

Australian Labor Party
Victorian Branch

RULES

Authorised version incorporating
amendments as at 24 May 2026.

Victorian
Labor

ALP Victorian Branch Rules

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ALP Victorian Branch Rules

PART A – PRELIMINARY

Name

1. The name of the organisation will be “The Australian Labor Party, Victorian Branch”.

Definitions

2. Unless the contrary intention appears, in these Rules:

“*Aboriginal or Torres Strait Islander*” means a Member who:

- (i) is of Aboriginal and/or Torres Strait Islander descent;
- (ii) identifies as being of Aboriginal and/or Torres Strait islander descent;
- (iii) is accepted as such as by the community with which the Member associates; and
- (iv) has indicated on their most recent membership application form, using the Victorian Branch website or in writing to the State Secretary that they identify as an Aboriginal and/or Torres Strait Islander;

“*AEC Address*” means the address shown for a Member on the Commonwealth electoral roll. In the case of Members who are “silent electors” whose address is not shown on the Commonwealth electoral roll, for the purposes of these Rules the Member’s Party Address will be treated as their Party Address and the address at which such a Member lives must not be disclosed by the Victorian Branch without the Member’s express permission;

“*Affiliated Union*” means a Union that has:

- (i) had its affiliation application approved by State Conference pursuant to Rule 21; and
- (ii) not ceased affiliation pursuant to Rule 34;

“*ALP*” means the Australian Labor Party;

“*Alternate Member*” means an alternate member of the Administrative Committee, appointed pursuant to Rule 148;

“*Annual State Conference*” means the two-day State Conference that must be held every year pursuant to Rule 113;

“*Associate Member*” means a non-voting member of a Policy Committee that has:

- (i) become a member of the committee pursuant to Rule 192; and
- (ii) not been removed pursuant to Rule 194;

“Associated Policies” means the following policies of the Victorian Branch which are incorporated into these Rules:

- (i) The Policy on Sexual Harassment Prevention and Response (Schedule B);
- (ii) The Policy on Harassment and Bullying Prevention and Response (Schedule C); and
- (iii) The Victorian Labor Complaints Handling Policy (Schedule D);

“Branch Stacking” means any activity relating to enrolling Members, renewing memberships or transferring Members between Local Branches:

- (i) engaged in for the predominant purpose of influencing the outcome of ballots of Members within the Victorian Branch; or
- (ii) that has the effect, or is likely to have, or intended to have, the effect of enrolling as a Member, or retaining as a Member, a person who is not a Genuine Member.

It includes but is not limited to the following activities:

- (iii) to pay the membership fee of a person as an inducement for that person to join the Victorian Branch;
- (iv) to pay the membership fee of a person who is unwilling to pay their own membership fee;
- (v) to pay the membership fees for any person unaware that membership has been taken out on their behalf;
- (vi) to pay the membership fee for a person on the precondition or understanding of that Member being obliged to vote in a particular way;
- (vii) to pay for another’s membership in an attempt to influence the outcome of any ballot of Members within the Victorian Branch;
- (viii) to encourage any person to join the Victorian Branch for the predominant purpose of influencing the outcome of local preselection ballots or other membership ballots;
- (ix) to enrol, encourage or assist a Member to enrol on the electoral roll at an address which is not the Member’s Residential Address;

- (x) to organise or pay for concessional rate fees for a person who is ineligible for that rate without a reasonable belief that the person was entitled to the concessional rate; and

- (xi) to recruit Members who do not live at their AEC Address;

“Certified” means a Member who is not already a Certified Member or Voting Member completing the actions set out in Rule 72, within the limitations set out in Rules 73 to 81;

“Certified Member” means a Member who has been Certified and has not since:

- (i) ceased to be a Member pursuant to Rule 93; or
- (ii) become a Voting Member pursuant to Rule 69(b);

“CLX” means Country Labor Executive;

“Code” means the Victorian General Labor Code of Conduct contained at Schedule A;

“Complainant” means the Member, Affiliated Union or Constituent Unit making a complaint under Rule 589;

“Complaints Handling Policy” means the Victorian Labor Complaints Handling Policy contained at Schedule D;

“Constituent Unit” means:

- (i) the Administrative Committee;
- (ii) the Policy and Conference Agenda Committee;
- (iii) a Policy Committee;
- (iv) the Rules Revision Committee;
- (v) the POSC;
- (vi) the SPLP;
- (vii) a Local Branch;
- (viii) a Local Sub-Branch;
- (ix) a SECC;
- (x) a FEA;
- (xi) a Municipal Forum Executive;
- (xii) the Municipal Coordination Committee; or
- (xiii) the VYL Conference;

“Disciplinary Offence” means:

- (i) failure to comply with these Rules, with the exception of the Code;
- (ii) failure to comply with the ALP National Constitution;
- (iii) failure to comply with the Victorian Branch's platform or policy;
- (iv) failure to comply with the ALP national platform or policy;
- (v) failure to comply with a decision of the State Conference;
- (vi) failure to comply with a resolution of the Administrative Committee;
- (vii) breaching Rules 643 to 646;
- (viii) disloyalty to the ALP;
- (ix) publicly attacking the ALP; or
- (x) publicly attacking any Member;

"Endorsed Candidate" means a Member standing for election to a vacancy at a municipal election where the Victorian Branch has decided to formally endorse candidates pursuant to Rule 501;

"External Ballot Provider" means, any person or organisation that is helping to facilitate online voting and is not a Party Official;

"FEA" means Federal Electorate Assembly;

"FEA Election" means an election conducted pursuant to Rules 518 to 551;

"Federal Electorate" means an electoral division in the Australian House of Representatives;

"Financial Details" means the following details of a Member or Membership Applicant:

- (i) whether they are claiming the reduced membership rate for Affiliated Union members, and if so, the name of the Affiliated Union of which they are a member;
- (ii) whether they are claiming the concessional membership rate, and if so, the basis on which the entitlement is claimed; and
- (iii) their annual gross income bracket and any other information used to calculate their membership fees;

"Genuine Member" means a Member who:

- (i) agrees by their own affirmative act to become and remain a Member;
- (ii) complies with the Membership Pledge set out at Rule 16; and
- (iii) pays their own membership fees other than where the membership fee is paid by an immediate family member in accordance with Rule 53(b).

