

INDIGENOUS-ABORIGINAL PARTY OF AUSTRALIA

THE NATIONAL CONSTITUTION

1.0 Party Name and Constitutional Standing

- 1.1 This is the Constitution for the Indigenous-Aboriginal Party of Australia, and for the purposes of this constitution known as “the Party.
- 1.2 The rules outlined in this National Constitution apply to all in the Party.
- 1.3 If any provision or provisions of this constitution are deemed invalid or unenforceable, then the remaining provisions of this document shall remain in full force and effect and this document shall be deemed to have been amended to remove such invalid provision or provisions.
- 1.4 For the purposes of this constitution the words Indigenous and Aboriginal are interchangeable.

2.0 Objectives of the Party

- 2.1 To elect Indigenous People to the various parliaments in Australia.
- 2.2 To use Political and non-Political means to promote the welfare of Indigenous People in Australia.
- 2.3 To protect and promote Indigenous culture wherever possible, including the environment that supports Indigenous cultures.
- 2.4 To create Policies which address the most pressing Indigenous concerns across the country.
- 2.5 To encourage community-led solutions to the various problems which confront the Indigenous communities around Australia.



3.0 The National Executive

- 3.1 The National Executive is the supreme policy and decision-making body of the Party and is empowered to manage and make decisions in relation to all affairs of the Party.
- 3.2 The National Executive must consist of at least five and no more than 7 Indigenous persons.
- 3.3 A suggestion for a member to be nominated for the National Executive can come from any member of the party. However, to be appointed to the National Executive, the Convenor and all other existing National Executive members must agree.
- 3.4 The members of the National Executive guide the policies of the Party and arbitrate in any disputes concerning the Indigenous-Aboriginal Party of Australia. Their decisions are final.
- 3.5 The National Executive work together with the Convenor/Secretary to find members of the Party who wish to stand for Parliament. They promote the Party and its Policies widely. The National Executive may appoint office bearers, such as Party Agent, to perform certain duties. Such office bearers do not need to be members to the National Executive but are answerable to the National Executive and retain their positions as long as the National Executive allow it.
- 3.6 Generally the members of the National Executive are expected to complete a 5 year term. If a casual vacancy arises, it may be left vacant provided there are at least 5 current members of the National Executive.
- 3.7 Consecutive terms on the National Executive are allowed.
- 3.8 Expulsion from the national Executive is likely to be a rare event. However, the Convenor can expel a member of the National Executive, provided all other members of the National Executive (except the person being expelled) provide written support for the expulsion
- 3.9 Expulsion of the Convenor from the National Executive is likely to be a rare event. However, all the members of the National Executive must agree to the expulsion in writing and provide their reasons for the expulsion of the Convenor.

3.10 The National Executive will approve candidates for the elections, including state elections and this will be ratified and documented by the Party Registrar as is required by the Australian Electoral Commission (AEC) guidelines.

3.11 The National Executive can appoint the office bearers required by the AEC. Such Office Bearers can only hold their positions as long as the National Executive is in agreement by majority decision.

4.0 Convenor/Secretary/Registered Officer

4.1 The Convenor is the head of the National Executive and the head of the Indigenous-Aboriginal Party of Australia. The Convenor is the Secretary of the Party for the purposes of the documents required by the AEC. The Convenor is also the Registered Officer of the Party for the purposes of the documents required by the AEC. (See Section 13.0, Duties of the Office Bearers, below.)

4.2 The Convenor, who is also the Secretary of the Party, has the final responsibility for the day to day running of the Party and the final responsibility for all decisions made by the Indigenous-Aboriginal Party of Australia. He/she is in regular contact with the National Executive and discusses all matters pertinent to the running of the Party. This involves both formal and informal communication in word, in person, and via email (see Section 10.0, Decision-Making).

4.3 The Secretary may delegate some of the duties to the Office of the Secretary. The Office of the Secretary provides any assistance which the Secretary deems is appropriate.

4.4 The Convenor, who is also the Registered Officer of the Party, has the final responsibility to sign off to the AEC to nominate candidates for elections (see Section 13.0.)

4.5 The Convenor of the Party may delegate some of their duties as Registered Officer to other persons as they see fit or sign-off with the AEC to create official Deputy Registered Officers as set out in Section 13.0.

4.6 To be appointed to the position of the Convenor a person must be Indigenous. Further, all members of the current National Executive must approve of the person as the Convenor and put that approval in writing if requested. Finally, the National Executive must consider this person to be the right person to lead the Executive and to lead the Party.

5.0 State/Regional Panels

5.1 The National Executive can appoint any State or Regional Panels to represent the Party, to act at a local level, nominate local candidates and create locally focused policies. All decisions and actions of State and Regional Panels must be ratified by the National Executive. State and Regional Panels do not have any status independent of the National Executive.

5.2 State and Regional Panels are equal in their power and status. State panels do not have any authority over Regional Panels. In the same way, panels created in the city do not have any higher power or status than regional (non-urban) panels or any preferenced call on the resources of the Party.

6.0 Policies

6.1 All Policy positions need to be ratified by the National Executive.

7.0 Membership of the Party

7.1 Membership is open to Indigenous and non-Indigenous citizens, 18 years of age and over. There are no fees. A person provides their name, address, phone number, and Date of Birth, as is required by the AEC, to the Office of the Secretary at

[REDACTED] Alternatively, a prospective member can sign up via the link [REDACTED] The National

Executive will accept or decline all memberships.

The Office of the Secretary will write by paper, email or text, or phone each member applicant and tell them if they were accepted as a member or declined.

7.2 All members are accepted as members for life until they resign or are expelled.

7.3 To resign from the Party, an email, text or paper letter is required and the resignation will be confirmed by the Office of the Secretary via a follow up phone call, email, text or letter.

