection before nominations for preselection open.
 - g) All other seats to be preselected. (The seats in the Federal Parliament lower house and upper house must be grouped together.)
 - h) For casual vacancies in the Senate and the House of Representatives, if less than the minimum percentage of the remaining positions are held by women, the vacancy must be filled by a woman.
 - i) If at the close of nominations for a preselection for a group of seats or positions the requirements of paragraphs (d) and (e) cannot not be met, nominations for that group of seats or positions must be reopened.
 - j) If after a ballot for a preselection for a group of seats or positions the requirements of paragraphs (d) and (e) are not met, nominations for that group of seats or positions must be reopened and a fresh ballot (if necessary) conducted.
 - k) In calculating the minimum percentage for the purposes of this clause, a fraction of more than one-half must be rounded up to the next whole number, and a fraction of one-half or less must be rounded down to the next whole number.
 - l) Each state branch is encouraged to implement these clauses in their rules, and following

such action, submit to the National Executive for approval immediately after the next state conference of the state branch following the 2015 National Conference.

- m) Each state branch must no later than 1 November each year provide a report to its Administrative Committee and to the National Executive on the progress of implementation of this clause.
- n) Without limiting clause 16(f), the National Executive must enforce this clause, and may intervene in any state branch and conduct any preselection in order to ensure that this clause is complied with.

2 MEMBERSHIP

2.1 Eligibility

- a) Subject to these Rules, membership of the Party is open to all residents of the Northern Territory who are aged 15 years or older who are prepared to accept the Platform and the Rules and those of the Australian Labor Party Northern Territory Branch;
- b) A person who is a member of, or has association with, another political party, or an auxiliary, or a proscribed organisation, or who within two years prior to making an application for membership of the Party, has had an association with another political party, or an auxiliary, or proscribed organisation, is not eligible to be a member of the Party. This Rule may be waived by a resolution of the Administrative Committee carried by at least two thirds of those present, if it is in the best interests of the Party to do so;
- c) Subject to Rule 2.1(d) a person who is eligible to be a member of one or more unions must be a member of at least one such union in order to be eligible to be a member of the Party;
- d) A failure to comply with Rule 2.1(c) will not render a person ineligible to be a member of the Party, or vitiate the membership rights of that person, unless:
 - e) The person is given written notice by the Territory Branch Secretary of his or her failure to comply with Rule 2.1(c); and
 - f) The Person fails, within 14 days of receipt of such notice, to take reasonable steps to become a member of an appropriate union.
- g) No employer shall be eligible to become, or permitted or remain, a member of the Territory Branch unless his or her employees are encouraged to become members of a relevant union affiliated to the ACTU and he or she observes award conditions.
- h) A person who, whilst a Labor Member of Parliament, votes contrary to a decision of a duly constituted meeting of the Parliamentary Labor Party, is not eligible to remain a member of the Party or after ceasing to be a member for any reason to again be a member of the Party is liable to be expelled from the Party provided that the caucus decision is not contrary to any National or State Conference Decision. Any person expelled under this Rule may only be readmitted to the ALP by a resolution of Conference.

2.2 Procedure for Application for Membership

- a) An applicant shall make application for membership by:
- b) Signing a completed application for membership of the Party in the form of application as determined by the Administrative Committee from time-to-time;
- c) Paying the membership fee as set out in Rule 2.16;
- d) Providing the signed membership application form and membership fee to the Territory Branch Secretary in person, by post, by facsimile, or by such other means as the Territory Branch Executive deems appropriate.
- e) Or by completing an application form online and paying their membership fees by electronic funds transfer from their own account or credit card.
- f) Upon application for membership being made in accordance with Rule 2.2(a), the Territory Branch Secretary shall refer the application to the next meeting of the Territory Branch Executive which shall by resolution decide whether the applicant shall be admitted to membership.
- g) The Territory Branch Secretary shall, within 30 days notify the applicant in writing of the decision of the Territory Branch Executive, and, if the applicant is admitted to membership, advise the applicant of the Sub-branch to which he or she has been assigned.
- h) The Territory Branch Secretary shall, within 30 days of the decision to admit the applicant to membership, forward a copy of the application form (excluding any credit card details) to the Secretary of the Sub-branch which has responsibility for the electorate in which the applicant lives.

2.3 Transfer from an Interstate Branch

A member may transfer from an interstate Branch upon written application to the Territory Branch Secretary, and upon receipt of such application the Territory Branch Secretary shall enter the name of the member in the roll of members, provisionally. Upon receipt by the Territory Branch Secretary of a clearance from the interstate Branch and a completed membership application form, the member's provisional membership shall cease and full membership apply, and the roll of members shall be altered accordingly.

2.4 Refusal of Membership

- 2.4.1** A person who has been refused membership by the Territory Branch Executive has the right of appeal to the full Administrative Committee. The appeal must be in writing and must be delivered to the Territory Branch Secretary within 30 days of the decision to refuse membership.
- 2.4.2** Subject only to appeal to Conference as set out in Rule 2.4(c), the Administrative Committee shall have an unfettered power to refuse membership to any person if it is satisfied that it is in the best interests of the Party to do so.
- 2.4.3** A person who has been refused membership by the Administrative Committee shall have the right to appeal to Conference. The appeal must be made in writing and must be delivered to the Territory Branch Secretary within 30 days of the decision to refuse membership. The appeal shall be heard at the next Conference. The Territory Branch Secretary will notify the applicant of the time and date the appeal will be heard. The applicant shall be invited to be present at Conference when the appeal is considered and may be heard personally in relation to the appeal. If the applicant is not present at Conference for the hearing of the appeal Conference shall dismiss the appeal.

2.5 Allocation to Sub-branches

- a) No person shall be a member of more than one Sub-branch.
- b) Except as provided in Rules 2.5(c)(ii), a member may only belong to the Sub-branch which has responsibility for the Northern Territory electorate in which the member is enrolled to vote. Members must, at the time of joining or transferring to the branch or sub branch, either be correctly enrolled with the Australian Electoral Commission to vote in a federal election at their stated address or not be so entitled because they are under 18 years of age or not an Australian citizen
- c) Upon an applicant being admitted to membership in accordance with Rule 2.2(b) the Territory Branch Secretary shall:
- d) Cause the member to be allocated to the Sub-branch which has responsibility for the Northern Territory electorate in which the member is enrolled to vote; or,
- e) Cause the member to be allocated to Head Office Sub-branch where a member, for reasons accepted by the Territory Branch Executive, wishes not to be attached to an electorate Sub-branch.

- f) A member who is allocated to Head Office Sub-branch shall not have the right to hold any Party office, or to be a delegate to Conference, or to vote in Branch elections, or to vote in preselection ballots, or to vote in plebiscites.
- g) Notwithstanding Rule 2.5(b), the Territory Branch Executive shall have power to permit a member, upon application of the member concerned, to be allocated to a Sub-branch that does not have responsibility for the Northern Territory electorate in which the member ordinarily lives. Such a person shall not have the right to hold office in the Sub-branch, or to be a Sub-branch delegate to Conference, or to vote in Sub-branch elections or to vote in the electorate component of preselection ballots.
- h) Notwithstanding Rule 2.5(b), a Labor Member of Parliament or an endorsed candidate shall have the right to membership of a Sub-branch in the Northern Territory electorate for which they are the Member of Parliament or the endorsed Labor candidate. A person admitted to membership of a Sub-branch under this Rule shall have full membership rights at that Sub-branch.

2.6 Re-allocation to Sub-branches

2.6.1 A member who changes address and who no longer ordinarily lives within the same Northern Territory electorate, shall advise the Territory Branch Secretary in writing of the change of address. an executive member who ceases to be resident in the sub-branch's electoral area(s) within the 3 months prior to the sub-branch's annual general meeting be permitted to continue as a sub-branch member and thus as an executive member until election of new officers at the annual general meeting.

2.6.2 On receipt of the advice of change of address the Territory Branch Secretary shall then allocate the member to the Sub-branch, which has responsibility for the Northern Territory electorate in which the member now ordinarily lives.

2.6.3 Notwithstanding that the Territory Branch Secretary has not been given notice pursuant to 2.6(a), the Territory Branch Secretary shall, upon becoming aware of a member's change of address through information that the Territory Branch Secretary deems satisfactory, allocate the member to a Sub-branch which has responsibility for the Northern Territory electorate in which the member now ordinarily lives. A member so allocated must be made aware of the nature and the substance of the information received by the Territory Branch Secretary.

2.7 Commencement of Membership

Once approved by the executive or administrative committee, membership commences on the date membership fees are received.

2.8 Members' Rights

In the first 6 months of membership a member, not being a member of the Head Office Sub-branch, has the following rights:

- 2.8.1.1** Attend Sub-branch meetings;
- 2.8.1.2** Charge another member of the Party;
- 2.8.1.3** Bring a dispute to the Internal Appeals Tribunal.
- 2.8.1.4** Having attended one Sub-branch meeting, a member of a Sub-branch, not being the Head Office Sub-branch, shall have the following rights:
 - 2.8.1.5** Speak at meetings;
 - 2.8.1.6** Vote on policy motions at Sub-branch meetings;
 - 2.8.1.7** Vote on procedural motions at Sub-branch meetings;
 - 2.8.1.8** Nominate, stand in and vote in elections for the Executive of the Sub-branch.
- 2.8.1.9** In the following 6 months of continuous membership and having attended one sub-branch meeting in the Northern Territory Branch of the Australian Labor Party, a member of a Sub-branch, not being the Head Office Sub-branch, has the following additional rights:
 - 2.8.1.10** Nominate for, stand in and vote in the election of those positions set out in Rules 3.11 and 4.2(a)
 - 2.8.1.11** Nominate for, stand in and vote in the election of Sub-branch Conference delegates
 - 2.8.1.12** Stand for public office
 - 2.8.1.13** Vote in preselection ballots
 - 2.8.1.14** Vote in plebiscites
 - 2.8.1.15** Vote in any other election or ballot as specified under this constitution or as should be called by a duly recognised body from time to time,
 - 2.8.1.16** Unless otherwise determined by the administrative committee, a member is

only permitted to vote in one preselection ballot per year.

2.9 Members' obligations

- a) Members for whom application or renewal fees are paid and affiliated unions for which affiliation fees are paid shall automatically accept all the responsibilities of membership and are bound by this the rules of the party.
- b) All members and constituents of the Territory Branch shall use the channels of the Territory Branch to secure alteration of the Rules, Platform and policies of the Territory Branch or any of its decisions.
- c) All members shall support pre-selected Parliamentary candidates.

2.10 Member who campaigns against an endorsed candidate

2.10.1 A member of the Territory Branch who lodges a nomination, or campaigns against an endorsed Territory Branch candidate shall automatically cease to be a member of the Territory Branch (provided that in special circumstances the Administrative Committee with the consent of the relevant Electoral College shall have authority to grant permission for a member to nominate for a specific seat).

2.10.2 A person who has ceased to be a member of the Territory Branch through the operation of this Rule shall not be eligible for re-admission to membership of the Party for a period of two years from the time that the person ceases to campaign against an endorsed Territory Branch candidate.

2.10.3 A person who has ceased to be a member of the Territory Branch through the operation of this Rule and wishes to apply for re-admission to membership must make a written application to the Administrative Committee seeking re-admission. The Administrative Committee shall hear the applicant in person and determine the application within 40 days of it being lodged with the Territory Branch Secretary. A decision to re-admit such a person to membership must be carried by a two-thirds majority of those present and voting.

2.10.4 A person who has been refused re-admission to membership by the Administrative Committee following an application for re-admission under Rule 2.10(c) shall have the right to appeal to Conference. The appeal must be made in writing and must be

delivered to the Territory Branch Secretary within 30 days of the decision to refuse membership. The appeal shall be heard at the next Conference. The Territory Branch Secretary will notify the applicant of the time and date the appeal will be heard. The applicant shall be invited to be present at Conference when the appeal is considered and may be heard personally in relation to the appeal. If the applicant is not present at Conference for the hearing of the appeal Conference shall dismiss the appeal.

2.11 Life Membership

- a) Territory Conference may bestow life membership of the Party for outstanding service. Nominations for life membership shall be submitted only by an affiliated union, a Sub-branch or the Administrative Committee and must comply with the following criteria and procedures:
- b) To be eligible for nomination a member must have been an active member of the Party for a substantial period of time;
- c) Nominations for life membership shall include the background and history of service of the nominee. Nominations must be submitted to the Territory Branch Secretary by the same date as the close of agenda items for Territory Conference for consideration at Territory Conference;
- d) Any nomination shall, in the first instance, be scrutinised by the Party Officers and shall be referred to the Administrative Committee for a recommendation on whether that person is considered worthy of receiving a life membership;
- e) Territory Conference may confer life membership only on those members who have been recommended by the Administrative Committee in accordance with this rule.
- f) Life members shall have and be subject to the same rights, privileges and obligations as ordinary members except for the requirement to pay further membership fees, which requirement shall be waived.

2.12 Membership Records

2.12.1 The Territory Branch Secretary must keep a record of members and their status.

2.12.2 Notwithstanding records kept by a Sub-branch, the official record of membership entitlements will be the record kept by the Territory Branch Secretary.

2.13 Financial Membership

2.13.1 For the purpose of these Rules, a financial member is a member who has paid the fee prescribed under the Rules.

2.13.2 A member shall be deemed to have continuity of financial membership if the prescribed fee is paid before 1 July of the year after his or her last membership renewal was sent.

Note: For the purposes of subsection (b), a member will be deemed to have paid the prescribed fee where payment has been processed through an automatic renewal.

2.13.3 Membership tickets shall be issued to all new members by the Territory Branch Secretary. New tickets will be issued on the request of the member.

2.13.4 If a member is transferred into the Branch from another State or Territory Branch of the Party, his or her financial status is to be taken, for the purposes of the Territory Branch, to be transferred, except that if the membership is to expire other than at 30 June in a year, it is to be taken to expire at the next following 30 June.

2.13.5 A member who is admitted to membership in June shall be taken to be financial for the following year.

2.13.6 Any member who has not renewed their membership with the Territory Branch Secretary by 30 June of the year after their membership renewal was last sent shall cease to be a member.

2.13.7 Members who can prove that they are a member of a trade union affiliated to the NTALP are also eligible for a discount of \$5 on their NTALP membership fees.

2.13.8 Members who hold a concessionary membership of the NTALP are not eligible to receive the discount referred to in subsection (g).

2.14 Resignation

A member may resign by lodging a written resignation with the Territory Branch Secretary.

2.15 Affiliates

a) All members of the Labor Party who are female automatically become members of the non-union affiliate Labor Women.

b) All members of the Labor Party who are under 30 years of age automatically become

- members of the non-union affiliate Young Labor.
- c) All members of the Labor Party who identify as Aboriginal or Torres Strait Islander automatically become members of the non-union affiliate Indigenous Labor Network.
 - d) All bona fide unions shall be eligible for affiliation by the Administrative Committee to the Territory Branch. In determining whether a union is "bona fide", the Administrative Committee shall have regard to the following criteria:
 - e) The union must have at least ten (10) financial members resident in the Northern Territory;
 - f) It must undertake to maintain support for the Platform and Rules of the Territory Branch; and
 - g) It must have a formal structure in the Northern Territory.
 - h) A trade Union wishing to affiliate with the Party may be admitted to membership of the Party by resolution of the Administrative Committee. When a Union affiliates:
 - i) Its President and Secretary shall sign a form as produced at Schedule F and submit an independent audit report as required in Rule 2.17; and
 - j) It shall pay affiliation fees as determined by Rule 2.17, such fees to be paid pro-rata for the balance of the financial year.
 - k) Affiliates in their first year of affiliation must have submitted their application for affiliation at least six months before the date of Conference to be represented at that Conference.
 - l) The Administrative Committee shall ratify any changes made to the Rules of non-union affiliates. The Administrative Committee shall satisfy itself of operational aspects of non-union affiliates through a process of consultation and assistance.
 - m) The Administrative Committee may affiliate a body if it receives a request with the signatures of 10 members of the Territory Branch to do so.

2.16 NT ALP Associations

- a) An association within the NTALP is a formal entity comprised members that pursue a desired and stated aim on behalf of and with the support and endorsement of the NTALP.
- b) NTALP Associations are to encourage public engagement with the NTALP, and as such associations are open to the public, except in circumstances covered below.

- c) NTALP Associations do not have NTALP Branch voting privileges at conference nor can they seek to be given them.
- d) Leave from the Administrative Committee is needed to form an association.
- e) Any financial member may propose the formation of an association within the NTALP. The request to form an association must be endorsed by:
 - a. 5 Financial Members' signatures; and
 - b. 1 Parliamentary or Federal Member's (henceforth patron) signature before being presented to the Administrative Committee for their consideration.
- f) Upon gaining said signatures the association proposal can be submitted to the administrative committee for their consideration at their next meeting. The administrative committee must, in all instances, approve endorsed proposals unless;
- g) Approval of endorsed proposal violates Labor Values (national and/or territory)
- h) There is an association already in existence, or awaiting approval, that proposes to satisfy sufficiently similar aims, of the proposed association.
- i) Anyone from the public at large may:
 - a. Attend meetings of endorsed NTALP Associations,
 - b. Address an endorsed ALP Association:
 - c. if they have asked the association to do or
 - d. if the association has specifically asked them to do so.
 - e. Request of the association to become an associate of the association.
- j) Endorsed NTALP Associations do not have a limit for the number of associates, however the minimum number of financial members is:
 - a. Five (5) and One (1) Patron.
- k) An endorsed association and its members will have rights to:
 - a. Hold meetings and discussion forums with members:
 - b. Frequency of meetings shall be no less than 1 meeting every six (6) months unless otherwise decided by that association.
 - c. Hold elections for nominated positions within the association:
 - d. Those being: a president, a vice-president and a Secretary;
 - e. All executive positions within an association must be contested and held by a financial member or patron;
 - f. The default terms of those offices will be 24 months, however may be

adjusted (no shorter than 12 months or longer than 48) by the association during the first meeting after the formation of the association, or by successful simple majority votes within the association. Any changes to office terms will take effect on the beginning of the next term;

- g. Other positions as decided by the association's executive (excluding the appointment of a treasurer).
- h. Make submissions to the NTALP Conference in regard to policy around their stated aims.
- i. Organise activities to promote and pursue their stated aims
- j. Deny entry to association meetings to particular associates, persons or groups in the event that:
 - k. Allowing entry to a meeting by a particular person or group violates ALP Values (Territory and/or National);
 - l. Allowing entry to a meeting by a particular person or group reasonably threatens the integrity of the association.
- l) In the event that an association, or associates or financial members therein, wishes to either bar or eject an associate from a meeting, a secret ballot must be called of the associates and financial members present. A simple majority is all that is needed to successfully eject an associate.
- m) An endorsed association's executive may seek approval from the NTALP Executive to:
 - n) Hold fundraisers on behalf of the NTALP to promote and pursue its stated aims
 - o) All monies received will be donated to the NTALP and not the association specifically.
 - p) Allocation of this money will be subject to the rules of the NTALP Executive.
 - q) Apply for funding from the Executive for the purpose of organising;
 - r) Fundraising activities.
 - s) Community engagement activities.
 - t) Public awareness activities.

2.17 Fees—Individual Members

2.17.1 The Administrative Committee will set membership fees from time to time with a vote of two thirds majority of eligible members.

2.17.2 The Secretary will advise all members of any change in individual members fees at

least 3 months prior to implementation of any changes to membership fees or fee structures.