“Local Branch Elections” means the elections set out at Rules 256 to 267;

“LSH Trust” means Labor Services & Holding Trust;

“LSH Trustee” means the trustee of the LSH Trust, which must be a proprietary limited company incorporated in Victoria and called “Labor Services & Holdings Pty Ltd”;

“Member” means a person who has had their membership application approved by the Administrative Committee pursuant to Rule 49 and their membership has not since ceased pursuant to Rule 93;

“Membership Applicant” means a person who has applied to become a Member pursuant to Rule 38;

“Membership Delegate” means one of the 300 delegates of State Conference elected by and from Voting Members of each FEA;

“Member Details” means the following details of a Member or Membership Applicant:

- (i) their Residential Address;
- (ii) their postal address (if it differs from their Residential Address);
- (iii) their phone number; and
- (iv) their email address;

“Membership Sub-Committee” means one of the Standing Sub-Committees established and maintained by the Administrative Committee pursuant to Rule 161 whose responsibilities are set out in Rule 162;

“Metropolitan Area” means one of the following Victorian Legislative Council Regions:

- (i) North-Eastern Metropolitan Region;
- (ii) Northern Metropolitan Region;
- (iii) South-Eastern Metropolitan Region;
- (iv) Southern Metropolitan Region; or
- (v) Western Metropolitan Region;

“Metropolitan Candidate” means a Member who has nominated for the election under Rule 579 and at the close of nominations their Party Address was in a Metropolitan Area;

“MP” means a Member who is a voting member of the ALP parliamentary caucus in the:

- (i) Victorian Legislative Assembly;

- (ii) Victorian Legislative Council;
- (iii) Australian House of Representatives; or
- (iv) Australian Senate;

“Multi Member Electorate” means an electoral division in the Federal, State or Local Government where voters elect multiple candidates in the same ballot, including but not limited to the Victorian Legislative Council and the Australian Senate;

“Non Endorsed Candidate” means a Member standing for election to a vacancy at a municipal election where the Victorian Branch has not decided to formally endorse candidates pursuant to Rule 501;

“Non Metropolitan Area” means one of the following Victorian Legislative Council Regions:

- (i) Eastern Victoria Region;
- (ii) Northern Victoria Region; or
- (iii) Western Victoria Region;

“Non Metropolitan Candidate” means a Member who has nominated for the election under Rule 579 and at the close of nominations their Party Address was in a Non Metropolitan Area;

“Officer” means one of the three Officers elected pursuant to Rule 138;

“Online Elector” means a Member who is eligible to vote in an election being conducted by Remote Ballot and whose preferred email address they have most recently provided to the State Secretary under Rule 39(b) or 64 is not also being used by another Member;

“Online Voting Platform” means a program or system used to facilitate online voting;

“Party Address” means the address that the Member has most recently provided to the State Secretary under Rule 39(b) or 64 as their Residential Address. For the purposes of these Rules, a change in Party Address will not take effect until one month after the Member has notified the State Secretary of the change of Party Address by using the Victorian Branch’s website or writing to the State Secretary;

“Party Official” means:

- (i) an Officer;
- (ii) the State Secretary;
- (iii) an Assistant Secretary; and/or
- (iv) an employee of the Victorian Branch;

“Permanent Postal Elector” means a Member who is an Online Elector but has registered to be a Permanent Postal Elector;

“POSC” means the Public Office Selection Committee;

“Postal Elector” means a Member who is eligible to vote in an election being conducted by Remote Ballot and:

- (i) the preferred email address they have most recently provided to the State Secretary under Rule 39(b) or 64 is being used by another Member; or
- (ii) they have not provided an email address to the State Secretary under Rule 39(b) or 64;

“Preferencing Requirement” has the meaning given at Rule 510;

“President” means the Officer first elected pursuant to Rule 138;

“Proscribed Organisation” means:

- (i) Citizens Initiated Referenda Groups;
- (ii) Endeavour Forum;
- (iii) League of Rights;
- (iv) Industrial Action Fund; and/or
- (v) National Civic Council;

“Remote Ballot” means an election where voting is by a hybrid of postal and online voting and it is conducted pursuant to Rules 453 to 473;

“Representative Group” means:

- (i) Country Labor;
- (ii) Labor Enabled;
- (iii) Labor for an Australian Republic Victoria;
- (iv) Rainbow Labor Network Victoria;
- (v) Victorian Indigenous Labor Network;
- (vi) Victorian Labor Women’s Network;
- (vii) Victorian Multicultural Labor Network; or
- (viii) Victorian Young Labor;

“Residential Address” means a person’s principal place of residence;

“Respondent” means:

- (i) in the case of a complaint about a Disciplinary Offence under Rule 610, the Member being charged with a Disciplinary Offence;
- (ii) in the case of a complaint about a disputed election under Rule 617, the returning officer who conducted the election and each candidate who may be affected by a change in the result;
- (iii) in the case of a complaint about credentials of a State Conference delegate under Rule 620, the delegate whose credentials have been challenged; and
- (iv) in the case of all other complaints, each Member against whom the Complainant has sought to enforce these Rules;

“SECC” means State Electorate Campaign Committee;

“Single Member Electorate” means an electoral division in the Federal, State or Local Government where voters elect only one candidate in a ballot, including but not limited to the Victorian Legislative Assembly and the Australian House of Representatives;

“Special Municipal Election” means a municipal election held in any of the following municipalities:

- (i) City of Melbourne; and
- (ii) any other municipality nominated by the Administrative Committee by a resolution passed with at least 14 votes in favour;

“Special State Conference” means a meeting of State Conference that must be convened pursuant to Rule 114;

“SPLP” means the State Parliamentary Labor Party;

“Standing Sub-Committee” means one of the three standing sub-committees established and maintained by the Administrative Committee pursuant to Rule 161;

“State Electorate” means an electoral district in the Victorian Legislative Assembly;

“State Office” means the principal office building of the Victorian Branch;

“State Secretary” means the person appointed the State Secretary of the Victorian Branch or a person delegated to act on behalf of the State Secretary with respect to one or more of the responsibilities the State Secretary has under these Rules;

“Two Year Qualification Period” means the period of 24 months commencing from the date a Member has been Certified;

“Union” means:

- (i) a trade union or other organisation of employees solely constituted within the State of Victoria and registered under the *Fair Work (Registered Organisations) Act 2009* (Cth) or any successor legislation;
- (ii) a Victorian Branch or Division of a Federal trade union or other organisation of employees registered under the *Fair Work (Registered Organisations) Act 2009* (Cth) or any successor legislation; or
- (iii) a Federal trade union or other organisation of employees that has no Victorian Branch or Division but has at least one member residing within the State of Victoria and is registered under the *Fair Work (Registered Organisations) Act 2009* (Cth) or any successor legislation;

“Union Delegate” means one of the delegates of State Conference appointed by an Affiliated Union;

“Union Delegation” means all the delegates of State Conference appointed by the same Affiliated Union;

“Victorian Branch” means the Australian Labor Party, Victorian Branch;

“VLWN” means Victorian Labor Women’s Network;

“Voting Member” means a Voting Member as defined at Rule 69;

“VYL” means Victorian Young Labor; and

“Winnable Seat” means:

- (i) in a Single Member Electorate, any non-held seat which would be won by the ALP with a five percent increase in its two party preferred vote since the last election (i.e. those which received a two party preferred vote of 45 percent or higher at the last election); and
- (ii) in a Multi Member Electorate, the first non-held position on that ticket, provided that the number of primary votes obtained by the ALP at the last election in the electorate in question was greater than the number required to provide a full quota of votes for each member elected (For example, if at the last ordinary Senate election the ALP obtained primary votes equivalent to more than 2.0 quotas, but had only two members elected, then the third position on the Senate ticket will be considered winnable. However, if the ALP obtained 2.0 quotas or less, then the third position on the ticket is not considered winnable for the purposes of this definition).