7.4 The National Executive may seek the resignation of a member at any time and for any reason. Their decision will be final.

8.0 Money

8.1 There are no fees to join the Party. However, donations to the Party are always accepted. Contact the Office of the Secretary for further details in regard to donations or email [REDACTED]

8.2 All funds received by the Party are to be spent on the activities of the Indigenous-Aboriginal Party of Australia.

8.3 Any money received by the Party is dealt with according to AEC Guidelines and all the money spent has to be accounted for to the satisfaction of the AEC.

8.4 A bank account will be opened in the name of the Indigenous-Aboriginal Party of Australia. The Government will provide funds for a Party who is able to gain more than 4% of the votes at a State or a Federal election. Should the Indigenous-Aboriginal Party of Australia be fortunate enough to reach this goal, the funds provided by the Government will be placed in the bank account for the Indigenous-Aboriginal Party of Australia.

9.0 Changes to the Constitution

9.1 Any member may suggest a change to the National Constitution, which is this document. However, only those changes which have been ratified by the Convenor and at least 4 members of the National Executive, will be enacted.

10.0 The Decision-Making Process for the Party

10.1 Any member may make a suggestion, at any time which they believe will assist the Indigenous-Aboriginal Party of Australia to achieve its goals. Forums such as Facebook provide a lively platform for the discussion of different views. The National Executive and the Convenor are constantly seeking the views of Indigenous people wherever they go. They travel to various destinations, holding meet and greets for this very purpose. However, all final decisions which are implemented by the Party must be ratified by the Convenor and at least 4 members of the National Executive.

11.0 Office of the Secretary

11.1 It provides the day to day administration assistance essential to the smooth running of the Party. It is also the generator of the majority of media releases. Enquiries in regard to the Party can be answered by emailing the Office of the Secretary. The best email address is [REDACTED]

12.0 Annual Conference

National Executive will organise an annual conference in some form and advise the membership via email or text of the date, location, the medium and how people can participate in the conference.

The Annual Conference will:

- a. Examine current policies
- b. Make suggestions for candidates for elections
- c. Make suggestions for campaigns on current issues
- d. Make suggestions for potential members of the National Executive

12.1 The following reports will be made by the National Executive and made available to all the members:

- a. The Convenor/Secretary report
- b. The report from the Party Agent which covers the finances of the Party
- c. A report from the Party Registrar regarding candidates for elections

13.0 Duties of the Office Bearers

(As provided by the AEC Party Registration Guide 2020, p13)

13.1 In the Indigenous-Aboriginal Party of Australia, the Secretary and the Convenor are the same person (see section 4.0).

13.2 Secretary

The Electoral Act requires a party to have an office bearer responsible for the day today management of the party. In section 123 of the Electoral Act, the position is defined as the secretary.

In relation to a political party this means the person who holds the office (however described) the duties of which involve responsibility for the carrying out of the administration, and for the conduct of the correspondence, of the party.

Under section 126(1) of the Electoral Act, the secretary is required to be one of the signatories to an application for registration by a non-parliamentary party. As the manager of day to day duties, the AEC expects the secretary to be the office bearer who is the party's contact for general election and enrolment matters, appointments of party officials or to notify updates to the contact details for the party or its office bearers. When the AEC is writing to parties about election and enrolment matters in general, it normally writes to the secretary.

An "Appoint Party Secretary" form should be completed and lodged with a party's application for registration.

13.3 Registered officer

The registered officer is the party office bearer empowered to nominate the party's endorsed candidates and also select either the party's registered name or the party's registered abbreviation or logo to be printed on ballot papers adjacent to the party's endorsed candidates.

Candidates not endorsed by a party's registered officer must be nominated by at least 100 electors entitled to vote in the election for which the candidate is standing (that is the particular electorate for a House of Representatives candidate or the State or Territory for a Senate candidate).

Section 140 of the Electoral Act requires the AEC to send any formal notices about party registration, including reviews of a party's continued eligibility to remain registered, to the party's registered officer.

The name of each party's registered officer is recorded in the Register of Political Parties, and therefore the appointment of a registered officer is part of the application for registration. The registered officer must provide a street address that will be published on the AEC website. However, they are not required to give their residential address; the street address of the party's office is sufficient. A post office box is not permitted for this purpose by section 123 of the Electoral Act.

The registered officer of a party may appoint deputy registered officers to assist in the nomination process. To appoint a deputy registered officer the registered officer should complete an Appoint Deputy Registered Officer form. The registered officer can also revoke the appointments of their deputies. Section 126(2B) of the Electoral Act provides that a person cannot hold the position of registered officer and/or deputy registered officer for more than one political party. Failure to resolve any instance where a person holds multiple appointments as a registered officer/deputy registered officer constitutes grounds for the party to be deregistered.

13.4 Party Agent

Section 288 of the Electoral Act provides that registered parties and their State or Territory branches must appoint a party agent. The party agent is responsible for lodging the party's annual financial disclosure return. Election funding is paid through the party agent. If no current party agent is appointed, no election funding can be paid even if some of the party's endorsed candidates meet the 4 per cent threshold. An Appoint Party Agent form should be completed and lodged with the party's application for registration.

14.0 Candidates for Election

14.1 All candidates nominated by the Party for election must be Indigenous people. Refer to Objective 2.1.

14.2 All candidates for election must be ratified by the National Executive and signed off for the AEC by the Registered Officer of the Party.

15.0 Winding Up Of The Party

On winding up of the Party all remaining assets will be donated to an Australian Indigenous not-for-profit organisation as decided by the National Executive or, in the absence of a National Executive, one of the remaining Office Bearers or another person as delegated by the National Executive.