2.18 Fees—Affiliates

- a) Each affiliated Unions' affiliation shall be determined each year by an audit of the Union's membership as at 30 June of the preceding year. This audit shall determine the Union's maximum affiliation as:
 - b) the number of members eligible to vote in a ballot for an office in that Union at 30 June as conducted by the appropriate Electoral Commission/s; and
 - c) the number of members identified in (i) above for whom the Union received an amount of dues in relation to the period between 1 April and 30 June inclusive for that year.
 - d) Before 4:00pm on the last Friday in February in each year, each Union shall provide an independent audit report from the previous year and advice on the number of members the Union will affiliate on for the current year.
 - e) The independent audit report and affiliation fee advice shall be provided to the Returning Officer in a sealed envelope addressed "Confidential – Union Affiliation". These envelopes shall be secured in a ballot box and opened in the presence of scrutineers at an agreed time and place following the date determined in 2.17 (b). Each affiliated Union is entitled to send a scrutineer.
 - f) The affiliation fee is calculated by multiplying the Union capitation fee as determined by the Administrative Committee (Schedule G) by the number of members advised by the Union in accordance with Rule
 - g) 2.17 (a).
 - h) Each Union's affiliation fees shall be paid in full to the Territory Branch Secretary by close of business on the last Friday in March. A Union shall be deemed to be unfinancial until such fees are paid in full.
 - i) A Union's affiliation for the purpose of determining Conference delegates shall be based upon the three year rolling average of the Union's affiliation for the current and two preceding years. Affiliation figures prior to 2002 shall not be used to determine a Union's rolling average.
 - j) If a Union fails to lodge an independent audit report by the date determined in 2.17 (b),

the Returning Officer shall use the Union's previous year's affiliation reduced by 15 per cent.

- k) A Union whose affiliation fees are in arrears shall be deemed unfinancial and shall not be entitled to exercise any rights conferred on Unions by these Rules.
- l) If an unfinancial Union fails to pay its annual affiliation fee within twelve months of the due date (see Rule 2.17 (b)) that Union shall cease to be an affiliated Union. Such Unions shall only re-affiliate in accordance
- m) with Rule 2.15.
- n) Each Union shall comply with the following conditions in preparing the independent audit report:
 - o) engage a registered company auditor; and
 - p) request that the work performed in the audit be in accordance with Australian Auditing Standard 802 "The Audit Report on Financial Information Other than a General Purpose Financial Report" and Auditing Guidance Standard 1044 "Audit Reports on Information Provided Other than a Financial Report".
- q) The independent audit report shall include:
 - r) an audit certificate signed by the auditor which shall include advice as set out in Schedule G; a statistical return which shall include a figure determined to be equal to or less than the Union's maximum; and
 - s) affiliation as of 30 June of the year in question.
- t) Non-union Affiliates shall advise the Administrative Committee, by close of business last Friday in March, of the number of members eligible to vote in a ballot for an office in that affiliate. Such advice shall be provided by a signed declaration of the Office bearers of the non-union Affiliate and shall be accompanied by a membership list.

2.19 Sustentation Fees—Sub-branches

2.19.1 All membership monies received by sub branches must be paid to the NTALP immediately once received.

2.19.2 No other sustentation shall be levied on sub-branches, sub branches may still be levied for campaign contributions.

2.20 Membership Recruitment

- 2.20.1** It is an abuse of Party Rules for an individual or group/s to fund Party membership for other individuals or groups of individuals who would otherwise be unwilling to pay their own subscriptions.
- 2.20.2** It is an abuse of Party Rules for an individual or group/s to encourage reduced-rate membership to people that may not be eligible for that category of membership.
- 2.20.3** It is an abuse of Party Rules for an individual or group/s to recruit members who do not live at the claimed addresses in an attempt to gain advantage at local Party meetings or influence the outcome of Party ballots.
- 2.20.4** It is a requirement of Party Rules for members to apply for membership and renew membership personally and sign their own application for membership or renewal forms.
- 2.20.5** Notwithstanding the above, a member's membership may be renewed by a family member resident in the same household.
- 2.20.6** Involvement in such abuses will be considered as behavior likely to bring the Party into disrepute and will result in disciplinary action, which may include expulsion under the rules of the Party.

2.21 Revocation of Membership

- a) In this rule "serious criminal offence" means an indictable offence that is punishable by imprisonment for 5 years or more. Despite anything to the contrary in these rules, the Administrative Committee may revoke the membership of a member found guilty of a serious criminal
- b) offence.
- c) Before the Administrative Committee revokes the membership of a member under paragraph (b):
- d) the Territory Secretary must notify the member in writing of the proposed revocation; and
- e) the member must be given an opportunity to make a written submission to the Administrative Committee as to why his or her membership should not be revoked.
- f) Despite anything to the contrary in these rules, the Administrative Committee may

immediately suspend the membership of a member who has been charged with a serious criminal offence pending the hearing of the charge.

2.22 Code of Conduct

2.22.1 Party members must comply with the NT Code of Conduct, the NT Policy for Bullying and Harassment Prevention, the NT Policy for Sexual Harassment Prevention and the NT Complaints Handling Policy, as amended from time to time (“**NT Code of Conduct Policies**”).

2.22.2 Party members acknowledge and agree that any breach of the NT Code of Conduct Policies will be dealt with in accordance with the NT Complaints Handling Policy.

2.22.3 Party members must also comply with the National Secretariat’s Code of Conduct, the National Secretariat’s Policy for Bullying and Harassment Prevention, the National Secretariat’s Policy for Sexual Harassment Prevention, and the National Secretariat’s Complaints Handling Policy, as amended from time to time (“**National Code of Conduct Policies**”).

2.22.4 Members acknowledge and agree that any breach of the National Code of Conduct Policies will be dealt with in accordance with the National Secretariat’s Complaints Handling Policy.

3. TERRITORY CONFERENCE

3.1 Meetings of Conference

Conference meets annually on a date set by the Administrative Committee. The Administrative Committee may postpone a conference in exceptional circumstances.

3.2 Composition

Conference shall be composed of:

- (i) Credentialed delegates from those affiliated unions which are financial;
- (ii) Credentialed delegates from Sub-branches which are financial;
- (iii) The Leader and Deputy Leader of the Northern Territory Parliamentary Labor Party;
- (iv) Northern Territory Members of the Federal Parliamentary Labor Party; and
- (v) 2 credentialed delegates from Labor Women; and
- (vi) 2 credentialed delegates from Young Labor; and
- (vii) 2 credentialed delegates from Indigenous Labor Network.

3.3 Union Representation

The total number of union delegates credentialed to Conference shall be equal to the number of Sub-branch delegates. For the purpose of establishing and maintaining such equality, the following provisions shall apply:

- a) Each union shall be entitled to representation at Conference on the following basis:
- b) a base of two delegates;
- c) where a union has greater than 100 members, for each 250 members or part thereof a further one delegate with a maximum of fifteen delegates.
- d) The Credentials Committee established under Rule 3.8 shall have the responsibility for calculating and advising the Conference of the weighting factor to be applied to votes cast by unions to ensure equality. The number arrived at shall be rounded off to the nearest whole number to arrive at the number of votes for each union. The Credentials Committee shall apply the weighting factor so as to achieve as nearly as possible an eventual equality of union votes with Sub-branch votes. Where a union can exercise more than 1 vote per delegate, each union shall determine the number of

votes each delegate may exercise.

- e) For the avoidance of doubt any delegate may call for a ballot vote on any issue, and provided the delegate is supported by ten or more delegates, the Conference shall proceed immediately to a ballot vote.
- f) Labor Women, Young Labor and the Indigenous Labor Network shall have representation on the same basis as Sub-branches, and delegates shall be counted with Sub-branches for the purpose of determining equality of votes between unions and Sub-branches.

3.4 Sub-branch Representation

- a) Each Sub-branch shall elect delegates to conference at its Annual General Meeting. Sub-branch delegates shall be elected by secret ballot. Each Sub-branch shall elect and be entitled to the number of Conference delegates specified hereunder:
 - b) for every ten members or part thereof: one delegate.
 - c) Sub-branches in their first year of establishment must notify the Territory Branch Secretary at least six months before the date of Conference of their proposed establishment, and have held their first meeting three months before the date of Conference, in order to be represented at that Conference.
 - d) For the purpose of calculating entitlement to number of Sub-branch delegates, the number of members shall be the number of financial members as at 30 June.

3.5 Political Representation

- a) The Leader and Deputy Leader of the Northern Territory Parliamentary Labor Party shall be delegates to Conference.
- b) All Northern Territory members of the Federal Parliamentary Labor Party shall be delegates to Conference.

3.6 Qualification of Delegates

- a) All delegates to conference must have been financial members of the Australian Labor Party for 6 months prior to Conference.
- b) Subject to rule 1.9(b), it shall be the right of each union to determine the criteria and

procedures for selection of its delegates, subject to those delegates being members of that union and financial members of the Australian Labor Party.

3.7 Agenda

- a) The following shall be entitled to submit items for the consideration of Conference:
- b) Affiliated Unions;
- c) Sub-branches;
- d) Labor Women, Young Labor and the Indigenous Labor Network;
- e) Administrative Committee;
- f) Northern Territory Parliamentary Labor Party;
- g) Northern Territory Members of the Federal Parliamentary Labor Party; and Standing Committees.
- h) The Territory Branch Secretary shall, not less than 90 days prior to Conference, invite constituent units to submit items for the Agenda, such items to be forwarded to the Secretary not less than fifty days after the notification by the Secretary. Copies of agenda items received shall be forwarded by the Territory Branch Secretary to sections not less than 36 days prior to Conference.

3.8 Credentials

- a) The Administrative Committee shall establish a Credentials Committee prior to Conference.
- b) All bodies represented at Conference shall lodge with the Territory Branch Secretary the names and addresses of their delegates and proxy delegates by close of business on the Friday 7 days before conference each year. These names and addresses shall be available for inspection by any nominated delegate prior to Conference.
- c) Any nominated delegate may challenge the credentials of any nominated delegate or proxy by lodging with the Territory Branch Secretary the grounds of objection prior to the close of business on the day preceding the first day of Conference. The objection shall be relayed to the delegate by the Territory Branch Secretary as soon as practicable.
- d) Before the commencement of Conference the Credentials Committee shall meet, hear any challenges and review the credentials of all delegates. The Credentials

Committee shall then move to determine the balance between Affiliates and Branches and establish the weighting factor to be utilised in the determination of affiliate votes in Rule 3.3. At the commencement of Conference the Credentials Committee shall present its report and Conference shall either accept or reject it in whole or part.

3.9 Decisions of Conference

- a) Territory Conference is the Territory Branch's supreme governing body and its decisions are equally binding on all constituent units members of the Territory Branch whether determined as items of Platform or as resolutions of Conference.
- b) Resolutions of Conference which relate to organisational, administrative or Rules matters continue in force until a subsequent Conference determines otherwise.
- c) The Territory Branch Secretary shall maintain a register of all resolutions of Conference so that their currency can be assessed by the Administrative Committee when preparing the agenda for Conference.
- d) The Territory Branch Secretary shall ensure the distribution of an agenda which includes all proposals to be considered during the Conference, to all delegates and party units, in sufficient time:

3.10 Quorum

The quorum for a meeting of Territory Conference shall be the presence of delegates entitled to exercise more than half the total votes credentialed to be exercised at that Conference.

3.11 Elections by Conference

The following officers and bodies shall be elected by Conference:

- a) The members of the Administrative Committee specified in Rules 4.3(vii) and 4.3(viii);
- b) National Conference Delegates;
- c) Platform Committees;
- d) Rules Committee;
- e) Standing Committees;

- f) Returning Officer and Deputy Returning Officer.
- g) Ten members of Conference as Conference electoral college members.
- h) Nominations for positions elected by Conference must be lodged with the Returning Officer by 5pm seven days prior to the commencement of Conference. Nominations for Returning Officer must be lodged with the Territory Branch Secretary.

3.12 Special Territory Conference

3.12.1 Special meetings of Conference may be called by the Administrative Committee at any time. The place and time of such Conference shall be fixed by the Administrative Committee and not less than one month's notice shall be sent to all constituents together with notices setting out the purposes of the special Territory Conference.

3.12.2 Representation at the Conference shall be as for Territory Conference in accordance with Rules 3.3, 3.4 and 3.5.

3.12.3 A special Conference shall be limited to discussion and determination of the matter, or matters, for which the Conference was convened.

3.13 Proxy Voting

3.13.1 A delegate from a Sub-branch or affiliate may exercise his/her own vote plus the votes of up to two other delegates.

3.13.2 Any delegate to Conference may allow a proxy accepted by the credentials committee in accordance with rule 3.6 to partake in debate and exercise a vote on his/her behalf by submitting a written authority to the chair.

3.13.3 Proxy delegates shall conform to the same eligibility requirements as delegates.

3.13.4 Affiliated unions may determine their own procedure for the appointment of proxies.

3.14 Travel Pool

The Administrative Committee shall establish and administer a fund to subsidise the attendance of delegates from remote areas. The Administrative Committee shall be able to

levy a fee on all delegates for this purpose.

4. ADMINISTRATIVE COMMITTEE

4.1 Functions, Duties and Powers

The functions, duties and powers of the Administrative Committee are to:

- a) Administer the day-to-day affairs of the Territory Branch;
- b) Formulate, after every conference, a strategic plan and associated business plans, for the purpose of furthering the objects of the Territory Branch;
- c) At its first meeting after Conference, determine portfolios and appoint members of the Administrative Committee to portfolios;
- d) Report to Conference on achievement of the strategic plan and business plans;
- e) Give effect to decisions of Conference;
- f) Organise meetings of Conference and present to Conference a report on the activities of the Territory Branch and properly audited financial statements in relation to the Territory Branch;
- g) Manage the financial affairs of the Territory Branch including membership fees and fee structures, waiver of membership fees in appropriate circumstances and to have the NTALP finances audited annually.
- h) Hold, manage and dispose of the property of the Territory Branch (other than property transferred to Harold Nelson Holdings Pty Ltd) as its trustees, including by borrowing, loaning, mortgaging and providing security as it thinks fit.
- i) Appoint office staff, including a paid Territory Branch Secretary, and determine the conditions of employment, as required;
- j) Supervise the work of the Territory Branch Secretary;
- k) Interpret the rules, Platform and policies of the Territory Branch, but such a decision lapses if it is not ratified by an absolute majority of votes exercisable at the next following Conference;
- l) Propose amendments to the Rules, Platform and policies of the Territory Branch, receive from all constituent units of the Territory Branch motions proposing such amendments and to refer all such motions to the relevant policy or other committee or, if it thinks the matter is urgent, to Conference;
- m) Appoint, as it thinks fit, standing committees, other committees and Advisory

councils;

- n) Review the activity of Platform and other Standing Committees and where necessary and acting with the authority of Conference, replace members of Committees who are not contributing effectively to the work of the Committee.
- o) Appoint Campaign Committees as it thinks fit and supervise the
- p) conduct of elections for Legislative Assembly and the Australian parliament;
- q) Approve or disallow the establishment of Sub-branches and amalgamate or dissolve Sub-branches;
- r) Approve or disallow the affiliation of an affiliate, and to make rules approving the affiliation of non-union bodies and to ratify rules of non-union affiliated bodies;
- s) Endorse or reject applications for membership of the Territory Branch;
- t) Be responsible for publicity, including publications and journals;
- u) Initiate the preselection of parliamentary candidates for the Legislative Assembly and the Australian parliament;
- v) Endorse all selected candidates for the Legislative Assembly and the Australian parliament;
- w) Select candidates in accordance with Section 2B of Schedule C - Preselections;
- x) Fill casual vacancies as they arise in positions specified in rule 3.11;
- y) Perform the other functions imposed on it by or under these Rules; and exercise other powers necessary to perform its functions and exercise its powers and to ensure the efficient, effective and accountable administration of the Territory Branch.

4.2 Reporting Requirements

- a) The Administrative Committee members with portfolio responsibility are to report to the Administrative Committee via the President, each 6 months and before Conference, about the implementation of the strategic plan in relation to their portfolio;
- b) A Vice President is to report to the Administrative Committee via the President, quarterly on the achievement of the Affirmative Action Plan.
- c) The President is to consider reports provided under Rule 9 and report:
- d) in writing, each 6 months after Conference, to Sub-branches and affiliates, on:
- e) 11implementation of the strategic plan;

- a. actions taken to advance the objects of the Territory Branch;
- b. activity by Advisory Councils and Regional Consultative Forums.
- c. to Administrative Committee, each quarter after
- f) Conference, about the activities of the Executive.
- g) to Conference, about the implementation of the strategic plan including portfolio activities, platform committee work and the activities of the Administrative Committee.

4.3 Composition

The Administrative Committee consists of:

- a) the President, who shall be elected by a plebiscite of all members with 6 months continuous financial membership;
- b) the leader of the Northern Territory Parliamentary Labor Party;
- c) one representative of the Northern Territory Parliamentary Labor Party;
- d) one Northern Territory representative from the Federal Parliamentary Labor Party;
- e) one regional member from each of three regions specified in
- f) Schedule D and elected by members with 6 months continuous financial membership and resident in the respective areas specified in Schedule D;
- g) two members of affiliated unions who are nominated by the affiliated unions;
- h) six members of the Party, elected by Conference;
- i) a Branch Secretary:
 - a. elected by Conference, with full speaking and voting rights; or
 - b. appointed by the Administrative Committee and remunerated, with speaking rights, but not voting rights.
- j) one member of the Party who is nominated by Young Labor,
- k) one member of the Party who is nominated by Labor Women.
- l) one member of the party who is nominated by the Indigenous Labor Network.
- m) The Officers of the Territory Branch are the President, the Vice President and the Branch Secretary, unless rule 1.8(c) applies, in which case the Secretary will not be an Officer of the Territory Branch.

4.4 Casual Vacancies

- a) Vacancies occurring in the positions referred to in Rule 3.11 and Rule
- b) 4.3 shall be filled by a ballot of the Administrative Committee, from those persons who have been a financial member of the Territory Branch for at least 6 months.
- c) The person elected shall hold office for the remainder of the term of the position.
- d) Notwithstanding any other rule the Administrative Committee shall elect a person to fill a casual vacancy by selection of a person who, as closely as possible represents or has the values, aspirations or beliefs of the previous member having regard to the spectrum of views within the Territory Branch and the need to promote unity and stability within the Territory Branch.

4.5 Meetings

- a) The Administrative Committee shall meet as soon as practicable after Branch Conference, and quarterly each year at such times and places as decided by the President, or on written request of any four members of the Committee.
- b) All members shall be informed by the Territory Branch Secretary at least one week prior to a meeting of the meeting time and venue and the proposed agenda items relating to that meeting.
- c) Members resident outside of a radius of more than 100 kilometres of the Darwin GPO shall be entitled to claim reimbursement for reasonable expenses incurred in attending one meeting per annum.
- d) If a member (other than the Federal Parliamentary representative and the Leader of the Northern Territory Parliamentary Labor Party) is absent from more than three meetings or more than 90 days, their Administrative Committee position is automatically vacated, and a casual vacancy election will take place, unless an annual Territory Branch Conference is scheduled to occur within the next four months; sending a proxy, or apology, is not a substitute for attendance, nor does it avoid automatic vacation of their
- e) position. A member who participates in the meeting by telephone hook-up or like means shall be considered to attend the meeting.
- f) the quorum for a meeting of the Administrative Committee is half of those members eligible to vote.