Interpretation

3. Unless the contrary intention appears, the following rules of interpretation apply in these Rules:

- (a) Except in those rules regarding affirmative action, words importing a gender include every other gender;
- (b) Words in the singular include the plural and vice versa;
- (c) If a word or phrase is capitalised, it should be interpreted according to the specific definition given within Rule 2. If a word or phrase is not capitalised or it is not given a specific definition within Rule 2, it should be interpreted according to its ordinary meaning; and
- (d) If a number or percentage must be calculated under these Rules and the calculation results in a fraction of more than one-half, then the number or percentage will be the next higher whole number, and where it results in a fraction of one half or less it will be the next lower whole number; and
- (e) When calculating periods of time,
 - (i) a reference to “day” means a 24-hour period and includes weekends, declared public holidays or any period for which the State Office is closed;
 - (ii) a reference to “working day” means a 24-hour period excluding time on a weekend, declared public holiday or any period for which the State Office is closed;
 - (iii) a reference to “week” means seven days;
 - (iv) a reference to “month” means a period starting at the start of any day of one of the calendar months and ending immediately before the start of the corresponding day of the next calendar month, or, if there is no such day, at the end of the next calendar month;
 - (v) a reference to a period of two or more “months” means a period starting at the start of any day of one of the calendar months and ending immediately before the start of the corresponding day of the calendar month that is that number of calendar months after the starting month, or, if there is no such day, at the end of the calendar month that is the number of calendar months after the starting month;
 - (vi) if a weekend starts in one calendar month and ends in a different calendar month, the weekend will be the last weekend of the calendar month in which it starts and not the first weekend of the calendar month in which it ends;
 - (vii) a reference to “calendar year” means a period of 12 months starting on 1 January and ending on 31 December; and
 - (viii) a reference to two or more “years” means a period starting at the start of any day of a calendar year and ending immediately before the start of the corresponding day of the calendar year that is the number of calendar

years after the starting calendar year, or if there is no such day, at the end of the calendar month in the calendar year that is the number of calendar years after the starting calendar year.

Legal status of these Rules

4. It is intended that these Rules and everything done in connection with them, all arrangements relating to them (whether express or implied) and any agreement or business entered into or payment made by or under them, will not bring about any legal relationship, rights, duties or outcome of any kind, or be enforceable by law, or be the subject of legal proceedings. Instead, all arrangements, agreements and business are only binding in honour.
5. Without limiting Rule 4, it is further expressly intended that all disputes within the Victorian Branch, or between one Member and another that relate to the Victorian Branch be resolved in accordance with these Rules and the ALP National Constitution and not through legal proceedings.
6. By joining the Victorian Branch and remaining Members, all Members of the Victorian Branch consent to be bound by Rules 4 and 5.

Access to these Rules

7. The State Secretary must provide Members with access to a copy of these Rules:
 - (a) on the Victorian Branch website; and
 - (b) on request.

PART B – OBJECTIVES AND PRINCIPLES

Origins

8. The Australian Labor Party had its origins in:
 - (a) the aspirations of the Australian people for a decent, secure, dignified and constructive way of life;
 - (b) 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
 - (c) the commitment by the Australian people to the creation of an independent, free and enlightened Australia.

Objectives

9. 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.
10. 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:
 - (a) 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; and
 - (b) Establishment and development of public enterprises, based upon Federal, State and other forms of social ownership, in appropriate sectors of the economy; and
 - (c) Democratic control of strategic social ownership of Australian natural resources for the benefit of all Australians; and
 - (d) 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; and
 - (e) The right to own private property; and
 - (f) Recognition and encouragement of the right of labour to organise for the protection and advancement of its interests; and
 - (g) 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; and
 - (h) The promotion of socially appropriate technology and the monitoring of its introduction to ensure that the needs and interests of labour, as well as the requirements of competitive industry and consumer demand, are taken into consideration; and
 - (i) The restoration and maintenance of full employment, including a living wage; and
 - (j) The abolition of poverty, and the achievement of greater equality in the distribution of income, wealth and opportunity; and
 - (k) Social justice and equality for all individuals, the family and all social units, and the elimination of exploitation in the home; and

- (l) Equal access and rights to employment, including a living wage, education, information, technology, housing, health and welfare services, cultural and leisure activities and the law; and
- (m) Reform of the Australian Constitution and other political institutions to ensure that they reflect the will of the majority of Australian citizens and the existence of Australia as an independent republic; and
- (n) Recognition and protection of fundamental political and civil rights, including freedom of expression, the media, 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; and
- (o) The development of a democratic communications system, as an integral part of a free society, to which all citizens have opportunities for free access; and
- (p) 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; and
- (q) 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; and
- (r) Recognition and encouragement of diversity and cultural expression and life-style within the Australian community; and
- (s) The proper management of Australian resources and protection of the environment, whether created by people or nature, to safeguard the rights of present and future generations; and
- (t) 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 United Nations; and recognition of the inalienable right of all people to liberty, equality, democracy and social justice; and
- (u) Commitment to and participation in the international democratic socialist movement as represented by the Socialist International; and
- (v) Recognition of the right of citizens to work for progressive changes consistent with the broad principles of democratic socialism; and

- (w) The introduction into Australian domestic law of the rights recognised and protected in the international treaties, conventions and protocols to which Australia is a Party; and
- (x) To develop policy within the framework of and consistent with the Universal Declaration of Human Rights and the rights recognised and protected in the international human rights treaties, conventions and protocols to which Australia is a Party; and
- (y) The importance of a Parliamentary Party that is empathetic and engaged with the community and that is composed of a reflective range of occupational experiences.

Principles of action

- 11. The Australian Labor Party believes that the task of building democratic socialism is a co-operative process that requires:
 - (a) constitutional action through the federal and state parliaments, municipal and other statutory authorities;
 - (b) union action; and
 - (c) ongoing action by organised community groups.