- g) Committee members who are outside the Darwin area at the time of an Administrative Committee meeting shall be eligible to cast a vote by telephone on any matter provided that a member requests such a vote prior to or during the meeting. Such a telephone vote must be cast with the Territory Branch Secretary by no later than 4.00 pm on the next ordinary working day.
- h) A member of the Administrative Committee may, before a meeting of the Administrative Committee, give his or her proxy vote at that meeting, by advising the Territory Branch Secretary in writing of the name of the nominated proxy.
- i) The Territory Parliamentary Leader and Caucus Representative may only proxy, in writing, to another Caucus Member and Federal Labor Parliamentary Caucus representative may only proxy, in writing, to another Territory based Federal Labor Parliamentary Caucus Member.

4.6 Executive

4.6.1 Functions, Duties and Powers

The Executive has those functions of the Administrative Committee that are delegated to it from time to time by the Administrative Committee, other than the functions specified in Rule 4.1 (h), (i), (k), (p), (r), (s), (v), (w) and (x).

4.6.2 Composition

The Executive comprises:

- (a) The President;
- (b) Two Vice Presidents who are elected by and from the members of the Administrative Committee, in accordance with the principles outlined in Rule 1.9 and Schedule B;
- (c) Two members elected by and from members of the Administrative Committee, in accordance with the principles outlined in Rule 1.9 and Schedule B; and
- (d) The Territory Branch Secretary.

4.6.3 Meetings

- (a) The Administrative Committee shall, at its first meeting after Conference, appoint

under rule 4.6.2 members of the Committee to comprise the Executive.

- (b) The Executive is to meet at least once each month at the times and places decided by the President, or on written request of any 3 members of the Executive.
- (c) Rules 4.5(b), (c), (d) and (f) apply to members of the Executive as if a reference in the clause to the Administrative Committee or the Committee were a reference to the Executive.
- (d) A member of the Executive may, in writing delivered to the President or before an Executive meeting, give his or her proxy vote at the meeting but only to another member of the Administrative Committee.
- (e) The quorum for a meeting of the Executive is four members.

4.6.4 Relationship to Administrative Committee

- (a) The Executive is to report to the Administrative Committee the decisions of the Executive, before the next meeting of the Administrative Committee.
- (b) The Executive must carry out a direction given to it by the Administrative Committee.

4.7 Appeals

Except as provided in Rule 5.2 decisions of the Administrative Committee may be overturned by Conference, provided that the Administrative Committee decision shall be binding until altered by Conference.

4.8 Territory Branch Secretary

- (a) The functions of the Territory Branch Secretary are as specified throughout these Rules, but more generally and except where otherwise specified in these rules or determined by the Administrative Committee or by Territory Branch Executive, ensuring effective implementation of all legal rules and obligations.
- (b) Subject to rule 1.8(c), a person is to be elected at Conference to be Territory Branch Secretary.
- (c) The Territory Branch may employ a Secretary and remunerate him or her on the terms and conditions determined by the Administrative Committee.
- (d) If the Territory Branch Secretary is employed by the Territory Branch, he or she does

not have voting rights at a meeting of the Administrative Committee or Executive.

- (e) All legal and Rules obligations, and all decisions of Administrative Committee and Conference and Territory Branch Executive including those tasks allocated to other members of the Northern Territory Branch, by bringing failures to implement obligations to the attention of the Executive or Administrative Committee.

5. COMMITTEES

5.1 Rules Committee

- a) There shall be a Rules Committee, elected every year by Conference.
- b) The Rules Committee shall be composed of five members.
- c) The Rules Committee shall elect a convenor from its members.
- d) The Rules Committee shall, distribute a revised rulebook to Sub- Branches, affiliated unions and other party units within 3 months of any Territory Branch Conference which amends the rules, and to members on request. Such provision may be distributed electronically.
- e) The Rules Committee shall, on reference from Conference or the Administrative Committee, or on its own motion review the Rules of the Territory Branch and recommend changes to the Rules to Conference.
- f) The quorum for a meeting of the Rules Committee shall be three members.
- g) A member of the Rules Committee may resign from the Committee by
- h) notice in writing to the Territory Branch Secretary.
- i) Casual vacancies shall be filled by ballot of the Administrative Committee and the person elected by the Administrative Committee shall fill the position for the remainder of the term of the position.
- j) Notwithstanding any other rule the Administrative Committee shall elect a person to fill a casual vacancy by selection of a person who, as closely as possible represents or has the values, aspirations or beliefs of the previous member having regard to the spectrum of views within the Territory Branch and the need to promote unity and stability within the Territory Branch.

5.2 Internal Appeals Tribunal

- a) This Rule 5.2 does not apply to complaints under the NT Complaints Handling Policy. Any matter raised against a Member under The NT Complaints Handling Policy will be dealt with under the NT Complaints Handling Policy.
- b) There shall be an Internal Appeals Tribunal to hear and determine disputes between members under these rules. Any member of the Territory Branch may appeal to the

Internal Appeals Tribunal. concerning an alleged breach of the Rules or conduct alleged to be prejudicial to the Party. All appeals shall be in writing and lodged with the Territory Branch Secretary.

- c) The Internal Appeals Tribunal shall be composed of a Chair and two ordinary members.
- d) The Internal Appeals Tribunal members shall be appointed by the Administrative Committee for a term of four years. A resolution to appoint a person to the Internal Appeals Tribunal must be carried by a special majority of no less than two thirds of the total number of members of the Administrative Committee.
- e) To be eligible for appointment and to remain in office as the Chair of the Internal Appeals Tribunal a person must:
 - a. Not hold public office;
 - b. Not be actively seeking election or appointment to public office;
 - c. Be admitted as a lawyer able to practice in the Northern Territory or in any other state of the Commonwealth; and
 - d. Be of good fame and character.
- f) To be eligible for appointment and to remain in office as an Ordinary Member of the Internal Appeals Tribunal a person must:
 - a. Not hold public office;
 - b. Not be actively seeking election or appointment to public office; and
 - c. Be of good fame and character.
- g) A Party member, Party Unit or Affiliated Union may appeal decisions made by Party Units or the conduct of Party members to the Internal Appeals Tribunal.
- h) The Internal Appeals Tribunal may determine the form and manner in which appeals must be made and may determine all matters in relation to an appeal on the basis of a majority vote of its members.
- i) Without limiting the provisions contained in rule 5.2 (g) the Internal Appeals Tribunal may deal with matters before it on the papers and may conduct its business without requiring a face to face meeting.
- j) The appellant and the respondent in any matter before the Internal
- k) Appeals Tribunal have the right to be heard and to be represented in proceedings of the Internal Appeals Tribunal.
- l) The Internal Appeals Tribunal must act in a way that is consistent with the principles of

natural justice.

- m) The Internal Appeals Tribunal is not bound by the rules of evidence.
- n) In making a decision on a matter before it the Internal Appeals Tribunal may make any order or determination that it considers appropriate in the circumstances. Except as provided in rule 5.2 (n) and (o), decisions made by the Internal Appeals Tribunal are final and binding on all members of the Territory Branch.
- o) Notwithstanding the provisions of rule 5.2 (m) Territory Conference may overrule decisions made by the Internal Appeals Tribunal.
- p) Notwithstanding the provisions of rule 5.2 (m) the Administrative Committee may overrule decisions made by the Internal Appeals Tribunal but only where the resolution to overrule is carried by a special majority of no less than two thirds of the total number of members of the Administrative Committee.

5.3 Platform Committees

Conference shall elect Platform Committees as set out in Rule 1.5(c).

5.4 Standing Committees

- a) Conference or failing its action, the Administrative Committee, may from time to time establish Standing Committees and set Rules for the operation of those committees.
- b) Standing Committees shall keep minutes of all meetings and provide a copy to the Territory Branch Secretary within two weeks of the meeting.

5.5 Electoral College

- a) Meetings of the Electoral College shall be convened by the Returning Officer. Members must be given 7 days notice in writing of the meeting. The quorum for meeting of the Electoral College shall be 6 members.
- b) Each Electoral College may determine its own procedure, provided it provides an opportunity for each member of the College to participate and vote (both of which can be done by telephone hook- up or like means) and for each candidate to be able to address the College and/or distribute electoral material.
- c) Voting shall be by secret ballot and shall be conducted in accordance with the Rules.

- d) If a member of the Electoral College resigns or becomes ineligible (through sickness, incapacity, or becoming a candidate), their position will be filled by the Administrative Committee using the principles set out in section 4.4.
- e) Electoral College must meet every 6 months to audit the activities of sitting members from both Territory and Federal Parliament.

6. SUB-BRANCHES

6.1 Establishment

- a) No Northern Territory Electorate may be represented by more than one Sub-branch.
- b) As a minimum there shall always be five (5) sub-branches in the
- c) Northern Territory, one branch each wholly within the boundaries of:
 - a. Darwin City Council;
 - b. Palmerston City Council;
 - c. Alice Springs Town Council; and
- d) Two Sub-branches constituted outside of those boundaries as determined by the Territory Branch Executive.

6.2 Formation of new Sub-branches

To form a new Sub-branch on the application of a member the following procedure must be followed:

- a) Application to form a Sub-branch must be made in writing to the Administrative Committee by the person or persons initiating the formation.
- b) The names, addresses and signatures of at least 10 persons eligible to be members of that Sub-branch must accompany any application to form a Sub-branch.
- c) The Administrative Committee must decide on the application within 40 days of its receipt. Any decision to approve the formation must be passed by a two-thirds majority of the Administrative Committee.
- d) Upon approval being given those initiating the application shall be notified by the Territory Branch Secretary. The Territory Branch President or any other member of the Administrative Committee shall attend the inaugural meeting.
- e) No Sub-branch formed less than 6 months prior to a Conference can send delegates to that Conference.

6.3 Amalgamation of Sub-branches

- a) The Administrative Committee may, at the request of two or more Sub-branches, approve of their amalgamation and the establishment of a new Sub-branch in their

stead (in a new name or the name of one of the former Sub-branches), if the Administrative Committee is satisfied that it would be in the best interests of the Territory Branch to do so.

- b) The Administrative Committee may amalgamate two or more Sub-branches, without the approval of those Sub-branches, if satisfied that it is in the best interests of the Territory Branch to do so.
- c) A member or members of a Sub-branch that has been amalgamated under paragraph (b) may, in writing appeal against the amalgamation to the Internal Appeals Tribunal by lodging a written complaint with the Territory Branch Secretary; and
- d) Conference Rule 5.2, other than paragraphs (c) and (e), applies in relation to an appeal under paragraph (bd)(i).
- e) The Internal Appeals Tribunal is to determine an appeal under this rule within 40 days of the appeal being lodged.
- f) Sub-branches may be disbanded by two-thirds decision of the Administrative Committee where it can be clearly demonstrated that the Sub-branch is no longer functioning or that it is acting contrary to the interests of the Territory Branch

6.4 Boundaries

- a) The Territory Branch Executive shall determine the boundaries of each Sub-branch after a redistribution. Such boundaries will be based on Northern Territory electorates so as to ensure that each Sub-branch has responsibility for at least one electorate.
- b) The Territory Branch Secretary will advise each Sub-branch in writing of its boundaries and the electorate for which it is responsible after each redistribution.

6.5 Duties of Sub-branches

It shall be the responsibility of the Sub-branch to:

- a) Recruit and organise members;
- b) Advance the cause of Labor and to take such action as is in the interests of the Party, including organising for elections in conjunction with other Sub-branches and Campaign Committees to which they are assigned by the Administrative Committee; and
- c) Elect delegates to the Annual Conference.

- d) A Sub-branch shall:
 - a. If requested to do so by the Administrative Committee – report to the Administrative Committee on its activities and finances;
 - b. Keep minutes of Sub-branch meetings and attendance at them;
 - c. Lodge electronic copies of minutes and attendance records of each meeting at the ALP NT Branch office in Darwin within 14 days of the meeting; and
 - d. Keep proper financial records as required under rule 6.8.

6.6 Sub-branch Meetings and Activities

- a) Sub-branches where possible shall meet at least once in each month, but no less than once in each three months.
- b) Sub-branch meetings may be conducted in accordance with the standing orders in Schedule A to these Rules, as the Sub-branch thinks fit.
- c) The quorum for Sub-branch meetings is five members except where the Administrative Committee has otherwise allowed.
- d) Sub-branches shall determine the nature and timing of their implementation of the Active Sub-branch Charter set out in the Schedules of these Rules.
- e) Attendance at a Sub-branch meeting which is held in regions A or Bas described in Schedule D may be by electronic means.
- f) Attendance at Sub-branch meetings held outside of region A or Bas described in Schedule D may, with the approval of the Administrative Committee, be by electronic means.
- g) Sub-Branch meetings shall commence at the time appointed. If at the expiration of half an hour after the time appointed a quorum is not present, the meeting shall lapse.

6.7 Special Meetings

- a) If five members of a Sub-branch request the Sub-branch Secretary in writing to call a special meeting the Secretary must call that meeting and notify Sub-branch members in writing 7 days before the meeting. If the Secretary fails to call a meeting within 14 days of the member's request those members must report the Secretary's failure to the Administrative Committee.
- b) The special meeting can only deal with the matters stated in the request for the special

meeting.

- c) The Sub-branch Executive can call a special meeting and must do so if the Territory Branch Secretary asks. The Sub-branch Secretary must give notice of the meeting except in cases of emergency.
- d) The secretary can call a special general meeting for the purposes of filling sub-branch vacancies.

6.8 Sub-branch Finances

- a) All Sub-branches shall make a return annually of their assets and liabilities, income and expenditure, in a form approved by the Administrative Committee. Such returns shall be submitted to the Administrative Committee. The assets of local Sub-branches shall at all times be the property of the Territory Branch.
- b) The Signature of the Treasurer, countersigned by another member or members authorised for that purpose by the Sub-branch is required to operate a bank account.
- c) Sub-branches are responsible for creating and paying all debts arising out of or in connection with the election campaign for which they are responsible as a Sub-branch, unless the Administrative Committee resolves otherwise. Sub-branches may arrange with candidates (which arrangement must be documented) that the candidate will pay some or all of the debts (in which case the payment is by way of donation to the Sub-branch), or guarantee the debts of the Sub-branch.

6.9 Sub-branch Officers

- a) The Officers of the Sub-branch are a President, two Vice-Presidents and a Secretary-Treasurer or Secretary and Treasurer and such other officers as the Sub-branch considers necessary.
- b) The Sub-branch shall by resolution divide responsibilities between officers of the Sub-branch.

6.10 Sub-branch Ballots

- a) Sub-branch ballots to elect officers of the Sub-branch and Conference delegates shall be conducted at the Annual General Meeting of the Sub-branch which shall be held by the

30th September each year except, in special circumstances, at another time approved by the Territory Branch Secretary.

- b) All ballots shall be conducted in the following manner –
- c) Returning Officer shall be appointed by the Sub-branch at least one month before the Annual General Meeting.
- d) Nominations for all positions shall be called no later than 21 days before the Annual General Meeting. All Sub-branch members shall be notified in writing of the opening and closing of nominations.
- e) Nominations shall close at midday on the day of the Annual General Meeting.
- f) Where no nominations have been received for a vacancy, or insufficient nominations for multiple positions have been received, the Sub-branch may by resolution or ballot, fill the vacancy at the Annual General Meeting.
- g) The Returning officer shall conduct a draw for the position which each candidate shall occupy of the ballot paper.
- h) Ballot papers shall be prepared following the conduct of the draw and shall be signed by the Returning officer prior to distribution.
- i) Voters shall be financial prior to the commencement of voting at the AGM and have attended at least one meeting of that Sub-branch as a member of that Sub-branch and be a member of that Sub-branch at the AGM.
- j) Voters who have been members of the party for less than 6 months may nominate for, stand in and vote in elections of the Executive of the Sub-branch (Rule 2.8(b)(iv)).
- k) A member is not eligible to nominate for, stand in or vote for the positions of Sub-branch Conference Delegate until they have been a member of the Party for more than 6 months (Rule 2.7(c)(ii)).
- l) Any ballot shall be conducted in accordance with Schedule B and Rule 1.9 (a) of these Rules.
- m) Any dispute arising at any stage during the process of the ballot or from the conduct of the ballot shall be referred to the Internal Appeals Tribunal. Such complaints must be made immediately following the alleged irregularity or dispute.
- n) Any variation from the above procedure must first gain the approval of the Administrative Committee.
- o) All officers must be financial members of the Sub-branch and eligible to vote at the

Annual General Meeting.

- p) Should any vacancy occur either by death, resignation or otherwise, such casual vacancy shall be filled at a special general meeting outlined on section 6.7 (d). Ballots are to be conducted using the same process outlined in section 6.10 of these rules. Any member elected to the casual vacancy shall hold office for the unexpired portion of the term only. All officers shall be eligible for re-election.

6.11 Appeals

Appeals against decisions and rulings of Sub-branches may be made to the Internal Appeals Tribunal.

7. PARLIAMENTARY MEMBERS

7.1 Selection of Candidates

- a) All candidates for Parliamentary Office shall be selected in accordance with Schedule C of these Rules.
- b) All candidates for Parliamentary Office shall sign a nomination form and Pledge in the terms set out in Schedule C of these Rules.
- c) Members elected to the NT Legislative Assembly under the auspices of the Australian Labor Party (NT Branch) shall form a distinct Parliamentary Labor Party.
- d) No member of the legislative Assembly other than an endorsed
- e) member of the Australian Labor Party (NT Branch) shall be admitted to membership of the Parliamentary Labor Party.
- f) Ministers in a Labor Government shall be elected by the members of the Parliamentary Labor Party.
- g) The Leader and Deputy Leader of the Parliamentary Labor Party shall be responsible for the compilation of the policy speech. The speech shall be subject to the endorsement of the Administrative Committee.
- h) The members of the NT Parliamentary Labor Party shall have authority, in properly constituted Caucus meetings, to make decisions towards establishing the collective attitude of the Parliamentary Labor Party to any question or matter in the Northern Territory subject to:
 - i) at all times taking such action which may be possible to implement the Territory Branch's Platform and Conference decisions;
 - j) on questions or matters which are not subject to Platform or Conference or Administrative Committee decisions that majority decision of Caucus being binding upon all members in the Northern Territory Assembly; and
 - k) no attitude being publicly expressed which is contrary to the provisions of the Federal and Territory Branch Platform or any other decision of the Annual Conference or Administrative Committee.

7.2 Election of the Leader of the Territory Parliamentary Labor Party

- a) The Leader of the Territory Parliamentary Labor Party shall be elected by the combined results of two separate ballots weighted equally. The election will consist of:
 - b) a ballot of members of the Parliamentary Labor Party as constituted under Rule 7.2(a); and
 - c) a ballot of individual financial members as defined by Rule 2.13 and who have 6 months continuous membership.
 - a. The ballots must be secret ballots and must be conducted using the optional preferential method.
 - b. The ballot conducted in accordance with (a)(ii) shall be conducted by postal ballot.
 - c. The Returning Officer elected under Rule 3.11 (viii) shall be responsible for the conduct of each ballot and shall report the results to Territory Branch Secretary and the members of the Parliamentary Labor Party.
 - d. Members of the Parliamentary Labor Party cannot also vote as individual financial members.
 - e. Votes shall not be counted until both the Parliamentary Labor Party and individual financial member ballots have been conducted and voting papers shall be stored in a secure location until that time.
 - f. When determining the outcome of the election, the results of each separate ballot under (a)(i) and (a)(ii) are to be weighted so that each ballot constitutes one half of the total votes cast.
 - g. A ballot for Leader of the Parliamentary Labor Party shall be called if any of the following conditions are met:
 - d) a Territory general election loss;
 - e) a casual vacancy where the Leader resigns or becomes permanently unavailable; or
 - f) not less than 60% of the members of the Parliamentary Labor Party petition the Territory Branch Secretary for a ballot.
 - g) The Administrative Committee must, as soon as practical, once any of the conditions in (h) are met, call for nominations for Leader of the Parliamentary Labor Party and approve a timetable for elections on the advice of the Returning Officer. Nominations shall remain open for no less than seven days except in cases of urgency, where the

Administrative Committee may shorten the period by a resolution of two-thirds of voting members of the Committee.