Membership and organisation

- 12. Membership of the Australian Labor Party is open to all residents of Australia who are prepared to accept its objectives and who have associations with no other political party.
- 13. Australian Labor Party policy is made by National Conferences comprising the federal and state parliamentary leadership of the Party, together with elected delegates from all states and Australian Young Labor.
- 14. Party policy within the states is framed by conferences of delegates elected by constituent branches, affiliated unions and members.
- 15. Policy within the Australian Labor Party is not made by directives from the leadership, but by resolutions originating from branches, affiliated unions and individual Party members

Membership Pledge

- 16. Members of the Victorian Branch are bound by the membership pledge as stated hereunder:

I hereby pledge myself to the Australian Labor Party to faithfully uphold to the best of my ability its Constitution, Rules and Platforms and to work and vote for selected Australian Labor Party candidates for public office. I am not a member of any other organisation which pledges its members to support candidates for public office. I will forfeit my membership of the Australian Labor Party if I nominate against any candidate selected by the Australian Labor Party for public office. If I employ labour, I will actively encourage trade union membership and the conduct of an ethical workplace. Where eligible, I will actively participate in my relevant trade union and will seek to uphold the values of trade unionism in my workplace.

Values Statement

17. The Values Statement of the Victorian Branch is stated hereunder:

Victorian Labor values achieving social justice, fairness, inclusion and equality. We value honesty and integrity and seek to ensure that the Party is a safe, inclusive and respectful environment.

The Party is a collective cause and larger than any individual.

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

Our members, volunteers and supporters are our greatest assets.

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

We celebrate the diversity of our Party.

We support one another because we are stronger together.

This is Labor.

18. The State Secretary must provide Members with access to a copy of the Values Statement:
- (a) on the Victorian Branch website; and
 - (b) on request.

PART C – AFFILIATED UNIONS AND MEMBERS

19. The Victorian Branch will consist of Affiliated Unions and Members.

Affiliated Unions

Applying to become an Affiliated Union

20. To become affiliated, a Union must make an application in writing to the Administrative Committee accompanied by a copy of its rules and an independent audit report and advice on the number of members in respect of whom the Union will pay affiliation fees for the current year in accordance with the process set out in Rules 26 and 27. The Administrative Committee must ensure that the application is considered by the next meeting of State Conference.
21. State Conference may approve or reject any affiliation application made by a Union pursuant to Rule 20. In the event of any such application being approved, the newly Affiliated Union will be entitled to State Conference delegates pursuant to Rule 104(m). An affiliation application can only be rejected if it can be demonstrated clearly that the applicant is not a Union or that it has engaged in conduct that renders it unsuitable to be affiliated.

Affiliation fees

22. Affiliation fees payable to the Victorian Branch by Affiliated Unions will be indexed to ABS CPI (all groups) according to the December figures of the immediate prior calendar year.
23. Other fees payable to the Victorian Branch by Affiliated Unions will be as determined by State Conference from time to time.
24. Newly Affiliated Unions will pay a pro rata affiliation fee on approval of their affiliation.
25. 25 percent of affiliation fees must be paid by 4.00pm on the last Friday in March. The remainder of the affiliation fees must be paid by 31 December.

Calculating Union membership

26. The number of members of each Affiliated Union must be determined each year by an independent audit by a registered auditor of:
 - (a) the number of members who reside in Victoria and are eligible to vote in a ballot for an office in that union at 30 June under the Rules of the Affiliated Union, as conducted by the Australian Electoral Commission (unless exempt); and
 - (b) the number of members identified in Rule 26(a) for whom the Affiliated Union received an amount of dues in relation to the period between 1 April and 30 June inclusive for that year.
27. The independent audit must be carried out as follows:

- (a) Each Affiliated Union must engage a registered company auditor.
 - (b) The terms of engagement must:
 - (i) include advice to the auditor on the scope of the audit in the form prescribed by the Administrative Committee by a resolution passed with at least 14 votes in favour; and
 - (ii) require that the audit be conducted 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” (or the equivalent successors to those standards).
 - (c) The independent audit report must include:
 - (i) an audit certificate in the form prescribed by the Administrative Committee by a resolution passed with at least 14 votes in favour, signed by the auditor; and
 - (ii) a statistical return that includes a maximum figure for the purposes of Rule 26(b).
28. Each Affiliated Union must by 4.00 pm on the last Friday in February each year provide to the State Secretary in a sealed envelope:
- (a) the independent audit report for the previous year; and
 - (b) advice on the number of members in respect of whom the union will pay affiliation fees for the current year, up to a maximum of the number determined under Rule 26(b).
29. All such sealed envelopes provided under Rule 28 must be opened at the same time in the presence of those scrutineers appointed by Affiliated Unions who attend. Each Affiliated Union may nominate one scrutineer.
30. Union Delegation sizes must be based on the three year rolling average of the number of members in respect of whom the Affiliated Union has paid affiliation fees for the current and two preceding years.
31. If an Affiliated Union fails to lodge its independent audit report in time, the maximum number of members in respect of whom it may pay affiliation fees for the current year is 85 percent of the number for the previous year.

The State Secretary's responsibilities around Affiliated Union records

32. The State Secretary must keep records of the number of members of each Affiliated Union and the details of each Affiliated Union's payment of affiliation fees.
33. The State Secretary must make available for inspection the records maintained under Rule 32 to Members who request them for purposes pertaining to the operation of the Victorian Branch.

Ceasing to be an Affiliated Union

34. An Affiliated Union that has not paid all affiliation and other fees by the due date will cease to be an Affiliated Union until all those fees are paid. In the event that the fees remain unpaid for 12 months, the Union must reapply in accordance with Rule 20 if it wishes to become affiliated again.

Members

Applying to becoming a Member

35. A person can only become a Member if:
 - (a) they are prepared to accept the objectives of the ALP;
 - (b) they have not been a member of a Proscribed Organisation or another political party, or who have nominated against any endorsed ALP candidate, in the two years prior to applying to become a Member, subject to Rule 40;
 - (c) they are fourteen years of age or over;
 - (d) they have not forfeited the right to rejoin the Victorian Branch pursuant to Rule/s 41 and/or 94; and
 - (e) they are enrolled to vote in Federal and State elections at their Residential Address, unless:
 - (i) they are not eligible to vote; or
 - (ii) their Residential Address has changed in the past month and they are in process of updating their AEC Address.
36. Any person who is an employer of labour, and who applies to join the Party must give an undertaking that they will actively encourage union membership.
37. Any person who is not a member of any union at the time of their application who is eligible to belong to a Union which is affiliated with the Party must belong to such a Union before they can be admitted to membership of the Party.