- h) The Administrative Committee may make rules for the conduct of the election that are not inconsistent with these rules and must do so in consultation with the Parliamentary Labor Party.
- i) The Parliamentary Labor Party may make rules for the conduct of the ballot in (a)(i) that are not inconsistent with these rules and must do so in consultation with the Administrative Committee.
- j) The Administrative Committee may determine limits on campaign expenditure and other matters, including a code of conduct for candidates and third parties supporting candidates.

7.3 Levies

All Parliamentary representatives shall pay the Administrative Committee monthly an amount calculated at seven percent of their gross monthly salary, not including allowances. The payment of the levy shall be a condition of eligibility to again be pre-selected. The Administrative Committee may require Parliamentary representatives to pay their levy via payroll deduction.

8. HAROLD NELSON HOLDINGS PTY LTD

Harold Nelson Holdings Pty Ltd. shall be the holder and trustee of such funds as may be transferred to it by the Territory Branch or as may be donated to it, and shall hold such funds and property upon trust for the purposes of the Branch generally. The trust shall be administered in the following manner –

- a) The Directors of Harold Nelson Holdings Pty Ltd shall be the persons from time to time holding the offices of Territory Branch President, Vice- President, and Secretary.
- b) Shares in Harold Nelson Holdings Pty Ltd are to be held by the persons holding the offices of Territory Branch President and Secretary and such persons shall execute declarations of trust in relation to such shares for the benefit of the Territory Branch.
- c) The trustees shall have discretion to pay the income of such funds and property to Territory Branch members or for the purposes of the Territory Branch, or to accumulate the income.
- d) Income accumulated shall be added to capital.
- e) The trustees shall have discretion to distribute pay or otherwise appoint capital of the trust to Party members or for the purposes of the Territory Branch only with the prior authority of a Territory Conference resolution passed by a two-thirds majority of those present and voting.
- f) The trustees shall have powers of investment and management of such funds and property provided that such investment and management is in accordance with the Territory Branch's Platform and Rules.
- g) The trustees shall each year report to Conference on the financial performance during the preceding financial year of the funds and property held by it and on the details of the investments held.

9. ACCOUNTABILITY

The Administrative Committee is to implement its strategic plan made under Rule 4.1(b).

The President is to monitor the strategic plan made under rule 4.1(b).

- a) The President is to be given reports:
 - a. by Administrative Committee members with portfolio responsibility, each 6 months and immediately before Conference, about the implementation of the strategic plan in relation to their portfolio;
 - b. by the Vice President, quarterly after Conference and immediately before Conference, in relation to affirmative action;
 - c. Caucus, each 6 months after Conference and once before Conference, in relation to caucus activity including policy and platform development.
- b) The President is to report, in writing, each 6 months after Conference, to Sub-branches and affiliates, on:
 - a. implementation of the strategic plan;
 - b. actions taken to advance the objects of the Territory Branch;
 - c. activity of Advisory Councils and Regional consultative Forums.
- c) The President is to report to the Administrative Committee, each quarter after Conference, about the activities of the Executive.
- d) The President is to report to Conference, about the implementation of the strategic plan including portfolio activities, platform committee work and the activities of the Administrative Committee.
- e) The Administrative Committee is to be given reports by:
 - a. Platform Committees, every three months after Conference, about activity, including meetings and attendance;
 - b. the President, each quarter after Conference, about the activities of the Executive;
 - c. convenors of Advisory Councils, every three months after Conference, on Advisory Council activities;
 - d. Caucus every six months after Conference as to Regional Consultative Forums activity.

10. MISCELLANEOUS

10.1 Changes to these Rules

These Rules may be amended by Conference. Amendments must be carried by a two-thirds majority of votes of credentialed delegates. Any amendment comes into force at the conclusion of Conference or at such time as Conference determines.

10.2 Financial Year

The Territory Branch's financial year shall be from 1 July to the next succeeding 30 June.

10.3 Validity of Previous Rules

The coming into operation of these Rules does not affect the validity of anything done under the previous Rules except as expressly provided by those Rules.

10.4 Validity of Elections

Where it is subsequently discovered that there has been a defect in the calling and/or conduct of any election held under these Rules, the decision taken by the person or body so elected shall be deemed to be valid, notwithstanding the defect.

10.5 Standing Orders

The Standing Orders of the Territory Branch are those set out in Schedule A to these Rules. Where Schedule A is silent the Standing Orders used for National Conference apply.

10.6 Office

The Administrative Committee is responsible for location of the Territory Branch's Office.

10.7 Public Officer

The Territory Branch President is the Territory Branch's Public Officer, and must act for the Territory Branch as the Administrative Committee directs.

10.8 Non-Profit

The assets and income of the Branch shall be applied solely in furtherance of its above mentioned objectives and no portion shall be distributed directly or indirectly to the members of the organisation except as bona-fide compensation for services rendered or expenses incurred on behalf of the Branch.

10.9 Winding Up

If upon winding up or dissolution of the Branch there remains, after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members but shall be given or transferred to some other institution or institutions which is or are itself or themselves non-profit organisation(s) and which has/have similar aims and objectives to the NT Branch of the Australian Labor Party.

SCHEDULE A – STANDING ORDERS

1. ORDER MAINTAINED BY CHAIR

Order shall be maintained by the Chair.

2. SPEAKER STANDING

Whenever the Chair rises during a debate, any person speaking or offering to speak shall sit down and the meeting shall be silent so that the Chair may be heard without interruption.

3. ADDRESSING THE CHAIR

Every person desiring to speak shall rise and address him/herself to the Chair.

4. NO INTERRUPTION

No person shall convene aloud or make any noise or disturbance which in the opinion of the Chair is designed to interrupt or has the effect of interrupting another person speaking.

5. PROPOSAL

Any proposal which is to be voted upon must be read in full to the floor of the Territory Branch Conference or meeting, and a written or electronic copy must be provided to every delegate or proxy delegate in attendance, before the motion is debated.

6. ANOTHER PERSON CALLED TO SPEAK

When two or more persons rise together to speak the Chair shall call upon the person who, in his/her opinion, first rose in his/her place, but it shall be in order to move that any member who has risen "be now heard", or "do now speak", and such question shall be put forthwith and determined without amendment or debate.

7. ONE SPEECH ONLY

No person shall speak twice to a question before the meeting, except in explanation or reply.

8. EXPLANATION OF SPEECH

A person who has spoken to a question may again be heard to explain him/herself in regard

to some material part of his/her speech which has been misquoted or misunderstood, but shall not introduce any new matter, nor interrupt any person addressing the Chair, and no debatable matter may be brought forward nor may any debate arise upon such explanation.

9. RIGHT OF REPLY

A reply shall be allowed to a person who has moved a substantive motion and the reply shall be confined to matters raised during the debate. No reply shall be allowed to a person who has moved an amendment.

10. REPLY CLOSES DEBATE

In all cases the reply of the mover of the original question shall close the debate.

11. PERSONAL EXPLANATION

Having obtained leave from the Chair, a person may explain matters of a personal nature, although there be no question before the meeting, but such matters may not be debated.

12. NO PERSON TO SPEAK AFTER DECISION GIVEN

No person may speak to any question after the same has been put by the Chair and the voices or vote have been given in the affirmative or negative thereon.

13. CHAIR TO INTERVENE

When any offensive or disorderly words are used, whether by a person who is addressing the Chair or by a person who is present, the Chair shall intervene.

14. CHAIR TO DETERMINE

When the attention of the Chair is drawn to words used, he/she shall determine whether or not they are offensive or disorderly.

15. DIGRESSION FROM SUBJECT

No person shall digress from the subject matter of any question under discussion.

16. INTERRUPTION OF PERSON

No person may interrupt another person speaking unless:

- (a) to call attention to a question of order suddenly arising;
- (b) to call attention to the want of a quorum; or
- (c) to move a closure motion.

17. PERSON TO DISCONTINUE SPEECH

The Chair, after having called the attention of the meeting to the conduct of a person who persists in irrelevance or tedious repetition, either of his/her own arguments or of the arguments used by other persons in debate, may direct him/her to discontinue his/her speech, provided that such person shall have the right to require that the question whether he/she be further heard be put and thereupon such question shall be put without amendment or debate.

18. NO DEBATE PERMITTED

The following questions are not open to debate and shall be put without argument or opinion offered and without amendment –

- a) question that a person "be now heard", "be further heard", "be not further heard", "be granted an extension of time".
- b) question "that the question be now put"
- c) question "that the ruling of the Chair be dissented from" question "that a person be suspended".
- d) A person moving the motion "that the debate be adjourned" may briefly state his/her reasons for so moving and an opportunity to speak briefly in rebuttal may be given to one other person.
- e) should any of these questions be negatived no similar proposal shall be received if the Chair is of the opinion that it is an abuse of the order or practice of the Branch or is moved for the purpose of obstructing business.

19. MOVER OF ADJOURNMENT OF DEBATE

A person who has not spoken to the question or who has the right of reply may move the adjournment of the debate, which question shall be put forthwith and determined without amendment or debate, subject to the provisions of Standing Order 17. If the question is

resolved in the affirmative, the debate shall be adjourned.

20. ADJOURNMENT OF DEBATE

Upon a debate being adjourned a motion may be made to appoint a time for its resumption and the debate thereupon shall be strictly limited to the choice of date. The debate may be adjourned either to a later hour of the same day or to any other day.

21. ADJOURNMENT NOT TO BE MOVED BY PERSON SPEAKING

It is not competent for a person to move, whilst speaking to a question, the adjournment of the debate.

22. IF MOTION BE NEGATIVED

In the event of a motion for the adjournment of the debate upon any question being negatived, the person who moved the motion for such adjournment may speak in debate on the original question at a later time during such debate.

23. SPEECH TIME LIMITS

The maximum period for which a person may speak on any subject indicated in this Standing Order and the maximum period for any debate, shall not, unless otherwise ordered, exceed the period specified opposite to that subject in the following table:

-	Mover	10 minutes
-	Person next speaking	10 minutes
-	Any other person	10 minutes
-	Mover in reply	10 minutes

Extension of time - with consent of the majority of the meeting, a person may be allowed to continue a speech interrupted under the foregoing provisions of this Standing Order, on motion without debate for a period not exceeding 10 minutes.

24. CLOSURE OF DEBATE

After any question has been proposed from the Chair a motion may be made by a person, rising in his/her place and without notice and whether any

other person is addressing the Chair or not, "that the question be now put" and such motion shall be put forthwith and decided without amendment or debate. If the motion be lost the debate shall be resumed where it was interrupted and the time taken in deciding the question "that the question be now put" shall not be reckoned as part of the time allotted to the person whose speech was interrupted.

25. CLOSURE OF PERSON

A motion may be made that a person who is speaking, except a person giving a Notice of Motion or formally moving the terms of a motion allowed under the Standing Orders, "be not further heard", and such question shall be put forthwith and decided without amendment or debate.

26. QUESTION OF ORDER

Any person may at any time raise a question of order which shall, until disposed of, suspend the consideration and decision of every other question.

27. PERSON TO RESUME SEAT AND CHAIR TO RULE

Upon a question of order being raised, the person called to order shall resume his/her seat and, after the question of order has been stated to the Chair by the person rising to the question of order, the Chair shall give his/her ruling thereon.

28. DISSENT FROM RULING

If any objection is taken to any ruling or decision of the Chair, such objection must be taken at once and a motion of dissent moved shall be proposed to the meeting and debate thereon shall proceed forthwith.

29. NOTICES GIVEN

A notice of motion may be given by a person stating its terms to the meeting when notices are called for, and delivering to the Chair a copy of the motion signed by him/herself and showing the day proposed for moving the motion.

30. GIVEN BY PROXY

A person, in the absence of another person and at his/her request, may give a notice of motion for that other person and shall put the name of such person and his/her own signature on the notice.

31. AMENDMENT

After a notice of motion has been given, the terms thereof may be altered by the person notifying the meeting and delivering to the Chair an amended notice, either on the same day or any day prior to that for proceeding with the motion, or he/she may withdraw the same by notifying the meeting.

32. ORDER ON NOTICE PAPER

Notices shall be entered by the Chair on the Notice Paper or Agenda in the order in which they were delivered.

33. DIVIDING INTO PARTS

If a notice of motion is given which contained matters not relevant to each other, the Chair may arrange that such notice be divided into two or more notices.

34. NOT TO OFFEND AGAINST STANDING ORDERS

Any notice of motion containing unbecoming expression or which offends against any Standing Order, shall be amended by the Chair before it appears upon the Agenda and, if necessary, the Chair may determine that any such notice shall not be placed upon the Agenda.

35. EFFECT OF NOTICE

No notice shall have effect for the day on which it is given.

36. BY NOTICE ONLY

No person may, except by leave of the meeting or unless it be otherwise provided in Standing Orders, move any motion except in pursuance of notice appearing on the Notice Paper or Agenda.

37. ORDER OF PRECEDENCE

Motions shall have precedence of each other according to the order in which they appear on the Notice Paper or Agenda. A motion may be postponed by motion without notice by the person who gave notice of the motion, or a person acting on his/her behalf and at his/her request.

38. NOT DEALT WITH

If, at the adjournment of the meeting, any motions on the Notice Paper or Agenda have not been called on, such motions shall be set down on the Notice Paper or Agenda for the next time the body meets or in the case of Annual Conference referred to the Administrative Committee for decision.

39. LAPSE OF NOTICE

If a person is not present when the notice of motion given by him/her is called on, it shall be withdrawn from the Notice Paper or Agenda unless another person, at his/her request, either moves the motion or thereupon proposes that the motion be later moved.

40. PERSON FAILING TO RISE

If a person, when the notice of motion given by him/her is called on, fails to move the motion, it shall be withdrawn from the Notice Paper or Agenda unless he/she thereupon proposes fixing a future time for moving the motion.

41. POSSESSION OF MOTION

When a motion has been moved, a question thereupon shall be proposed to the meeting by the Chair and the motion shall be deemed to be in possession of the meeting and cannot be withdrawn without leave.

42. REPEATING MOTIONS

A motion which has been superseded, or which, by leave, has been withdrawn may be moved again during the same meeting.

43. QUESTION PUT

As soon as the debate upon a question has been concluded, the Chair shall put the question to the meeting, but, on the request of a person, the Chair may order a complicated question be divided into parts.

44. DECISION

A question being put shall be resolved in the affirmative or negative by the majority of voices "Aye" or "No".

45. OPINION STATED

The Chair shall state whether in his/her position the "Ayes" or "Noes" have it; and if his/her opinion be challenged the question shall be decided by a count.

46. NO REPEAT

Except by leave of the meeting, no question or amendment may be proposed which is the same in substance as any question which, during the same meeting has been resolved in the affirmative or negative, unless the resolution or vote on such question or amendment has been rescinded.

47. RECISSION OF VOTE, ORDER OR RESOLUTION

A resolution or other vote of the meeting may be read and rescinded; but no such resolution or other vote may be rescinded during the same meeting provided that –

To correct irregularities or mistakes one day's notice shall be sufficient, or the recission may be made at once by leave of the meeting.

48. DIFFERENT FORMS OF AMENDING

A question having being proposed may be amended:

- (a) by omitting certain words only;
- (b) by omitting certain words in order to insert or add other words; or
- (c) by inserting or adding words.

49. IN WRITING ONLY

An amendment to any motion before the meeting must, for the purposes of record, be in

writing.

50. RELEVANT

Every amendment must be relevant to the question which it is proposed to amend.

51. FORM OF QUESTION

When the proposed amendment is to omit certain words, the Chair shall put the question "that the words proposed to be omitted, be omitted".

52. OMIT WORDS TO INSERT OR ADD WORDS

When the proposed amendment is to omit words in order to insert or add other words, the Chair shall put the question "that the words proposed to be omitted, be omitted", which, if resolved in the negative, shall dispose of the amendment; but if in the affirmative another question shall be put "that the words proposed to be inserted (or added) be inserted (or added)".

53. INSERT OR ADD WORDS

When the proposed amendment is to insert or add certain words, the Chair shall put the question "that the words proposed to be inserted (or added) be inserted (or added)"

54. ALTERNATIVE QUESTION

If no person objects, the Chair may put the question "that the amendment be agreed to" in place of the question or questions stated in Standing Orders 50, 51 and 52.

55. INCONSISTENT AMENDMENT

No amendment shall be moved which is inconsistent with a previous decision on the question.

56. ORDER OF MOVING

No amendment may be moved to any part of a question after a later part has been amended, or after a question has been proposed on an amendment thereto, unless the proposed amendment has, by leave, been withdrawn.

57. DECISIONS STAND

No amendment may be moved to any words which the meeting has resolved shall not be omitted, or which have been inserted in, or added to, a question, except it be for the addition of other words thereto.

58. ORDER OF DISPOSAL

An amendment proposed shall be disposed of before another amendment to the original question can be moved.

59. WITHDRAWAL

A proposed amendment may, by leave, be withdrawn.

60. AMENDMENTS TO AMENDMENTS

Amendments may be moved to a proposed amendment as if such proposed amendment were an original question.

61. ORDER OF AMENDMENTS

When it is moved to omit words in the main question in order to insert or add other words, no amendment to the words proposed to be inserted, or added can be entertained until the question "that the words proposed to be omitted, be omitted" has been determined.

62. MAIN QUESTION AS AMENDED

When amendments have been made, the main question shall be put as amended.

63. ORIGINAL QUESTION

When amendments have been moved but not made, the question shall be put as originally proposed.

64. CALLING A COUNT

Whenever the Chair states, on putting a question, that the "Ayes" or the "Noes" (as the case may be) have it, his/her opinion may be challenged by persons calling for a count.

65. SUPPORT NEEDED

A count shall not be proceeded with unless more than one person has called for a count.

66. WITHDRAWN BY LEAVE

At any time before the tellers begin to count the members voting in a count, a call for a count may be withdrawn, by leave, and the count shall not be proceeded with. The decision of the Chair which was challenged shall stand.

67. VOTE NOT TO CHANGE

Every person shall vote in the count in accordance with his/her voice either "Aye" or "No".

68. PERSON TO REMAIN

A person calling for a count shall not leave the meeting until the count is concluded.

69. PERSONS TO VOTE

The persons supporting the call for a count and every other person in the meeting, when the question is stated, shall vote.

70. COUNT

The tellers shall count the persons voting and record the votes.

71. RESULT

The Chair shall declare the result of the count to the meeting.

72. RECORD

Counts shall be recorded in the Minutes of Proceedings.

73. CONFUSION OR ERROR

In the case of confusion or error concerning the numbers reported, unless the same can be otherwise corrected, the meeting shall proceed to another count on the question.

74. RECORD CORRECTED

If a complaint be made to the meeting that a count has been inaccurately reported, the Chair may cause the record to be corrected.

75. CASTING VOTE

The chair shall have a casting vote but not a deliberative vote

76. NAMING OF PERSON

If any person has:

- (a) persistently and willfully obstructed the business of the meeting;
- (b) been guilty of disorderly conduct;
- (c) used objectionable or disorderly words, which he/she refused to withdraw;
- (d) persistently and willfully refused to conform to any Standing Order;
- (e) persistently and willfully disregarded the authority of the Chair; he/she may be named by the Chair, or, if any of the above-named offences has been committed by a person in Committee, by the Chairperson.

77. SUSPENSION OF PERSON

If the offence has been committed in the meeting, the Chair shall forthwith put the question, on a motion being made, no amendment, adjournment or debate allowed, that the person named be suspended from the meeting.

78. PERIODS OF SUSPENSION

If any person be suspended under Standing Order 76, his/her suspension shall be for 24 hours.

79. EFFECT OF SUSPENSION

A person who has been suspended shall be excluded from the meeting.

80. LIMITATION

A suspension of Standing Orders is limited in its operation to the particular purpose for which suspension has been sought.

81. TO CONTINUE IN FORCE

The whole of these Standing Orders shall continue in force until altered, amended or repealed.

82. GENERAL RULE

In all particular cases not provided for hereinafter, or other orders or practice of the meeting, resort shall be had to the practice of the National Conference of the ALP in force for the time being, which shall be followed as far as it can be applied.

83. ABSENCE OF CHAIR

Whenever the meeting is informed of the absence of the Chair, the Vice President shall perform the duties of the Chair during that absence.

84. ABSENCE OF CHAIR AND VICE PRESIDENT

Whenever the meeting is informed of the absence of both the Chair and the Vice President, the persons present, if a quorum, may at once proceed to elect one of their number who shall perform the duties of the Chair during that absence. Otherwise the meeting stands adjourned to the next day. For the purposes of this Standing Order, the Secretary shall act as Chairperson of the meeting until a person is elected to perform the duties of the Chair.

85. VICE PRESIDENT TO TAKE CHAIR

The Vice President shall take the Chair as Chair whenever requested so to do by the Chair during a meeting without any formal communication to the meeting.

86. NOTICE TAKEN OF LACK OF QUORUM

If any person gives notice that a quorum of persons is not present, the Chair shall count the meeting; and if a quorum be not present, he/she shall call a quorum. If a quorum is not obtained within 2 minutes, the Chair shall adjourn the meeting for 1 hour; provided that if he/she is satisfied there is likely to be a quorum within a reasonable time he/she shall announce that he/she will take the Chair at a stated time; if at that time a quorum be then present the Chair shall resume; but, if there be not a quorum, the Chair shall adjourn the

meeting to the next day.

87. COUNT-OUT

If proceedings be interrupted by a count-out followed by an adjournment of the meeting, such proceedings may, on motion after notice, be resumed at the point where they were so interrupted.

88. PERSON NOT TO LEAVE

When the attention of the Chair or of the Chairperson has been called to the fact that there is not a quorum of persons present, no person shall leave the meeting until a quorum is present, or 2 minutes have elapsed.

89. ADJOURNMENT OF MEETING

Except as provided by these Standing Orders the meeting may be adjourned only by its own resolution.

90. APPLICATION

- a. These Standing Orders shall apply to the proceedings of Conference unless they are suspended by a two-thirds vote of delegates.
- b. Subject to (i) and (ii) below these Standing Orders shall guide the Chair of every other constituent unit of the Party which meets less formally than Conference.
- b) They shall apply when the relevant constituent unit has at any time by an ordinary majority voted they should apply for whole or part of a meeting. The Chair shall forthwith put any such proposed resolution to the meeting.
- c) Questions of dissent from the Chair's ruling shall be determined as if these Standing Orders were applicable to the whole of the debate connected with the question of dissent including the vote on that question.

SCHEDULE B – MECHANISM FOR COUNTING VOTES

1. THE QUOTA

- (a) The number of first preferences indicated for each candidate shall be counted and recorded and all voting papers which contain no clear indication of a first preference shall be rejected as informal.
- (b) In this Schedule, the words "voting paper" shall be read as including a record of a voter's preferences by means approved by the constituent unit conducting the election.
- (c) The aggregate value of the first preferences, expressed as the number of whole votes, or as the number of thousandths of a vote, shall be divided by the number exceeding by one the number of vacancies to be filled and the whole number next above the quotient or result shall be the quota, and throughout the counting, values shall be recorded in whole votes or thousandths of a vote according to the manner in which the aggregate value of the first preferences was expressed.

2. SURPLUSES ARISING FROM COUNTING OF FIRST PREFERENCES

- a) Any candidate who has a number of first preferences of value equal to or greater than the quota shall be recorded as elected.
- b) If the value of the first preferences recorded for any candidate is equal to the quota, the whole of the voting papers on which a first preference is indicated for him or her shall be set aside as finally dealt with.
- c) If the value of the first preferences recorded for any candidate is greater than the quota, then, except where Rule 3 of this Schedule is applied, the surplus over the quota shall be transferred to the other candidates not yet recorded as elected in the following manner:
- d) The voting papers with first preference indicated for the elected candidate shall be re-examined and for each unelected candidate, the number of these voting papers on which that candidate is indicated as preferred to any other unelected candidate shall be counted and recorded.
- e) If the total value of the voting papers recorded according to Rule 2(c)(i) of this Schedule is greater than the surplus, the surplus shall be divided by the number of these voting

papers and the result shall be the transfer value, provided that if the values are being recorded in thousandths of a vote any fraction in the result may be discarded. But if the number of voting papers with no further preference indicated is so large that the total value of the voting papers recorded according to Rule 2(c)(i) is less than or equal to the surplus, the transfer value shall be the full value of a voting paper (1000).

- f) The number of voting papers recorded for each unelected candidate according to Rule 2(c)(i) shall be multiplied by the value and in each case, the whole number remaining after any fraction in the result is discarded shall be credited to the unelected candidate and added to the value previously recorded for that candidate.
- g) If more than one candidate has a surplus, the surplus shall be transferred in order of size, beginning with the largest, and if two or more surpluses are equal, the Returning Officer shall decide by lot which surplus shall be transferred first.

3. OPTIONAL DEFERMENT OF TRANSFER OF SURPLUS

The transfer of a surplus may be deferred if that surplus, together with every other surplus not transferred, is less than the difference between the quota and the highest progress total of any unelected candidate and is also less than the difference between the lowest progress total and the progress total next above it.

4. SURPLUS ARISING FROM TRANSFER

- a) If the progress total of a candidate is raised up to or above the quota by the transfer of a surplus, that candidate shall be recorded as elected, and no other voting papers shall be allotted to them after this transfer is completed.
- b) If the progress total of a candidate is raised up to but not above quota by the transfer of a surplus, the whole of the voting papers allotted to them shall be set aside as finally dealt with.
- c) If the progress total of a candidate is raised above the quota by the transfer of a surplus, then, except where Rule 3 of this Schedule is applied, his or her surplus shall be transferred to the unelected candidates in the following manner.
- d) The voting papers allotted to the elected candidate in the last transfer shall be re-examined, and, for each unelected candidate, the number of these voting papers on which that candidate is indicated as preferred to any other unelected candidate shall be

counted and recorded.

- e) If the total value of the voting papers recorded according to Rule 4(c)(i) is greater than the surplus, the surplus shall be divided by the number of these voting papers and the result shall be the transfer value, provided that if the values are being recorded in thousandths of a vote any fraction in the result may be discarded. But if the total value of these voting papers is less than or equal to the surplus, the transfer value shall be the value at which the voting papers were allotted to the elected candidate.
- f) The number of voting papers recorded for each unelected candidate according to Rule 4(c)(i) shall be multiplied by the transfer value and, in each case, the whole number remaining after any fraction in the result is discarded shall be credited to the unelected candidate and added to their progress total.
- g) If more than one candidate has a surplus, the surpluses shall be transferred in order of size, beginning with the largest, provided that no surplus shall be transferred before a surplus that arose earlier in the counting whether larger or not, and if two or more surpluses arising from the same transfer are equal, the surplus of the candidate whose progress total was highest when they last had unequal totals shall be transferred first, and if their progress totals were never unequal, the Returning Officer shall decide by lot which surplus shall be transferred first.

5. EXCLUSION

- (a) If, after the transfer of all surpluses except any deferred according to Rule 3, any vacancies remain unfilled, the candidate whose progress total is lowest shall be excluded, and all voting papers allotted to that candidate shall be distributed, each continuing unelected candidate being allotted those papers on which he or she indicated as preferred to any other continuing candidate, and credited with their value.
- (b) The voting papers with first preference indicated for the excluded candidate shall first be allotted, each at its full value.
- (c) The other voting papers of the excluded candidate shall then be allotted in the order of the transfers in which, and with the values at which, they were allotted to that candidate.
- (d) Each allotment of voting papers according to Rules 5(b) and (c) shall be regarded as a

separate transfer in the application of Rule 6(a).

- (e) If it becomes necessary to exclude a candidate and two or more candidates have equal progress totals lower than any other progress total the one whose progress total was lowest when they last had unequal totals shall be excluded first, and if their progress totals were never unequal, the Returning Officer shall decide by lot which candidate shall be excluded first.

6.SURPLUSES ARISING FROM EXCLUSION

- (a) If the progress total of a candidate is raised up to or above the quota by any transfer of the voting papers of an excluded candidate, that candidate shall be recorded as elected, and no other voting papers shall be allotted to him or her after this transfer is completed.
- (b) If the progress total of a candidate is raised up to but not above the quota by any such transfer, the whole of the voting papers allotted to him or her shall be set aside as finally dealt with.
- (c) If the progress total of a candidate is raised above the quota by any such transfer, then, except where Rule 3 is applied, that candidate's surplus shall be transferred to the continuing candidates in the manner specified in Rule 4(c), but this surplus shall not be transferred until all voting papers of the excluded candidate have been allotted.
- (d) Except where Rule 3 is applied, any such surplus shall be transferred before any other candidate is excluded.

7. COMPLETION OF COUNTING

The process of excluding the candidate with the lowest progress total, and allotting his or her voting papers and crediting their value to continuing candidates shall be repeated, and any surplus, except where Rule 3 is applied, transferred, until all vacancies are filled or until the number remaining unfilled is equal to the number of continuing candidates, in which case these continuing candidates shall be recorded as elected.

SCHEDULE C – PRESELECTIONS

1. ROLL AND RETURNING OFFICER

- (a) The Territory Branch Secretary shall keep a Roll of all credentialed delegates to the most recent Territory Conference.
- (b) The Returning Officer may nominate the Deputy to conduct any particular preselection.
- (c) All further reference to the Returning Officer shall include reference to the Deputy Returning Officer.
- (d) The Returning Officer shall not be eligible to either nominate or vote in any preselection.
- (e) If a Returning Officer resigns or becomes ineligible to continue, the Administrative Committee may elect a Returning Officer from the Roll kept by the Branch Secretary.

2. ELIGIBILITY FOR OFFICE

- (a) To be eligible to vote in any preselection ballot a person must be correctly enrolled with the Australian Electoral Commission to vote in the electorate in which the member resides, as prescribed by rule 2.5(b), and must be otherwise eligible to exercise membership rights per rule 2.8(c)(iv).
- (b) Any candidate must be nominated in writing by no less than five financial members of the Territory Branch.
- (c) Either of these conditions of eligibility may be waived by permission of the Administrative Committee and the Branch with responsibility for that electorate.
- (d) All candidates must sign the Pledge.

2A. ELIGIBILITY TO VOTE

To be eligible to vote in any preselection ballot a person must be a current financial member at the time of the ballot, as prescribed by Rule 2.13 Financial Membership.

2B. POWERS OF ADMINISTRATIVE COMMITTEE

- a) The preselection of any candidate is subject to endorsement by a simple majority of

the Administrative Committee.

- b) At any time after the close of nomination, the Administrative Committee may resolve by simple majority that a sole nominee is declared elected, or extend nominations or select no candidate.
- c) The Administrative Committee may, by two-thirds majority, exclude a sitting member of the Northern Territory Assembly or a preselected candidate, from preselection. In such an event, the Administrative Committee must inform all members of the ALPNT of the decision, call for fresh nomination and set a new closing date, whether or not any other nominations had been received at the time.
- d) A sitting member or a previously preselected candidate, who has been dis-endorsed, is not eligible for preselection for the immediate forthcoming election.
- e) In the case 2B(c) is implemented, the Administrative Committee may truncate the period prescribed in 2C9(d) Schedule C or conduct the ballot by means other than by postal vote. In cases of urgency where, preselection is needed within 4 weeks of an election, the Administrative Committee has the power to preselect candidates, provided two-thirds of the Administrative Committee is in agreement. All these decisions can be appealed to the Territory Conference, but the decision of the Administrative Committee is binding until then.

2C. POSTAL BALLOTS

Where a ballot by postal vote is required by these rules:

- (a) The Administrative Committee may make rules for the conduct of the ballot, including the layout of the ballot paper, the distribution of publicity material, the location of the ballot boxes etc.
- (b) The ballot shall be conducted by the Returning Officer in accordance with the Rules.
- (c) The Territory Branch secretary shall provide the Returning Officer with a list of the names and postal addresses of all eligible members of the Territory Branch for the conduct of the ballot.
- (d) The ballot shall remain open for at least 30 days from the date the ballot papers were posted out.
- (e) An official scrutineer appointed by each candidate may be present at the counting of the ballot papers, and may challenge any ballot paper.

- (f) Any appeal against the result of the ballot will be dealt with by the Internal Appeals Tribunal in accordance with rule 5.2.

2D. BALLOT BY MEANS OTHER THAN POSTAL VOTE

Where a ballot is conducted other than by means of postal vote, the Administrative Committee may make rules for the conduct of the ballot and the Returning Officer shall conduct the ballot in accordance with the rules made by the Administrative Committee.

3. PRESELECTION FOR ASSEMBLY SEATS

- a) On instruction from the Administrative Committee, the Returning Officer shall open nominations for pre-selection for Northern Territory Assembly seats. Nominations shall normally remain open for at least one month, except in cases of urgency, where the Administrative Committee may shorten the period.
- b) Members of the Territory Branch should be advised of the dates of opening and closing of nominations, but the fact that a particular member or members were not advised should not invalidate a preselection.
- c) Where nominations close and there is more than one candidate, the following procedure shall apply:
- d) The Returning Officer shall conduct a secret postal ballot of all eligible members of the Territory Branch who are resident in the relevant electorate; and
- e) The Returning Officer shall convene an Electoral College comprising 10 members who were elected by and from the preceding Conference. Preselection will be determined by a majority of the votes of eligible members who reside in the relevant electorate weighted to 50% and the votes of the Electoral College weighted to 50%.

4. PRESELECTION FOR HOUSE OF REPRESENTATIVES AND SENATE SEATS

- (a) On instruction from the Administrative Committee, the Returning Officer shall open nominations for the House of Representatives and Senate positions, as required. Nominations should normally remain open for at least one month, except in cases of urgency, where the Administrative Committee may shorten the period.

(b) Where there is more than one candidate for any position, preselection shall be conducted by a secret postal ballot of all eligible members of the Territory Branch who are resident in the relevant electorate.

5. PLEDGE

I hereby pledge myself that I will not oppose the candidate selected by the Australian Labor Party and, if elected, to do my utmost to carry out the principles embodied in the Platform and on all questions affecting the Platform to vote as a majority of the Parliamentary Labor Party decided at a duly constituted Caucus meeting. I further pledge not to withdraw from the election contest after being duly nominated, without the consent of the Administrative Committee. I hereby agree and acknowledge that any sum specified in the Rules to be paid by me and which remains unpaid is a debt owing to the members of the Territory Branch and may be sued for and recovered in any court of competent jurisdiction. I further agree to abide by the National Code of Conduct determined for fund-raising.

SCHEDULE D – REGIONAL REPRESENTATION ON ADMINISTRATIVE COMMITTEE

The three regional representatives referred to in rule 4.2 (a)(v) shall be elected by plebiscite of members with 6 months continuous financial membership and residing in the Areas described below.

PART A

Area 1 is the region comprising the town of Elliot and all areas north excluding the areas encompassed by the boundaries of Darwin City Council, Palmerston City Council and Litchfield Shire Council.

PART B

Area 2 is the region comprising all areas south of the town of Elliot excluding the area encompassed by the Alice Springs Town Council boundaries.”

PART C

Area Three is the region encompassed by the Alice Springs Town Council boundaries.

SCHEDULE E – ACTIVE SUB-BRANCH CHARTER

PREAMBLE

Sub-branch meetings, and non-meeting activities, should be designed to attract participation, and active involvement. ALP meetings do not have to follow a standard meeting layout or agenda, where members feel it is productive to depart from the normal format.

Sub-branches should develop activities that will improve the local profile and image of the ALP, in non-election periods, in the context of building a genuinely influential Party organisation both locally and throughout the Territory.

Sub-branches must dramatically raise the levels of political skills among the membership.

An intra-Party environment must be established which is genuinely supportive of these moves, and that environment will include:

- (a) matching changes at Administrative Committee level; and
- (b) the best resourcing available from the Administrative Committee and MPs.

This Sub-branch resolves to implement all of the following points immediately, unless otherwise determined.

CHARTER

- 1) Minutes of meetings will be circulated with the next meeting's notice, typed.
- 2) A meeting notice will be sent to every member one week prior to every Sub-branch meeting.
- 3) A typed digest of correspondence received and sent will be distributed at each meeting.
- 4) Meetings shall be held every month, although not necessarily to conduct all normal business in the usual format.
- 5) At every second meeting, bureaucracy will be minimised, and the meeting will hear a guest speaker, or watch a film or video, or set time aside for a discussion of some

particular topic, of which notice has been given, or conduct some other educational, or involving, activity.

- 6) At least four times a year, non-meeting, non-election activities shall be conducted. These may be in lieu of, or as well as, monthly meetings, and the four activities shall in each year consist of a mix of political and non-political activities.
- 7) The Chairperson shall be rotated at every second meeting. No member is to have more than one meeting at which they Chair in a year, except for the Sub-branch President. If there are no volunteers, a name shall be drawn from a hat.
- 8) The Minute Secretary shall be rotated at every second meeting. No member is to have more than one meeting at which they take minutes in a year, except for the Secretary or Assistant Secretary.
- 9) The local MLA is to be responsible (or in the case of non-held seats, the duty MLA) for assisting where appropriate, in providing an organisational focus for the Sub-branch.
- 10) MLA's (or, in the case of non-held seats, the duty MLA) are to provide Parliamentary reports to the Sub-branch, no less frequently than four times a year.
- 11) Meetings shall require and receive reports from Conference delegates, Administrative Committee members, and Territory and Federal MPs.
- 12) Reports from MPs shall be typed, and of no more than three pages in length. A verbal supplement of no more than 10 minutes may be given. Longer discussions must be reserved either for the last item of General Business, or for a specific-topic discussion as discussed at point 5. Reports shall preferably be prepared in time to mail out with meeting notices.
- 13) At the Sub-branch meeting after the AGM, the Sub-branch Executive shall report to the Sub-branch with recommendations for targeted objectives and activities for the year (for example, doubling membership, holding two social functions, etc.).
- 14) The Secretary shall be responsible for reporting comprehensively to the next AGM on the success of the year's targeting, and point by point on the success or otherwise of the Sub-branch in meeting the requirements of this charter.
- 15) A Fundraising Officer shall likewise be required to propose a yearly plan, and report on its implementation
- 16) A member of the Executive shall be appointed to be responsible for devising a Sub-branch training programme, proposing a yearly plan, and reporting on its

implementation. Every two years, at a minimum, there shall be at least one session (either as part of a monthly meeting, or additional) on campaigning, and at least one session on how to make the Sub-branch function better.