38. A person may apply to become a Member by:
- (a) making an online application, either via completing the application process on the Victorian Branch website or by emailing a completed scanned hard copy application to the State Secretary;
 - (b) making a telephone application; or
 - (c) completing a hardcopy membership application form and either posting it to the State Secretary or personally attending State Office to submit the application.
39. When applying to become a Member, a person must:
- (a) provide photographic identification;
 - (b) provide their Member Details;
 - (c) indicate if they identify as an Aboriginal or Torres Strait Islander;
 - (d) if they are not enrolled to vote, indicate why they are not eligible to vote;
 - (e) if they are able to pay their membership fees by direct debit payments, provide an authority to debit the personal bank account or their credit card of the person paying the prescribed membership fee; and
 - (f) if they are unable to pay membership fees by direct debit payments, provide a cheque that can be identified as being drawn on the personal bank account of the person paying the prescribed membership fee.
40. A person who has been member of a Proscribed Organisation or another political party, or who have nominated against any endorsed ALP candidate, in the two years prior to applying to become a Member can become a Member but cannot stand or vote in any elections in the Victorian Branch until two years has elapsed since they ceased to members of such an organisation or party, or from the date they so nominated, subject to Rule 94.
41. If a Member is charged with a Disciplinary Offence but ceases to be a Member before the Disputes Tribunal has decided on the complaint, they will forfeit the right to rejoin the Victorian Branch for five years after they cease to be a Member. This forfeiture can only be reversed by a resolution of the Administrative Committee passed with at least 14 votes in favour.
42. A Member who is charged with a Disciplinary Offence and resigns from the Victorian Branch must be notified by the State Secretary of the effect of Rule 41 and given two weeks from the date the notice was sent to rescind their resignation. If they rescind their resignation during this period, their continuity of membership will be maintained.

Processing membership applications

43. Should a person apply to become a Member pursuant to Rule 38(b) or (c), the relevant Victorian Branch staff member must write, date and sign their name on the hardcopy application form and provide the completed form to the Victorian Branch operations manager or their nominee. The operations manager, or nominee, must on receipt, time and date stamp the form, and provide the form to the membership staff to await the arrival of a copy of the Membership Applicant's photographic identification, before processing in the normal manner.
44. On receipt of an application, the State Secretary must, in the order of receipt of that application, cause the application to be checked to ensure that the application complies with these Rules and the Membership Protocols.
45. In the event that an application does not meet the requirements of these Rules or the Membership Protocols, the Membership Applicant must be contacted in writing by the State Secretary and afforded an opportunity to remedy any such defect within three months. If the Membership Applicant does not remedy the defect within three months, their membership application will lapse.
46. The State Secretary must, in respect of all applications, including applications which are defective, cause a membership application report to be prepared for the Membership Sub-Committee as soon as possible:
 - (a) after the application has been received; or
 - (b) if the Membership Applicant has been given an opportunity to remedy a defect,
 - (i) after the Membership Applicant has remedied the defect; or
 - (ii) after their membership application has lapsed pursuant to Rule 45.
47. The Membership Sub-Committee must, in the order that applications have been received, examine each application and the membership application report and, by consensus, make a recommendation to the Administrative Committee to accept or reject the application or propose that the application be deferred pending the provision of further information from the Membership Applicant.
48. The Membership Sub-Committee will only consider membership applications and membership reports if they have been provided to members at least seven working days before the scheduled meeting.
49. The Administrative Committee must decide to accept or reject a membership application within three months of receiving a recommendation from the Membership Sub-Committee. The Administrative Committee will have absolute discretion in deciding whether to accept or reject each application.

50. Once the Administrative Committee has accepted a membership application, that Member's membership of the Victorian Branch and the Local Branch they are allocated under Rule 51(a) will take effect retrospectively from the date they applied for membership of the Victorian Branch under Rule 38.
51. Within four weeks of the Administrative Committee accepting a membership application, the State Secretary must:
 - (a) allocate the new Member to the Local Branch in the State Electorate in which their Party Address is located or, if there is more than one Local Branch in the State Electorate, to the closest Local Branch having regard to the new Member's Party Address;
 - (b) write to the new Member welcoming them to the Victorian Branch, notifying them of the Local Branch they have been allocated to and providing them with relevant information in relation to the Local Branch; and
 - (c) notify the relevant Local Branch secretary of the new Member's membership.
52. If the Administrative Committee rejects an application for membership, the State Secretary must write to the Membership Applicant advising them of the decision to reject their application and must, on receiving a request from the Membership Applicant, refund any fees received from that Membership Applicant.

Membership fees

53. Membership fees must be paid by direct debit or by personal cheque drawn from the identified bank account or credit card of:
 - (a) the person wishing to become or remain a Member; or
 - (b) an immediate family member of the person referred to in Rule 53(a) who resides at the same address as that person and is authorised to pay the fees on their behalf.
54. Membership fees will be set and amended by the Administrative Committee by a resolution passed with at least 14 votes in favour. These membership fees must include:
 - (a) a concessional membership fee limited to full-time students and persons who currently hold a Services Australia Health Care Card (or, if the name of, or eligibility for that card is changed, such other government card as is determined by the Administrative Committee by a resolution passed with at least 14 votes in favour); and
 - (b) a reduced rate for members of Affiliated Unions.

55. If a Member or Membership Applicant wishes to claim the concessional membership fee rate, they must:
 - (a) complete a declaration stating that they are entitled to the concessional rate;
 - (b) indicate the basis on which the entitlement is claimed; and
 - (c) provide proof of eligibility for the entitlement.
56. If a Member or Membership Applicant wishes to claim the reduced membership fee rate for Affiliated Union members, they must provide the name of the Affiliated Union of which they are a member.
57. A Member must pay a membership fee of five percent of their fortnightly income if they:
 - (a) are an MP;
 - (b) hold the office of Councillor in a municipality and received access to Victorian Branch resources under Rule 516; or
 - (c) are a full-time official of the Victorian Branch.
58. Members must pay their membership fees in instalments every month, three months or 12 months. Membership fees will be due on the day of the month that the Member most recently applied to become a member of the Victorian Branch, or, if there is no such day in that particular calendar month, on the last day of the month. For new Members, their first membership fee instalment will be due on the date that they join the Victorian Branch. A Member can change the frequency of their membership payment by using the Victorian Branch's website or writing to the State Secretary.
59. In the event that a Member's membership fees remain unpaid for two months, the State Secretary must as soon as practicable write to the Member requiring them to pay any arrears.
60. On and from 12 noon on the date a Member's membership fees remain unpaid for three months, the Member will not be able to stand or vote in any elections in the Victorian Branch until they have paid any arrears and the State Secretary has confirmed receipt of the payment, but they will continue to count towards quorum.
61. The State Secretary must provide each Local Branch secretary with access to a list of all Members in their Local Branch whose membership fees have remain unpaid for three months or more. This list must:
 - (a) be updated at least once every calendar month; and

- (b) include the date by which a Member will cease to be a Member if their membership fees remain unpaid.
- 62. In the event that a Member's membership fees remain unpaid for five months, the State Secretary must as soon as practicable write again to the Member requiring them to pay any arrears.
- 63. At 12 noon on the date six months after the last day the Member's memberships fees were due, if the Member remains in default of their obligation to pay their fees, they will cease to be a Member.