- 17) At least once per year the Sub-branch shall conduct some form of highly visible activity in the community (for example, stalls, leaflets, recruitment drive, fundraising activities, community consultations, campaigns on particular issues, etc.).
- 18) A 'Sister Sub-branch' relationship shall be established with a Sub-branch from another area, with a view to occasional joint meetings, joint social functions and fundraisers, and pooling help for marginal seats where possible. The relationship could be reviewed after each election.
- 19) At least twice in each year the Sub-branch shall invite a guest speaker from a local, active community group, to speak on their interests, objectives and activities.
- 20) The Sub-branch shall ensure that their meeting place is comfortable, and accessible to all members and potential members (eg, members under 18 must be able to get in, as must members with mobility problems, and so on)
- 21) Meetings are to be located so that members who wish to do so can socialise immediately afterwards, and in the immediate vicinity (eg, a cup of tea or a beer).
- 22) Meetings shall not consist of a head table facing rows of chairs. At every opportunity a circular layout shall be adopted.
- 23) One member of the Sub-branch Executive shall be responsible for monitoring the performance of the Sub-branch, and reporting annually on at least the following performance indicators:
 - the number of quorate and inquorate meetings;
 - the number of each of 'voting members', 'members', 'supporters club members' and listed 'supporters' in the Sub-branch or in the case of supporters, listed with the Sub-branch;
 - the number of members eligible at the AGM to participate fully in all votes;
 - for each activity conducted by the Sub-branch, what the objective was, whether it was achieved, and how many participated.

SCHEDULE F

Schedule F	<p style="text-align: center;">AFFILIATION OF UNIONS</p> <p>We hereby pledge the union to the Australian Labor Party to faithfully uphold to the best of its ability its Constitution and Platforms and to work and vote for the selected Labor candidates. The union is not affiliated with any other organisation, which pledges its members to support candidates for public office.</p> <p>Name of Union:</p> <p>Name: Signed:</p> <p style="text-align: center;">(President)</p> <p>Name: Signed:</p> <p style="text-align: center;">(Secretary)</p> <p>Date:</p>
------------	---

SCHEDULE G STATISTICAL RETURN

MEMBERSHIP OF AFFILIATED UNION

The total number of members from whom the above named Affiliated Union received an amount of dues in relation to the period between 1 April and 30 June 2002 inclusive:

Union: _____

Females

Males

Total

We certify that the above statement is correct and in accordance with Rule 2.17

2.17(a) Each affiliated unions' affiliation shall be determined each year by an audit of the union's membership as at 30 June of the preceding year. This audit shall determine the union's maximum affiliation as:

- (i) the number of members eligible to vote in a ballot for an office in that union at 30 June as conducted by the appropriate Electoral Commission/s; and
- (ii) the number of members identified in (a) above for whom the union received an amount of dues in relation to the period between 1 April and 30 June inclusive for that year.

2.17(f) A union's affiliation for the purpose of determining State Conference delegates shall be based upon the three year rolling average of the union's affiliation for the current and two preceding years. Affiliation figures prior to 2002 shall not be used to determine a union's rolling

average.

Signed:

Signed:

(President)

(Secretary)

Audit Certificate

To the Union,

We have audited this Statistical Return of Union membership numbers as at the 30 June, 2002. The President and Secretary of this Union are responsible for this Statistical Return.

We have conducted an independent audit of the Statistical Return in order to express an opinion on it to the Union for the purposes of the Australian Labor Party's reporting requirements for the Union's annual affiliation to the Party.

This Statistical Return has been prepared pursuant to the Rules established by the Australian Labor Party for the purpose of determining that the Union's proposed affiliation to the Party is less than or equal to its full audited membership.

We disclaim any assumption of responsibility for any reliance on this statistical return or the statement of the President and Secretary of this Union to which it relates, to any party other than this Union and the Australian Labor Party or for any purpose other than that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards. Our procedures included an examination, on a test basis, of evidence supporting the information included in the Statistical Return. These procedures have been undertaken to form an opinion whether, in all material respects, the Statistical Return is presented accurately in accordance with the Rules of the Australian Labor Party.

Audit Opinion

In our opinion, the Statistical Return presents accurately the union membership number as required by the Australian Labor Party in accordance with its Rules as at

_____.

Partner:

(Name)

(Signature)

Company:

Name: _____

Address: _____

Date: _____

SCHEDULE H

Definition of Terms

Territory Legislative Assembly Caucus: a Caucus of all Labor members elected to serve in the current Parliament of the Northern Territory Legislative Assembly.

Federal Labor Parliamentary Caucus: a Caucus of all Labor members elected to serve in the current parliament of the Australian House of Representatives or Australian Senate.

SCHEDULE I: TERRITORY LABOR CODE OF CONDUCT

1. PRINCIPLES AND PURPOSE

1.1. The Code of Conduct (**Code**) sets out the expectations of the Australian Labor Party (NT Branch), known as NT Labor for all people involved with NT Labor. The following policies sit alongside the Code (**Associated Policies**):

1.1.1. Policy on Sexual Harassment Prevention and Response;

1.1.2. Policy on Harassment and Bullying Prevention and Response; and

1.1.3. Complaints Handling Policy.

1.2. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity, disability, age or ethnicity.

1.3. NT Labor is further committed to providing a safe, inclusive and respectful environment in all Party forums for members, officials, employees, contractors and volunteers. This extends to ensuring policies and procedures effectively protect complainants when allegations of misconduct are made.

1.4. These same principles apply to all those participating in the democratic processes of NT Labor.

1.5. In order to consistently meet the standards of behaviour demanded by these principles, the Code and Associated Policies have been harmonised across all levels and Branches of the Party. This has been done by modifying each Branch's Rules to incorporate the Code and Associated Policies as binding obligations.

1.6. In order to ensure people involved with the Party are aware of, understand and adhere to the Code and the Associated Policies, NT Labor will promote this Code and the Associated Policies across the organisation.

2. APPLICATION

2.1. The Code and Associated Policies apply to the conduct of all NT Labor members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are

familiar with and are bound by this Code and the Associated Policies. This Code also applies to any person who attends an ALP gathering or event.

2.2. The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

3. INTERACTION WITH OTHER CODES, POLICIES AND PROCEDURES

3.1. NT Labor reserves the right to develop complaints handling policies for individual workplaces or gatherings where appropriate which are consistent with the principles outlined in the Code and Associated Policies. Such policies may apply concurrently with the Code and Associated Policies.

3.2. NT Labor also recognises that particular workplaces, including parliamentary workplaces, are governed by specific codes of conduct, legal and WHS requirements and disciplinary procedures. Such policies and obligations may apply concurrently with the Code and the Associated Policies and may be better suited to handle complaints in some circumstances, particularly where the matter relates to Ministerial or Parliamentary staff and employment relationships.

4. STANDARDS OF CONDUCT

4.1. NT Labor expects all persons covered by this Code and Associated Policies to abide by the following standards and principles:

4.1.1. Every person should be treated with dignity, fairness and respect.

4.1.2. Every Member must engage with other Members in a way which affords them dignity, fairness and respect.

4.1.3. Every person should comply with all relevant laws and regulations that apply to any ALP activities.

4.1.4. Every person should be able to participate in activities of the ALP free from bullying, discrimination and harassment including sexual harassment, intimidation, and victimisation.

4.1.5. Action, including decisions as to whether action should be taken, should not be affected by personal interests and relationships and conflicts of interest should be disclosed as appropriate.

4.1.6. No person should behave or act in a way that harms the reputation of the ALP or impacts the health and safety of any person.

5. BREACHES OF THE CODE

5.1. Misconduct under the Code includes but is not limited to situations where someone:

5.1.1. Breaches the law;

5.1.2. Falsifies documents;

5.1.3. Is involved in fraud, bribery or corruption;

5.1.4. Engages in unlawful, disruptive or anti-social behaviour including abuse of legal or illegal drugs;

5.1.5. Is negligent or careless or fails in the duty of competence in the performance of duties;

5.1.6. Is abusive or uses obscene or threatening language to another person;

5.1.7. Is physically or verbally violent against any person;

5.1.8. Behaves in a manner that constitutes discrimination as defined in *the Policy on Harassment and Bullying Prevention and Response*, which includes discrimination or harassment towards a group of persons on the basis of race, ethnicity, gender, gender identity, sexuality, age or disability;

5.1.9. Sexually harasses another person, as defined in the *Policy on Sexual Harassment Prevention and Response*;

5.1.10. Sexually assaults another person;

5.1.11. Behaves in a manner that constitutes harassment towards a person as defined in the *Policy on Harassment and Bullying Prevention and Response*, including on the basis of their sex;

5.1.12. Breaches workplace policies or workplace health and safety laws;

5.1.13. Attends an ALP gathering or event or when purporting to conduct business on behalf of the ALP or representing the ALP is under the influence of drugs or alcohol which prevents the proper or safe performance of duties;

5.1.14. Has unauthorised possession or misuses the property (including information systems) of the ALP;

5.1.15. Deliberately fails to declare to the ALP a conflict of interest (and obtain consent where required) which may affect their performance or judgment as an office holder;

5.1.16. Behaves in a manner which brings the ALP into disrepute;

5.1.17. Misuses ALP confidential information;

5.1.18. Fails to abide by the Associated Policies or other internal ALP policies for member conduct;

5.1.19. Breaches the confidentiality requirements under the Code and Associated Policies; or

5.1.20. Victimises a person for making a complaint or participating in the complaints handling processes under the Code and Associated Policies.

6. SEXUAL HARASSMENT

6.1. NT Labor believes in an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent sexual harassment. NT Labor recognises that sexual harassment is a form of gendered violence.

6.2. NT Labor recognises sexual harassment can constitute serious misconduct. Further details about what conduct is considered sexual harassment and how NT Labor handles this are outlined in the *Policy on Sexual Harassment Prevention and Response*.

7. BULLYING AND HARASSMENT

7.1. NT Labor takes a strong stance against bullying and harassment, including harassment on the ground of sex of any person by any individual covered by this Code.

7.2. NT Labor recognises that bullying and harassment can constitute serious misconduct. Further details about what conduct is considered bullying and harassment and how NT Labor handles this are outlined in the *Policy on Bullying and Harassment Prevention and Response*.

8. PROCEDURE FOR COMPLAINTS

8.1. NT Labor takes seriously complaints involving alleged breaches of the Code and Associated Policies.

8.2. Pathways to make, handle and resolve complaints, either formally or informally, are outlined in the Complaints Handling Policy.

8.3. NT Labor encourages complainants to report criminal conduct to the Police or relevant authorities.

8.4. When dealing with allegations of misconduct, the NT Labor will:

8.4.1. act promptly;

8.4.2. undertake a transparent process having regard to procedural fairness; and

8.4.3. maintain confidentiality.

SCHEDULE J: TERRITORY LABOR POLICY FOR SEXUAL HARASSMENT PREVENTION AND RESPONSE

1. APPLICATION

1.1. The Code of Conduct (**Code**) sets out the expectations of the Australian Labor Party (Northern Territory Branch), known as NT Labor, for all people involved with the Party. The following policies sit alongside the Code (**Associated Policies**):

1.1.1. this Policy on Sexual Harassment Prevention and Response;

1.1.2. Policy on Harassment and Bullying Prevention and Response; and

1.1.3. Complaints Handling Policy.

1.2. The Code and Associated Policies apply to the conduct of all NT Labor members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are familiar with and bound by this Code and the Associated Policies. The Code and Associated Policies also apply to any person who attends an ALP gathering or event.

1.3. The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

2. PRINCIPLES

2.1. NT Labor believes in an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent and address sexual harassment.

2.2. Bullying and harassment, particularly sexual harassment, can cause physical, emotional, sexual, psychological, social and economic harm. Victims, survivors and complainants in many organisations have historically been silenced and left unsupported.

2.3. The ALP has harmonised its policies for Sexual Harassment Prevention and Response across its structure. This means the definition, response and prevention approach adopted by the ALP in response to these issues is largely consistent across all levels of the organisation.

2.4. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity,

disability, age or ethnicity. These same principles apply to all those participating in the democratic processes of NT Labor.

2.5. International Labour Organisation convention 190 – *Violence and Harassment in the World of Work (Convention)* recognises the fundamental right of every worker to be free from all forms of violence and harassment at work, regardless of their employment type. This includes volunteers, contractors, casuals, trainees and apprentices.

2.6. Consistent with the Convention, NT Labor stands against work related gendered violence, in all its forms, including sexual harassment, bullying and other types of inappropriate behaviour, which are prohibited and will not be tolerated. If sexual harassment does occur, the Party has a duty to respond promptly, confidentially and safely.

3. AWARENESS AND TRAINING

3.1. NT Labor recognises that simply having a policy or code is not enough, and that the Party must ensure that steps are taken to create a robust positive culture by improving awareness, providing training and implementing robust systems and processes.

3.2. NT Labor has a duty to ensure that everyone involved with the Branch is aware of this Policy and the expectations of NT Labor regarding sexual harassment.

3.3. The ALP recognises that it has a duty to provide adequate training to Members of Parliament (**MP**), Parliamentarians, other elected officials, paid staff and support staff and to extend training opportunities to other members of NT Labor as time and resources permit.

3.4. Training is mandatory upon induction for MPs, Parliamentarians, other elected officials and senior staff, with regular refresher training. A register is kept of each person who has received training, including where persons have received appropriate equivalent training in a workplace setting.

4. WHAT IS SEXUAL HARASSMENT?

4.1. Sexual harassment is unwanted or unwelcome conduct of a sexual nature, including unwelcome sexual advances or unwelcome requests or sexual favours, in circumstances where it is reasonable (considering the context of the situation and individuals) to anticipate the possibility the recipient will feel offended, humiliated or intimidated. It is irrelevant whether the person committing the acts intends to sexually harass the recipient.

4.2. Sexual harassment can take many different forms – it can be obvious or indirect, physical or verbal, online or in person, and repeated or one-off. Sexual harassment may include (*this list is not exhaustive*):

4.2.1. physical acts, such as unwanted touching, sexual gestures or sexually explicit contact;

4.2.2. verbal acts, such as requests for sexual favours or dates, making promises or threats in return for sexual favours, inappropriate jokes and innuendos, explicit conversations, derogatory comments, insults, taunts, or intrusive questions or comments about a person’s private life; or

4.2.3. visual acts, such as leering or staring at a person, and viewing, displaying or distributing offensive or explicit material including via the internet or email/ text messages.

4.3. Sexual harassment can be a form of discrimination and can have serious legal and other consequences for individuals, bystanders and work teams. It can expose the ALP to disputes and litigation.

4.4. Sexual harassment can occur in person or online. Technology-facilitated harassment can take many forms, such as: messages or calls, account take overs, image-based abuse, fake social media accounts; and being tracked through a phone or device.

4.5. Sexual harassment can cause distress and harm for people who are not directly involved, including family members and colleagues.

4.6. Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

5. ACTIVE BYSTANDER INTERVENTION

5.1. NT Labor encourages and values safe active bystander intervention by members of the Party to prevent or stop sexual harassment from occurring or continuing.

5.2. Steps involved in safe active bystander intervention are:

5.2.1. noticing the situation – paying attention to what is going on nearby;

5.2.2. assessing and deciding whether someone might need help;

5.2.3. checking with others if unsure;

5.2.4. accepting responsibility to take action – not assuming someone else will act; and

5.2.5. making a plan to step in, without being aggressive or putting oneself or others in danger.

6. RESOLUTION AND COMPLAINTS

6.1. Complaints and breaches of this Policy should be reported in accordance with the *Complaints Handling Policy*.

6.2. Various informal and formal methods are available to resolve complaints depending on the nature and seriousness of the allegations, and the wishes of the complainant.

6.3. The process to handle and resolve complaints is outlined in the *Complaints Handling Policy*.

7. SUPPORT

7.1. A member who alleges sexual harassment by a member of the Party, or a person who alleges that sexual harassment took place at a gathering or event under the auspices of the NT Labor, is entitled to a respectful and prompt response from NT Labor.

7.2. Part of the resolution process is ensuring that a complainant is aware of available reporting options. This may involve referral to counselling or other independent avenues of professional advice and assistance, with the consent of the complainant.

7.3. Appropriately skilled and trained Party members can support a person who has experienced sexual harassment. However, it is of the utmost importance to ascertain and respect the wishes of the person making a complaint with respect to privacy and confidentiality.

7.4. Where criminal conduct, including sexual assault, has occurred, or may have occurred, referral to police by NT Labor should only occur subject to the consent of the complainant and any mandatory reporting obligations.

SCHEDULE K: TERRITORY LABOR BRANCH COMPLAINTS HANDLING POLICY

1. APPLICATION

1.1. This Complaints Handling Policy applies to complaints arising under the following policies:

- (a) the Code of Conduct;
 - (b) the Policy for Sexual Harassment Prevention and Response; and
 - (c) the Policy for Bullying and Harassment Prevention and Response
- (together, the **Code of Conduct and Associated Policies**).

2. COMPLAINT RESPONSE JURSDICTION

2.1. The ALP has harmonised its complaints handling policy across its structure. This means that the process and procedure for responding to complaints is largely consistent across the Party including NT Labor.

2.2. Complaints should be actioned by the Branch to which they relate.

2.3. NT Labor cannot action complaints relating to the National Office, or in connection with a National ALP gathering or event. Complaints relating to the National Office or in connection with a National ALP gathering or event will be actioned by the National Secretariat's Office.

2.4. NT Labor reserves the right to develop complaints handling policies for individual workplaces where appropriate, which are consistent with the law and the principles outlined in the Code of Conduct and Associated Policies.

2.5. An overview of the complaints handling process is set out at Attachment A.

2.6. The following table sets out the relevant pathways for complaints to be actioned. However, NT Labor recognises that many members are involved in the Party in a variety of ways and encourages anyone who may wish to make a complaint to speak to a Respect Contact Officer listed at section 4 for further guidance.

PATHWAYS

Coverage	Relevant jurisdiction	Relevant Policies
ALP members, Parliamentarians, officials (paid and unpaid), staff,	National Secretariat Office	National Code of Conduct ALP National Policy on Sexual Harassment Prevention and

contractors, volunteers and any person who attends a National ALP gathering or event		Response ALP National Policy on Bullying and Harassment Prevention and Response ALP National Complaints Handling Policy
Parliamentary Staff & Volunteers of Parliamentarians & Parliamentarians in relation to workplace matters	Cth, State and Territory Parliaments, Department of Finance Relevant State/Territory department/ agency as applicable	Members of Parliament (Staff) Act 1994, or Work Health & Safety Act 2011, or Fair Work Act 2009 or relevant State/Territory legislation as applicable
Federal Members of Parliament in relation to conduct at jurisdictional gatherings and events outside of the jurisdiction of their Membership	National Secretariat Office	National Code of Conduct ALP National Policy on Sexual Harassment Prevention and Response ALP National Policy on Policy on Bullying and Harassment Prevention and Response ALP National Complaints Handling Policy
Federal Members of Parliament in relation to conduct at jurisdictional gatherings and events in the jurisdiction in which they are a Member	Relevant State or Territory Branch	The relevant state and territory branch rules, procedures and processes which incorporate: Branch Rules Code of Conduct; Policy on Sexual Harassment Prevention and Response; Policy on Bullying and Harassment Prevention and Response; and

		this Complaints Handling Policy
ALP members, Parliamentarians, officials (paid and unpaid), staff, contractors, volunteers and any person who attends a jurisdictional gatherings and events	Relevant State or Territory Branch	The relevant State or Territory Branch rules, procedures and processes which incorporate: Branch Rules Code of Conduct; Policy on Sexual Harassment Prevention and Response; Policy on Bullying and Harassment Prevention and Response; and this Complaints Handling Policy
National ALP organisational staff and paid officials	National Secretariat Office	National ALP Workplace Health & Safety Policy and Employment Terms and Conditions
Branch organisational staff and paid officials	Relevant State or Territory Branch	Relevant Branch employment agreements, and the following rules, procedures and processes: Code of Conduct; Sexual Harassment Prevention and Response; Policy on Bullying and Harassment Prevention and Response; and

		this Complaints Handling Policy
--	--	---------------------------------

2.7. In the event that a complaint relates to conduct of an ALP member (excluding Federal MPs) occurring across more than one jurisdiction or online, the complaint will be referred to a Complaint Manager in the jurisdiction in which the respondent is a member for action in accordance with that Branche’s Complaints Handling Policy.