A Member's obligations around membership details and enrolment

- 64. A Member must notify the State Secretary of any change in their Member Details, and the date of this change, within 15 working days of the change taking place by using the Victorian Branch's website or writing to the State Secretary.
- 65. A Member must notify the State Secretary of any change in their Financial Details on or before the next date their membership fees are due by using the Victorian Branch's website or writing to the State Secretary.
- 66. A Member will not be able to stand or vote in any elections in the Victorian Branch unless:
 - (a) they have provided the State Secretary with an email address and phone number that is not being used by another Member;
 - (b) they have provided the State Secretary with a declaration that they do not have their own email address and/or phone number that they are able to use and this declaration is in the form prescribed by the Administrative Committee by a resolution passed with at least 14 votes in favour; or
 - (c) they were born before a specific year prescribed in the Membership Protocols.
- 67. All Members who are eligible must be enrolled to vote in Federal and State elections at their Party Address.

The State Secretary's responsibilities around membership records

- 68. The responsibilities of the State Secretary around membership records include:
 - (a) creating and maintaining a permanent membership record for each Member, which must include:
 - (i) the date they applied for membership;
 - (ii) the date from which they were taken to be Certified;

- (iii) their Member Details;
 - (iv) their Financial Details;
 - (v) the Local Branch of which they are a currently a member;
 - (vi) the FEA of which they are currently a member; and
 - (vii) the details of their payment of membership fees, including the name of the Affiliated Union of which they are a member if they are claiming the reduced rate for Affiliated Union members;
- (b) making available for inspection the records maintained under Rule 68(a) to Members who request them for purposes pertaining to the operation of the Victorian Branch;
 - (c) conducting a review every 12 months of all Members to confirm that their Party Address matches their AEC Address. If the State Secretary identifies any members whose Party Address does not match their AEC Address, the State Secretary must write to these members to inform them of the disparity between their two addresses. Upon the completion of this review, a report must be submitted to the Administrative Committee;
 - (d) creating and maintaining a contact list of all Members who identify as an Aboriginal or Torres Strait Islander;
 - (e) providing the contact list created and maintained under Rule 68(d) to the Victorian Indigenous Labor Network, the Aboriginal & Torres Strait Islander Affairs Policy Committee and the National Indigenous Labor Network to assist in their duties, when requested; and
 - (f) conducting a review every 12 months of the contact list created and maintained under Rule 68(d) by writing to the Members on the contact list, outlining the definition of Aboriginal or Torres Strait Islander at Rule 2 and inviting them to declare if there are any discrepancies. Upon completion of this review, a report must be submitted to the Administrative Committee.

Voting Members

69. A Member is a Voting Member if they:

- (a) were a member of a Local Branch on 31 January 2021 and have not ceased to be a Member since that date; or
- (b) have been Certified, completed the Two Year Qualification Period and not ceased to be a Member since having been Certified.

70. If a Voting Member ceases to be Member but then rejoins the Victorian Branch, they must again be Certified and complete their Two Year Qualification Period after rejoining to become a Voting Member again.
71. If a Member ceases to be a Member during their Two Year Qualification Period but then rejoins the Victorian Branch, they must be Certified again to rebegin their Two Year Qualification Period.
72. To be Certified, a Member must:
 - (a) not already be a Certified Member or a Voting Member;
 - (b) attend a meeting of a Local Branch:
 - (i) in the State Electorate in which their Party Address is located, unless Rule 73 applies;
 - (ii) in person, unless Rule 75 applies; and
 - (iii) within the first two hours after the scheduled commencement time for that meeting;
 - (iv) where there is a quorum of members attending the meeting;
 - (c) sign the attendance book at the meeting referenced in Rule 72(b), or authorise the Local Branch secretary to write their name in the attendance book if Rule 75 applies; and
 - (d) have their photo identification verified at the meeting referenced in Rule 72(b) in accordance with Rule 81.
73. A Member may attend a Local Branch meeting in a State Electorate adjacent to that which their Party Address is located to be Certified if:
 - (a) the State Electorate in which their Party Address is located exceeds 1,350 square kilometres in size; and
 - (b) their Party Address is more than 50 kilometres from the meeting location of any Local Branch within the State Electorate in which their Party Address is located
74. The Administrative Committee may disallow a Member from being Certified by a Local Branch meeting in an adjacent State Electorate pursuant to Rule 73 by passing a resolution with at least 14 votes in favour within three months of the Local Branch meeting where the Member sought to be Certified.
75. A Member may attend a Local Branch meeting by videoconference to be Certified if:

- (a) the State Electorate in which their Party Address is located exceeds 1,350 square kilometres in size; and
 - (b) their Party Address is more than 50 kilometres from the meeting location of any Local Branch within the State Electorate in which their Party Address is located.
- 76. The Administrative Committee may disallow a Member from being Certified by videoconference pursuant to Rule 75 by passing a resolution with at least 14 votes in favour within three months of the Local Branch meeting where the Member sought to be Certified.
- 77. Where a Member is attending a Local Branch meeting by videoconference to be Certified pursuant to Rule 75, they must:
 - (a) authorise the Local Branch secretary to write their name in the attendance book; and
 - (b) sign the attendance book at the next meeting of the Local Branch they attend in person.
- 78. In a single calendar month, no more than 10 Members whose Party Address is in the same State Electorate can be Certified.
- 79. If more than 10 Members attend a Local Branch meeting intending to be Certified, only the first 10 of those Members to sign the attendance book and have their photo identification verified may be Certified from the date of that meeting. The next 10 Members to sign the attendance book and have their photo identification verified, subject to Rule 80, will be taken to Certified from the date of the next Local Branch meeting without having to attend that meeting. Any other Members intending to be Certified will not be able to Certified at this Local Branch meeting and will have to attend another Local Branch meeting in the future to be Certified.
- 80. Where this is more than one Local Branch in a State Electorate, the number of Members who can be Certified will be split evenly across the Local Branches, such that no more than 10 can be taken to be Certified in any State Electorate in any month.
- 81. Where a Member attends a Local Branch meeting intending to be Certified, they must provide photo identification to the Local Executive members attending the meeting. The Local Branch secretary and at least one other Local Branch Executive member must mark on the attendance book the type of photo identification that the Member provided and their initials to confirm that they have sighted the photo identification. All other members of the Local Branch Executive present at the meeting must be provided the opportunity to inspect the Member's photo identification, and they may mark their initials on the attendance book to confirm that they have also sighted the photo identification. Where a Local Branch Executive member is attending by teleconference or videoconference pursuant to Rule 252 and is sighting photo identification, they must

authorise the Local Branch secretary to notate their initials in the attendance book. The photo identification provided must conform with the form of photographic identification specified in the Membership Protocols. When attending a meeting by videoconference pursuant to Rule 73, a Member must make their photo identification and themselves visible to those attending the meeting when their photo identification is being sighted.