3. KEY SUPPORT PRINCIPLES IN COMPLAINT HANDLING

3.1. NT Labor is committed to ensuring that allegations of sexual harassment, harassment, bullying, discrimination and other breaches of the Code of Conduct and Associated Policies are dealt with promptly, confidentially and in accordance with the principles of procedural fairness for all parties involved.

3.2. It is important that the handling and resolution of any complaint is undertaken in a manner that is respectful, trauma informed, culturally safe, particularly for First Nations people, and avoids additional distress to complainants, survivors and victims.

3.3. It is also important throughout the complaint handling and resolution process that complainants are adequately supported and are aware of the support options and complaint reporting options available to them. Respect Contact Officers and Complaint Managers can provide information on available support options, including External Support Providers.

3.4. In order to respect the privacy of complainants and the principles of natural justice, NT Labor will not comment on any complaint while it is being investigated or subject to any process or action in relation to a complaint except to say that this Policy is being complied with.

4. RESPECT CONTACT OFFICER

4.1. Respect Contact Officers are available as an initial contact point for a complainant.

4.2. Respect Contact Officers have been trained in both this Policy and the Code of Conduct and Associated Policies. In carrying out their role, a Respect Contact Officer will support the complainant by:

- (a) taking all complaints seriously;
- (b) listening without interrupting;

- (c) letting the person express how they feel and respecting the words they use in reference to the incident or incidents;
- (d) acknowledging if the person is in distress and may have difficulties in expressing themselves;
- (e) respecting the decisions of a complainant; and
- (f) provide information to complainants on External Support Providers, being organisations that have the training and capacity to support the complainant.

4.3. The role of a Respect Contact Officer is to:

- (a) receive complaints;
- (b) act promptly;
- (c) assess the nature of a complaint and provide initial information and advice to the complainant regarding the complaints handling process and options available to the complainant under this Policy;
- (d) initiate immediate action where there is imminent danger/ immediate risk;
- (e) refer complaints to an appropriate Complaint Manager, as provided by the Pathways set out in clause 2.6;
- (f) refer complaints to another Respect Contact Officer if they have a conflict of interest;
- (g) respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation;
- (h) ensure appropriate details of the complaint are recorded in the Complaint Report Form; and
- (i) record appropriate details of all complaints as required by ALP's record keeping and reporting requirements .

4.4. NT Labor's Respect Contact Officers are connected to a National Office., however , the Pathways set out above remain applicable.

5. COMPLAINT MANAGER

5.1. Complaint Managers are appointed from within the ALP and receive complaints, including referrals from Respect Contact Officers or the Secretary, and then act and provide guidance to ensure that the complaint is handled in accordance with this Policy.

5.2. Complaint Managers have been trained in both this Policy and the Code of Conduct and Associated Policies. In carrying out their role, a Complaint Manager will support the complainant by:

- (a) taking all complaints seriously;
- (b) listening without interrupting;
- (c) letting the person express how they feel and respecting the words they use in reference to the incident or incidents;
- (d) acknowledging if the person is in distress and may have difficulties in expressing themselves;
- (e) respecting the decisions of a complainant; and
- (f) provide information to complainants on External Support Providers, being organisations that have the training and capacity to support the complainant.

5.3. The role of a Complaint Manager is to:

- (a) refer complaints to another Complaint Manager or an external provider if they have a conflict of interest;
- (b) confirm complaints fall under this Policy including the appropriate jurisdiction for the complaint to be actioned;
- (c) provide advice to the complainant about the complaint handling process and options available to the complainant for resolving their complaint;
- (d) provide written advice to the Secretary on the complaint, the complaints handling process and this Policy;
- (e) assist Secretary in carrying out complaints handling process requirements set out in this Policy;
- (f) provide information to the respondent promptly, this may include advising the respondent that a complaint has been made with the consent of the complainant;
- (g) ensure appropriate details of the complaint are recorded in the Complaint Report Form;
- (h) initiate immediate action where there is imminent danger/ immediate risk;
- (i) record appropriate details of all complaints as required by ALP's record keeping and reporting requirements ;

(j) respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation; and

(k) act promptly.

5.4. Where a Complaint Manager listed cannot be appointed due to an actual or perceived conflict of interest, the Secretary may refer the complaint to a Complaint Manager from another Branch or an external complaints provider to perform the duties of the Complaint Manager under this Policy. If a Complaint Manager from another Branch is appointed, the Pathways set out above remain applicable.

6. SECRETARY

6.1. The Secretary may receive complaints.

6.2. The Secretary will refer complaints to an appropriate Complaint Manager having regard to the applicable Pathway and for the purposes of complying with the complaints process set out in this document.

6.3. The role of the Secretary is to:

(a) act promptly;

(b) take all complaints seriously;

(c) respect the confidentiality of those involved in the complaint, subject to the requirements of this Policy, mandatory reporting obligations and any applicable duties under work health and safety legislation;

(d) receive referrals from a Complaint Manager to action complaints in accordance with the requirements of this Policy;

(e) action complaints in accordance with the requirements of this Policy;

(f) initiate immediate action where there is imminent danger/ immediate risk;

(g) refer matters to the National Complaints Panel for decision making on disciplinary action where an investigation substantiates or partially substantiates a complaint either:

A. in the Secretary discretion for matters where the sanction considered does not include expulsion, suspension or termination of appointment; and

B. in all cases where a sanction being considered includes expulsion, suspension or termination of appointment,

- (h) determine the disciplinary action to be taken where the sanction proposed does not include expulsion, suspension or termination – or where the respondent agrees to expulsion, suspension or termination of appointment;
- (i) record appropriate details of all complaints as required by ALP’s record keeping and reporting requirements .

7. CONFLICTS OF INTEREST

7.1. Where a Secretary has a perceived, actual or potential conflict of interest in relation to a complaint, the President of tNT Labor will facilitate the process with the same authority as the Secretary.

7.2. Where the Secretary determines that both they and the President of NT Labor have a conflict of interest that cannot be managed, the Secretary may ask the Complaint Manager to request that a member of the ALP National Appeals Tribunal appoint a suitably qualified person from NT Labor to carry out the role and functions of the Secretary set out in this Policy. Such person will have the powers and responsibilities given to the Secretary under this Policy, including the power to impose a sanction in accordance with clause 12.

8. LESS FORMAL RESOLUTION OPTIONS

8.1. Different methods of resolution may be used to resolve potential complaints, depending on the nature of the allegations, the seriousness of the alleged behaviour, and the wishes of the complainant.

8.2. Less formal resolution processes are usually appropriate where the allegations are less serious in nature or the complainant wishes to pursue a less formal resolution.

8.3. Less formal resolution options include:

- (a) the complainant contacting the person directly either verbally or in writing to tell the person that they do not like the behaviour, and asking that it stop; and
- (b) a facilitated meeting between the complainant and respondent, noting that this option will be dependent on the respondent’s willingness to participate in a meeting.

8.4. The purpose of self-resolution is to enable the parties to resolve the matter themselves. The complainant may seek advice on possible strategies from a Complaint Manager.

8.5. The purpose of less formal resolution is to allow the complainant to put their complaint forward in a supported environment to the respondent, with the aim of ensuring the offending behaviour ceases.

8.6. Outcomes from less formal options include:

- (a) an acknowledgement of complaint;
- (b) an apology;
- (c) undertaking not to repeat behaviour;
- (d) undertaking to change behaviour;
- (e) agreement to undertake additional training; and
- (f) agreement regarding conduct in the future.

8.7. If a complainant or respondent does not believe an issue can be resolved by less formal resolution, they should advise the Complaint Manager as soon as practical. The Complaint Manager will then advise the complainant of other resolution options.

9. MORE FORMAL RESOLUTION OPTIONS

9.1. Where a complaint is not resolved by less formal resolution, the Secretary may take more formal resolution options, with the consent of the complainant.

9.2. In this instance, the Complaint Manager will provide advice to the Secretary on next steps.

9.3. Having regard to the principles set out at clause 3.1, the following steps may be taken, as part of more formal action:

- (a) a mediation between the complainant and respondent in the first instance to resolve the complaint, with the consent of both parties to the complaint; or
- (b) an independent third party may be appointed by the Complaint Manager to investigate the complaint with the consent of the complainant.

9.4. By way of general guidance, if an investigation is commenced the Investigator will be provided with Terms of Reference authorised by the Secretary to investigate the complaint. As part of the investigation process the following may occur:

- (a) the complainant may be asked to provide written details of the complaint or may be interviewed, with a support person or adviser if required;
- (b) relevant details of the complaint will be conveyed to the respondent;

- (c) the respondent will be given 7 days to respond, or as otherwise reasonably determined by the Investigator;
- (d) the respondent may be asked to provide written details of the response to the complaint or may be interviewed, with a support person or advisor, if required;
- (e) the complainant may be required to provide an affidavit or statutory declaration verifying on oath the truthfulness of the complaint;
- (f) the respondent may be required to provide an affidavit or statutory declaration verifying on oath the truthfulness of the response to the complaint;
- (g) if there is a dispute over facts, other relevant evidence may be gathered and witnesses may be interviewed;
- (h) a finding may be made as to whether the complaint is substantiated to the satisfaction of the Investigator on the balance of probabilities; and
- (i) a written report may be prepared, documenting the evidence, the finding and any recommendations including disciplinary action.

9.5. The final investigators report must be provided to the Complaint Manager and Secretary.

9.6. Where a complaint is not substantiated, parties are to be advised and the matter will be closed within 7 days of receiving the investigators final report.

9.7. If the complaint is substantiated, including partially, by the Investigator, within 4 days the Secretary must advise the respondent and provide the respondent with 7 days to provide written submissions on sanctions or other disciplinary action.

9.8. Within 4 days of receipt of submissions from the respondent and where it is recommended or intended that the sanction or disciplinary action is suspension, expulsion or termination, the Secretary must refer the matter to the National Complaints Panel in writing for a decision on sanction or other disciplinary action.

9.9. Within 7 days of receipt of submissions from the respondent where it is recommended or intended that the sanction or disciplinary action is not suspension, expulsion or termination, the Secretary must make a decision on the sanction or other disciplinary action.

9.10. In its discretion, the Secretary may also refer matters for decision on sanction or disciplinary action where the proposed sanction is not suspension, expulsion or termination at any time.

10. COMPLAINTS INVOLVING CRIMINAL CONDUCT

10.1. Some forms of harassment, including sexual harassment may constitute a criminal offence. This includes physical assault, indecent exposure and sexual assault.

10.2. In accordance with the Code of Conduct, criminal conduct is able to be reported to the Police by the complainant.

10.3. Any referral to the police or external agencies by NT Labor will be done in consultation with, and consent by, the complainant, subject to the requirements of this Policy, mandatory reporting obligations and obligations under work health and safety legislation.

10.4. Where a police or other agency investigation or prosecution is underway, legal advice should be obtained by the Secretary in relation to next steps under this Policy including whether any action should be placed on hold.

11. ALLEGATIONS OF SEXUAL ASSAULT

11.1. Where an allegation of sexual assault is made, NT Labor should be active in its support of the complainant by providing appropriate details of External Support Providers.

11.2. Survivors of sexual assault should be in control of the decisions affecting them, especially their right to decide whether to seek counselling, medical services, police or legal intervention.

11.3. At all times the privacy of the complainant should be respected and no information should be shared without their consent, subject to the requirements of this Policy, mandatory reporting obligations and obligations under work health and safety legislation.

11.4. At all times complaints will be managed in a way which acknowledges and is respectful of the fact that sexual assault is a traumatic incident and every individual will differ in the impact upon their ability to make immediate decisions and to communicate.

11.5. External Support Providers (see below) are best placed to provide advice about legal options, court preparation and court support to the complainant and it is not intended that the Respect Officer or the Complaint Manager provide these types of supports to the complainant.

12. CONSEQUENCES AND DISCIPLINARY ACTION

12.1. A breach of the Code of Conduct, depending on its nature and severity, may lead to disciplinary action being taken by the Secretary, which may include:

- (a) counselling;
- (b) requiring an apology;
- (c) conciliation/mediation conducted by an impartial third party;
- (d) training on expected standards of behaviour; and
- (e) a warning.

12.2. A breach may also lead to:

- (a) termination of appointment, suspension or expulsion from the Party in accordance with the process set out in this Policy; and
- (b) where the respondent is an employee, performance management, demotion or termination in accordance with relevant workplace laws, agreements and policies.

12.3. A decision made under this Policy to impose a sanction or take disciplinary action against a respondent is binding, subject to any appeal available under this Policy.

Decisions by the Secretary

12.4. Where the respondent is an employee, any decision relating to their employment will be consistent with any applicable workplace laws, agreements and policies.

12.5. A decision of the Secretary under clause 12.1 is appealable to the National Complaints Panel, except where the decision relates to an employee and their employment in which case decisions are subject to relevant workplace laws, agreements and policies.

Decisions by Complaints Panel

12.6. Where a matter is referred to the National Complaints Panel for decision making on sanction or other disciplinary action, one appointed member of the National Complaints Panel, selected on a rotational basis, will make a decision regarding an appropriate sanction or disciplinary action.

12.7. The Panel Member must make a decision on the sanction or other disciplinary action based on the investigation report findings and any submissions received on disciplinary action. Sanctions can include, but are not limited to, termination of appointment, suspension and expulsion from the Party.

12.8. A Panel Member must advise the Secretary and Complaint Manager of the decision within 7 days of receipt of the referral.

12.9. The complainant and respondent should be advised of the decision within 4 days of receipt of the decision.

12.10. A decision of a Panel Member is subject to appeal under clause 12.12.

Appeals

12.11. The respondent may make a written request for an appeal within 7 days of notification of the Secretary or National Complaints Panel Member's decision. A request for an appeal can only be made on the grounds that procedural fairness was denied. The request for an appeal, addressing the grounds for appeal, should be made to the Complaint Manager and Secretary.

12.12. Within 4 days of receipt of request and grounds for appeal, the matter will be referred to a National Complaints Panel (on a rotational basis with no member being the original decision maker) to hear the appeal.

12.13. The National Complaints Panel must determine whether it will hear the appeal, and then whether it will hear the appeal on papers or by way of a hearing.

12.14. Any decision by the National Complaints Panel to overturn the previous decision must be accompanied by written reasons and agreed by two-thirds of the National Complaints Panel.

12.15. Any sanction is stayed during an appeals process. The respondent may however be suspended until the appeal is finalised.

Conflicts of Interest

12.16. Where a member of the National Complaints Panel has a perceived, actual or potential conflict of interest on any matter, including an appeal, they must decline to make a decision on the matter and communicate this to the Chair of the National Complaints Panel assigned to the matter, who will appoint a replacement National Complaints Panel Member.

13. REPORTING PLAN

13.1. NT Labor is committed to monitoring the effectiveness of the Code of Conduct and Associated Policies.

13.2. NT Labor will collect de-identified data on each complaint received under this Policy in accordance with annual reporting obligations under the Code of Conduct and Associated Policies Reporting Plan.

13.3. Each year by 31 January, the Secretary will provide the National Secretary a de-identified report of all complaints received under this Policy in accordance with annual reporting obligations under the Code of Conduct and Associated Policies Reporting Plan.

14. GENERAL

14.1. Anonymous complaints can be made under this Policy. The ability to take action in relation to anonymous complaints will depend on the nature of the complaint, level of information provided and, where appropriate, the consent of the person subject to the alleged conduct.

14.2. All parties to a complaints process must maintain confidentiality. A failure to maintain confidentiality may be a breach of the Code of Conduct which may result in action being taken under this Policy.

14.3. Where a finding is made against a person, or a sanction or other disciplinary action is imposed under this Policy, the finding, sanction or other disciplinary action may be shared between Branches to the extent reasonably necessary to properly administer a Branch and uphold the Code of Conduct and Associated Policies. Details of complaints that are not finalised due to a member resigning can also be shared for this purpose.

14.4. Victimising a person for making a complaint under this Policy or participating in a complaints handling policy may be a breach of the Code of Code which may result in action being taken under this Policy.

14.5. Disciplinary action may also be taken against a person for making a complaint or against a complainant if there is substantiated evidence that the complaint was malicious or vexatious.

14.6. In the event that time or other circumstances do not permit the Secretary to conduct the process for a complaint, the Secretary may appoint another NT Labor official or independently qualified person to facilitate the process with the same authority as the Secretary.

14.7. NT Labor will not comment on any complaint while it is being investigated or subject to any process or action, save to say this Policy is being complied with. Upon conclusion of the

process, the Secretary may if appropriate in the circumstances, provide a brief factual statement on the outcome.

14.8. Any existing complaints being actioned when this Policy comes into effect will continue to be actioned in accordance with the rules and procedures in place at the time the complaint was made, unless the Secretary requests that a complaint is recommenced under this Policy.

EXTERNAL SUPPORT PROVIDERS

Acacia EAP

1300 364 273 <https://www.eapcounselling.com.au/>

Sexual Assault & Domestic Violence National Help Line

1800 Respect (1800 737 732)

www.1800respect.org.au/

Lifeline

13 11 14

24-hour crisis support and suicide prevention.

www.lifeline.org.au

Beyondblue

1300 224 636

Mental health support

<https://www.beyondblue.org.au/>

Qlife

1800 184 527

Attachment A – Complaints Handling Process

How to make a complaint

The prevention of bullying, harassment and discrimination is the responsibility of all ALP members, staff and volunteers.

The ALP is committed to the right of all members, staff and volunteers to participate in ALP activities free from bullying, sexual harassment and discrimination, gendered violence, in all its forms, and other types of inappropriate behaviour.

The ALP encourages and values safe active bystander intervention to prevent or stop bullying, harassment and discrimination.

If you are unsure about who to make a complaint to you can contact a Respect Contact Officer to understand more about the process.