82. Within four hours of the close of a Local Branch meeting, the Local Branch secretary must provide the State Secretary and all other members of the Local Branch Executive with:
 - (a) a copy of the attendance book pages from the meeting; and
 - (b) the name of any Member who attended the meeting intended to be Certified.
83. Failure by a Local Branch secretary to comply with their responsibilities under Rules 81 and/or 82 will not prevent a Member from being Certified.
84. If a Local Branch secretary fails to comply with their responsibilities under Rules 81 and/or 82 on more than two occasions in a calendar year, they will forfeit their position as Local Branch secretary and be precluded from running for the Local Branch Executive in the subsequent year.
85. If the Local Branch secretary is not present at a Local Branch meeting, the Local Branch assistant secretary or another Local Branch Executive member present at the meeting must assume the Local Branch secretary's responsibilities under Rules 81 and 82.
86. Within four weeks of the date from which a Member is taken to be Certified, the State Secretary must write to the Member and notify them of the date on which they will become a Voting Member if they do not cease to be a Member during the Two Year Qualification Period.
87. Every 12 months, the State Secretary must write to every Member who is not a Voting Member or currently completing their Two Year Qualification Period, and their Local Branch secretary, to notify them of the process for being Certified under these Rules.

Interstate and international Members

88. If a Member's Party Address is not in the State of Victoria, they will not be able to stand or vote in any elections in the Victorian Branch but can retain membership continuity (including for the purposes of completing the Two Year Qualification Period) provided that they do not cease being a Member pursuant to Rule 93.

89. If a Voting Member changes their Party Address to an address that is not in the State of Victoria, their status as a Voting Member will be suspended until they change their Party Address to an address in the State of Victoria.

Life Membership

90. State Conference may grant Life Membership of the Victorian Branch to a Member with at least 40 years of uninterrupted membership. The Administrative Committee must advise Conference when it is satisfied that a Member has 40 years of uninterrupted membership.
91. Members who have been granted Life Membership, other than MPs, will retain membership continuity without having to paying membership fees.
92. The State Secretary must provide recognition to Members with at least 20 and 30 years of uninterrupted membership of the Victorian Branch.

Ceasing to be Member

93. A person will cease to be a Member if they:
- (a) resign their membership by giving a notice in writing to the State Secretary or by using the Victorian Branch website;
 - (b) forfeit their membership under these Rules or are expelled; or
 - (c) fail to personally rectify a default on a membership fee payment by 12 noon on the date six months after the date the payment was due.
94. Where a person breaches the Membership Pledge by nominating against an endorsed ALP candidate:
- (a) if they are a Member, their membership will be forfeited and they will not be able rejoin for a period of seven years from the date they nominated against an endorsed ALP candidate; and
 - (b) if they are a former Member, they will forfeit the right to rejoin until the later date of the following:
 - (i) seven years after they ceased to be a Member; or
 - (ii) two years after the date they nominated against an endorsed ALP candidate.
95. Any Member who nominates against an Endorsed Candidate in a Special Municipal Election will not be in breach of the Membership Pledge for the purposes of Rule 94(a).

96. The State Secretary must report any forfeiture of membership under Rule 94(a) to the Administrative Committee at its first meeting after the date of the forfeiture.
97. The period a person cannot rejoin under Rule 94 may be reduced by the State Conference by a resolution passed with an absolute majority of delegates entitled to attend the relevant meeting of State Conference voting in favour.
98. The Administrative Committee may grant membership continuity to a Member who has failed to rectify a default on a membership payment within six months upon receipt of a personally written application of that Member detailing the reasons for the default. In the event that a Member is granted membership continuity under this Rule, the Member will be taken to have ceased being a Member and then rejoined for the purposes of Rules 69 to 87.

Membership Protocols

99. The Membership Protocols will be set and amended by the Administrative Committee by a resolution passed with at least 16 votes in favour.
100. The Membership Protocols must include:
 - (a) The requirement that Members and Membership Applicant provide their Member Details, keep their Member Details updated and provide evidence that the Member or Membership Applicant resides at their Party Address;
 - (b) The making of membership applications online, by telephone and in hardcopy form;
 - (c) The prescription of membership application forms;
 - (d) The making of membership applications by persons not residing in the state of Victoria;
 - (e) The process around members from ALP branches in other States or Territories transferring to the Victorian Branch;
 - (f) The provision of photo identification for membership applications and elections in the Victorian Branch;
 - (g) The payment of membership fees in monthly, quarterly or annual instalments by direct debit authorities or by a cheque that can be identified as being drawn on the Member's own personal bank account;
 - (h) The provision of evidence of entitlement to concessional membership fees;
 - (i) The process for notifying Membership Applicants that their applications are defective and the process for rectifying defects;

- (j) The matters to be included in the application report provided to the Membership Sub-Committee; and
 - (k) The matters to be included in a Member's membership record.
 - (l) What constitutes a spike in membership in specific State Electorates, for the purposes of Rule 231(d).
101. When any part of the Membership Protocols is inconsistent with any part of these Rules, the latter will prevail and the former will, to the extent of the inconsistency, be invalid.
102. The State Secretary must provide Members with access to a copy of the Membership Protocols:
- (a) on the Victorian Branch website; and
 - (b) on request.

PART D – STATE CONFERENCE

Delegates to State Conference

103. The State Conference will consist of:
- (a) 300 delegates appointed by Affiliated Unions (referred to as Union Delegates in these Rules);
 - (b) 300 delegates elected by and from Voting Members of each FEA (referred to as Membership Delegates in these Rules);
 - (c) The Leader and Deputy Leader of the ALP in the two Houses of the Victorian Parliament; and
 - (d) Two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party.