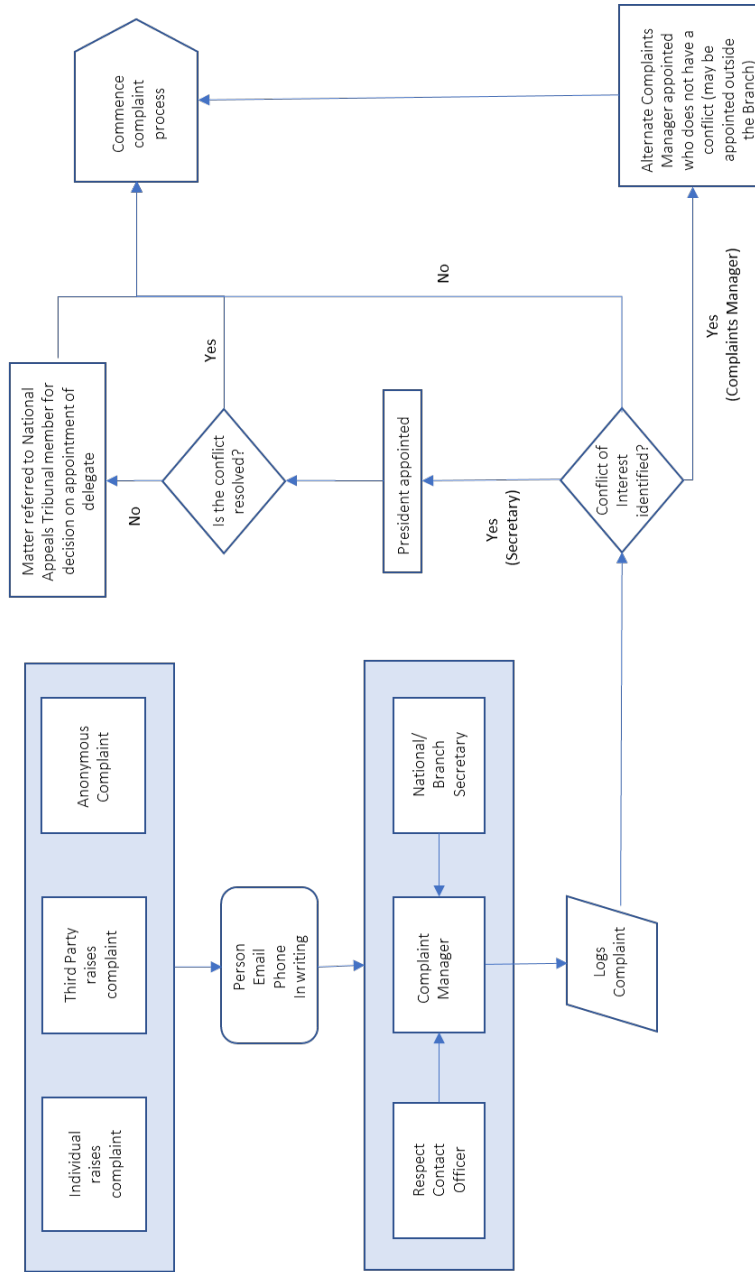
All complaints received will be treated confidentially and records will be held securely for reporting purposes.

Anonymous complaints will be actioned dependent on the level of information provided and subject to the response of the person alleged to have been subject to the harassment, bullying or discrimination.

Complaints should be actioned by the Branch to which they relate. Complaints relating to the National Office, or in connection with a National ALP gathering or event will be actioned by the National Secretariat's Office.

Where issues of conflict of interest are identified relating to referral pathways or specific roles within the complaints handling process, alternative delegations may be made. Should alternative delegations not resolve the conflict of interest concerns the issues will be referred to a member of the National or State based Appeal Tribunal for a determination in accordance the Complaints Handling Process.

Some forms of harassment, including sexual harassment may constitute a criminal offence. This includes physical assault, indecent exposure and sexual assault. Criminal conduct is able to be reported to the Police by the complainant. Any referral to the police or external agencies by the ALP will be done in consultation with, and consent by, the complainant, subject to the requirements of mandatory reporting obligations and obligations under work health and safety legislation.



Complaint process

Support available

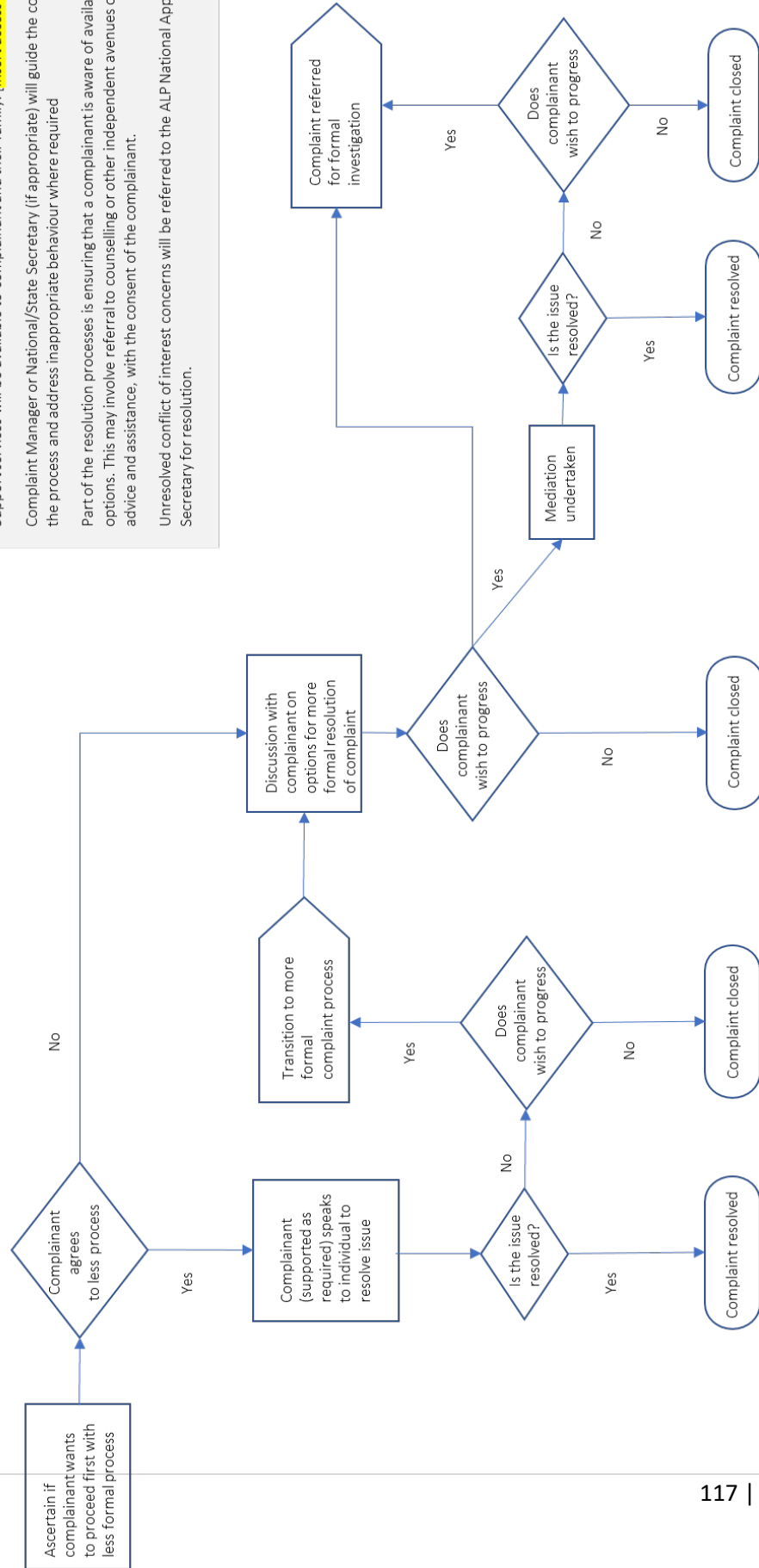
The Respect Contact Officer can provide advice on options available and act as a support where appropriate.

Support services will be available to complainant and their family. [\[insert access details\]](#)

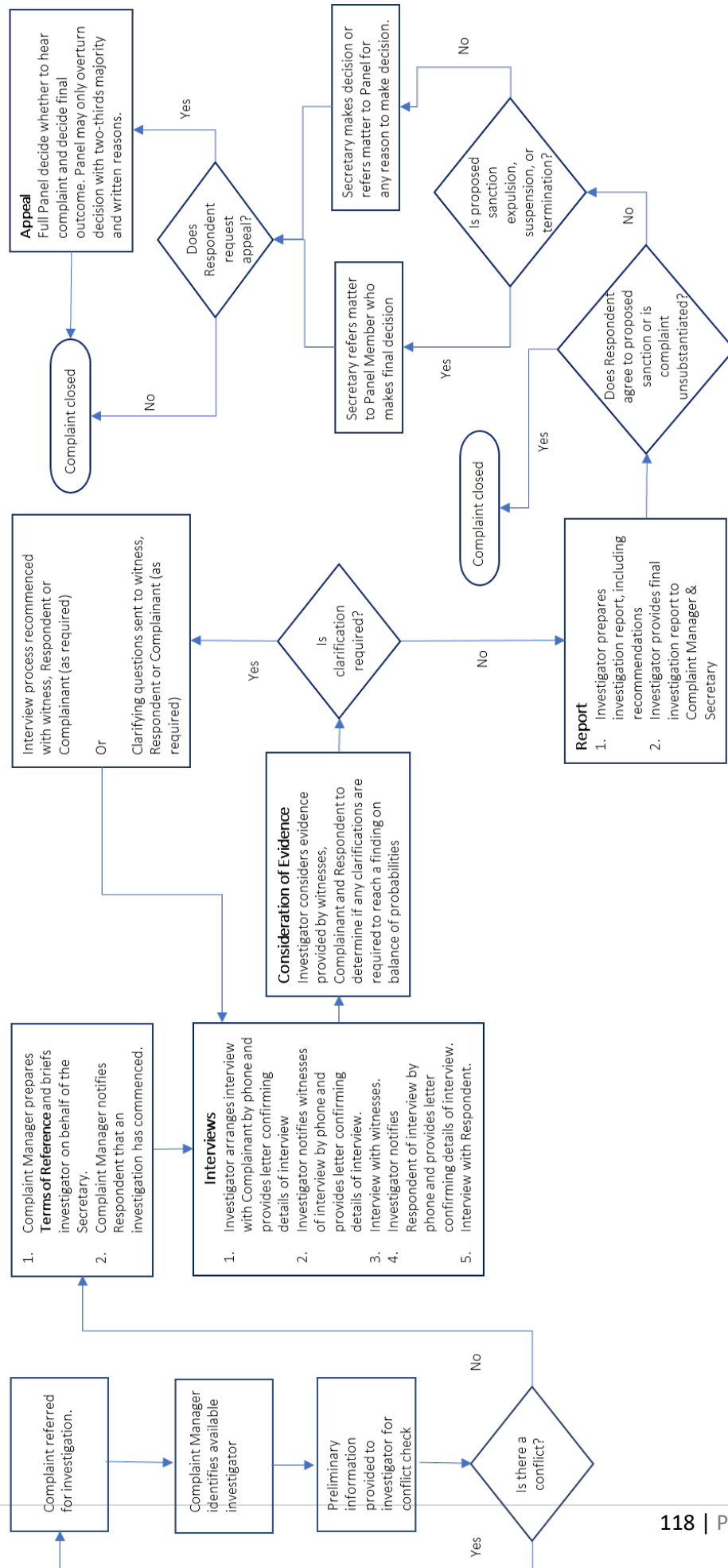
Complainant Manager or National/State Secretary (if appropriate) will guide the complainant through the process and address inappropriate behaviour where required

Part of the resolution processes is ensuring that a complainant is aware of available reporting options. This may involve referral to counselling or other independent avenues of professional advice and assistance, with the consent of the complainant.

Unresolved conflict of interest concerns will be referred to the ALP National Appeals Tribunal by the Secretary for resolution.



Investigation process



SCHEDULE L: TERRITORY LABOR POLICY ON BULLYING AND HARASSMENT PREVENTION AND RESPONSE

1. APPLICATION

1.1. The Code of Conduct (**Code**) sets out the expectations of the Australian Labor Party (Northern Territory Branch), known as NT Labor, for all people involved with NT Labor. The following policies sit alongside the Code (**Associated Policies**):

- 1.1.1.1. Policy on Sexual Harassment Prevention and Response;
- 1.1.1.2. this Policy on Harassment and Bullying Prevention and Response; and
- 1.1.1.3. Complaints Handling Policy.

1.2. The Code and Associated Policies apply to the conduct of all NT Branch members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are familiar with and bound by this Code and the Associated Policies. The Code and Associated Policies also apply to any person who attends an ALP gathering or event.

1.3. The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by the ALP, election campaigns, and meetings and conferences which individuals covered by the Code attend as a result of party-related duties or their involvement with the ALP.

2. PRINCIPLES

2.1. NT Labor believes in an organisation, and a community that is safe and inclusive for everyone and that it is imperative to take positive steps to prevent and address bullying and harassment.

2.2. The ALP has harmonised its policies for Bullying and Harassment Prevention and Response across its structure. This means that the definition, response and prevention approach adopted by the ALP in response to these issues is largely consistent across all levels of the organisation.

2.3. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity,

disability, age or ethnicity. These same principles apply to all those participating in the democratic processes of the Party.

2.4. International Labour Organisation Convention 190 – *Violence and Harassment in the World of Work (Convention)* recognises the fundamental right of every worker to be free from all forms of violence and harassment at work, regardless of their employment type. This includes volunteers, contractors, casuals, trainees and apprentices.

2.5. Consistent with the Convention, NT Labor stands against work related gendered violence, in all its forms, bullying and other types of inappropriate behaviour, which are prohibited and will not be tolerated.

2.6. Bullying, harassment and discrimination can cause physical, emotional, sexual, psychological, social and economic harm. Victims, survivors and complainants in many organisations have historically been silenced and left unsupported. The ALP strives to create a strong and positive culture, and commit ourselves to the creation of policies, training and grievance procedures that will effectively protect complainants when allegations of harassment are made.

3. AWARENESS AND TRAINING

3.1. NT Labor recognises that simply having a policy or code is not enough and that as an organisation steps must be taken to create a supportive and positive culture, to improve awareness, to provide training (and mandate training where appropriate) and to implement robust systems and processes to deal with allegations and complaints of bullying, harassment and discrimination.

4. WHAT IS BULLYING?

4.1. Bullying occurs when a person or group of people repeatedly behave unreasonably towards another person, or a group of people of which the other person is a member and that behaviour creates a risk to health and safety.

4.2. Bullying is misconduct and can be, but is not limited to:

- 4.2.1.1. repeatedly making demeaning jokes or belittling remarks about a person;
- 4.2.1.2. threats, intimidation, stand-over tactics and coercion;
- 4.2.1.3. verbal abuse or degrading language or gestures aimed at an individual;
- 4.2.1.4. yelling or screaming at an individual;

- 4.2.1.5. spreading rumours or misinformation about a person;
 - 4.2.1.6. excluding, isolating or marginalising a person from activities;
 - 4.2.1.7. abuse of supervisory or managerial authority such as sabotaging a person's work or deliberately inconveniencing them; and
 - 4.2.1.8. unjustified threats of disciplinary procedures.
- 4.3. Bullying is not:
- 4.3.1.1. differences of opinion;
 - 4.3.1.2. non-aggressive conflicts;
 - 4.3.1.3. interpersonal problems in working relationships;
 - 4.3.1.4. reasonable performance management;
 - 4.3.1.5. operational changes or restructuring;
 - 4.3.1.6. lawful termination of employment or position;
 - 4.3.1.7. robust intellectual debate; or
 - 4.3.1.8. constructive feedback.

5. WHAT IS HARASSMENT?

- 5.1. Harassment refers to both single and repeated occurrences of a range of unwelcome, offensive or unacceptable behaviours and practices, or threats, that aim at, result in, or are likely to result in physical, psychological, sexual, social or economic harm and can be, but is not limited to (note, this list is not exhaustive):
- 5.1.1. unwanted physical contact;
 - 5.1.2. repeated offensive comments, including insults, verbal or physical threats;
 - 5.1.3. spreading rumours about a person;
 - 5.1.4. breaching the privacy of a person, for example by disseminating personal information without their consent;
 - 5.1.5. posting offensive comments in public forums about a person;
 - 5.1.6. repeated shouting, insults, threats, disparagement, public humiliation or intimidation;
 - 5.1.7. purposefully isolating a person from normal party business, conversations or events;
 - 5.1.8. making offensive remarks about a person based on their sex, gender identity, marital status, religious belief, ethical belief, colour, race, ethnic or national origin, disability, age, political opinion, employment status, family status or sexual orientation;

5.1.9. deliberately mimicking the way a person speaks, making jokes about their race, calling a person by a racist name, deliberately pronouncing a person's name incorrectly, or deliberately mis-gendering a person;

5.1.10. repeatedly following a person (stalking);

5.1.11. unreasonably and persistently contacting or attempting to contact a person by any means;

5.1.12. interfering with a person's property; and

5.1.13. harassment on the ground of sex, which occurs when a person:

5.1.14. engages in unwelcome conduct of a seriously demeaning nature towards another person, on the basis of that person's sex or a characteristic generally imputed on or associated with that person's sex, in circumstances where it is reasonable to anticipate the possibility that they will feel offended, humiliated or intimidated; or

5.1.15. creates or facilitates an intimidating, hostile, humiliating or offensive environment for a person or persons of a particular sex.

6. WHAT IS DISCRIMINATION?

6.1. Discrimination occurs when a person directly or indirectly discriminates against another person as follows:

6.1.1. on the grounds of a protected attribute of the other person, the first person treats or proposes to treat the other person less favourably than they would treat a person with a different type of protected attribute, in the same or not materially different circumstances;

6.1.2. the first person imposes a requirement that is likely to disadvantage someone with a protected attribute more than a person without a protected attribute; and

6.1.3. the first person undertakes any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.

6.2. For the purposes of this Policy, a protected attribute includes race, colour, sex, religion, political beliefs, decent or national extraction, nationality, social origin, immigration status, age, medical record, criminal record, relationship status, pregnancy and associated attributes, family

or carer responsibilities, impairment, mental, intellectual or psychiatric disability, physical disability, disease, illness or other medical status (including being HIV positive), sexual orientation, gender identity, intersex status, physical appearance, criminal record and spent convictions, and trade union activity, including attributes generally imputed to a person with one of the above attributes as well as association with a person who has one of the above attributes.

7. ACTIVE BYSTANDER INTERVENTION

7.1. NT Labor encourages and values safe active bystander intervention by Party members to prevent or stop bullying or harassment from occurring or continuing.

7.2. The steps involved in safe active bystander intervention are:

7.2.1. noticing the situation – paying attention to what is going on nearby;

7.2.2. assessing and deciding whether someone might need help;

7.2.3. checking with people around if unsure;

7.2.4. accepting responsibility to take action – not assuming someone else will act; and

7.2.5. making a plan to step in, without being aggressive or putting oneself or others in danger.

8. RESOLUTION AND COMPLAINTS

8.1. Complaints and breaches of this Policy should be reported in accordance with the *Complaints Handling Policy*.

8.2. Complaints can be resolved using various informal and formal methods depending on the nature and seriousness of the allegations, and the wishes of the complainant.

8.3. The process to handle and resolve complaints is outlined in the *Complaints Handling Policy*.

9. SUPPORT

9.1. A member who alleges bullying, harassment or discrimination by a member of NT Labor, and any person who alleges that bullying or harassment took place at a NT Labor gathering or event, is entitled to a respectful and prompt response from NT Labor.

9.2. Part of the resolution process is ensuring that a complainant has been adequately supported by appropriately training Party members and is aware of available reporting options.

This may involve referral to counselling or other avenues of professional advice and assistance, with the consent of the complainant.