Union Delegates to State Conference

104. The number of Union Delegates that each Affiliated Union will be entitled to appoint will be determined in accordance with the following procedure:
- (a) At the end of March every year, the State Secretary must calculate the total number of members of Affiliated Unions, pursuant to Rules 26 to 31;
 - (b) The total will be divided into 300;

- (c) The resulting dividend will be multiplied by the number of members of each Affiliated Union in respect of whom affiliation fees have been paid;
- (d) The resulting product (quota) will be the number of delegates to which Affiliated Union is provisionally entitled;
- (e) Affiliated Unions with an entitlement of less than half a quota will be allocated to the Small Unions Group. For the purposes of this procedure, Affiliated Unions outside the Small Unions Group will be referred to as Large Unions;
- (f) All Large Unions and the Small Unions Group will be entitled to a delegate for each quota. The remaining positions will be allocated to the Large Unions (with the Small Unions Group being deemed a Large Union) with the greatest remaining fractions of the quota until the full compliment of 300 union positions is allocated. If at the end of this second allocation an Affiliated Union not in the Small Unions Group ends up without a delegate, that Affiliated Union will be incorporated into the Small Unions Group and the process recommenced;
- (g) In the lead-up to each State Conference, the Chief Returning Officer must conduct a ballot within the Small Unions Group to determine its voting delegates to State Conference. In this ballot:
 - (i) Each Affiliated Union in the Small Unions Group will be entitled to nominate a candidate for the ballot;
 - (ii) A voting paper will be issued to each Affiliated Union in the Small Unions Group marked with the number of members for which affiliation fees have been paid; and
 - (iii) For the purposes of this procedure, the commencement value of each ballot paper in the count for the Small Unions Group election will be that marked on it by the Chief Returning Officer according to this procedure and these Rules generally;
- (h) An Affiliated Union that has not paid 25 percent of its affiliation fees by 4:00pm on the last Friday in March is not entitled to any Union Delegates to State Conferences that year, and will not be included in the calculations set out above;
- (i) An Affiliated Union that has not paid its affiliation fees in full by 31 December is not entitled to any Union Delegates to State Conferences in the following year, and will not be included in the calculations set out above;
- (j) The State Secretary must notify Affiliated Unions by 4:00pm on the first Friday in April each year of the number of Union Delegates which they will each be entitled to appoint. Any Affiliated Union may within five working days object

against any such determination to the Administrative Committee, which must determine all such objections at its next meeting;

- (k) In the event that there is an increase (new affiliation) and/or decrease (disaffiliation) in the number of unions affiliated since the March calculation in Rule 104(a), the above calculation process will be conducted afresh by the State Secretary (taking into account any new affiliations or disaffiliations) at least six weeks prior to the next State Conference;
 - (l) In the event that the State Secretary conducts a fresh calculation as provided in Rule 104(k), the State Secretary must, as soon as the fresh calculation is conducted, notify Affiliated Unions of the number of Union Delegates which they will each be entitled to appoint to the next State Conference. Any Affiliated Union may within five working days object against any such determination to the Administrative Committee, which must determine all such objections at its next meeting;
 - (m) Newly Affiliated Unions will be entitled to the following representation at the State Conference which grants them affiliation:
 - (i) Up to 1,500 members = one delegate;
 - (ii) 1,501 – 5,000 members = two delegates; and
 - (iii) 5,001 and above members = three delegates;
 - (n) Additional delegates under Rule 104(m) will be additional to pre-existing 300 Union Delegates calculated at Rules 104(a) to (j);
 - (o) The maximum number of additional delegates under Rule 104(m) will be six. In the event that the calculation at Rule 104(m) exceeds six, the State Conference will allocate six delegates between the Newly Affiliated Unions; and
 - (p) Notwithstanding anything contained above, each Affiliated Union will be entitled to be represented at State Conference by at least one non-voting delegate.
105. Union Delegates will be appointed by Affiliated Unions in accordance with the procedures determined from time to time by such organisations, provided that:
- (a) A Union Delegate must be a Member of the Victorian Branch and a member of that Affiliated Union;
 - (b) Union Delegations must comply with the affirmative action requirements of Rule 434. An Affiliated Union that wishes to credential a delegation with less than 50 percent women on the basis that the percentage of its members that are women is less than 50 percent must first notify the Administrative Committee in writing of that percentage;

- (c) Subject to these Rules, unless an Affiliated Union notifies the Policy and Conference Agenda Committee to the contrary, its Union Delegation to the previous State Conference will continue as its delegation to the next State Conference; and
- (d) Where there is a casual vacancy in a Union Delegate position, it will be filled in accordance with the procedures of the relevant Affiliated Union.

Membership Delegates to State Conference

106. The number of Membership Delegates that each FEA will be entitled to elect will be determined in accordance with the following procedure:
- (a) In each odd numbered year, the State Secretary must calculate the total number of Voting Members of all FEAs as at 31 May;
 - (b) This total will be divided into 300;
 - (c) The resulting dividend will be multiplied by the number of Members of each FEA in respect of whom their membership fees have not been unpaid for three months or more;
 - (d) Each FEA will be entitled to a delegate for each full quota. The remaining positions will be allocated to the FEAs with the greatest remaining fractions of the quota until the full complement of 300 FEA positions is allocated;
 - (e) The State Secretary must notify FEAs by mid-June of each odd numbered year of the number of Membership Delegates which they will each be entitled to elect. Any FEA may within five working days object against any such determination to the Administrative Committee, which must determine all such objections at its next meeting; and
 - (f) Notwithstanding anything contained above, each FEA will be entitled to be represented at State Conference by at least one non-voting delegate.
107. Membership Delegates will be elected at FEA Elections in accordance with Rule 518. Where there is a casual vacancy in a Membership Delegate position, it will be filled in accordance with Rule 429.

Responsibilities of State Conference

108. The State Conference will be the supreme policy-making and governing body of the Victorian Branch.
109. The responsibilities of the State Conference include:
- (a) determining an agenda for each of its meetings, pursuant to Rule 119;

- (b) determining agenda items put before it;
- (c) electing the positions and committees listed in column 1 of the table in Rule 127 and such other committees as it may determine from time to time;
- (d) receiving and considering reports from the Administrative Committee, the State Secretary, Policy Committees and Representative Groups;
- (e) receiving and considering reports from the Victorian members of the Federal Parliamentary Labor Party, the SPLP and Municipal Caucuses; and
- (f) appointing a qualified practising accountant as auditor, pursuant to Rule 659.

Powers of State Conference

110. The State Conference will have the power to determine all matters affecting the Victorian Branch, including the powers set out in column 1 of the following table with the necessary voting majorities in favour of a resolution to exercise each of these powers set out in column 2:

Item	Column 1: Power	Column 2: Voting majority required
A	To make or change the platform or policy of the Victorian Branch.	An absolute majority of delegates credentialed for the session of State Conference at which the motion is voted upon.
B	To interpret the platform or policy of the Victorian Branch.	A simple majority of delegates present and voting.
C	Ratifying a decision or urgent statement made by the Administrative Committee pursuant to Items A15 and A16 of the table in Rule 152.	An absolute majority of delegates credentialed for the session of State Conference at which the motion is voted upon.
D	To change these Rules (except Rules 662 to 667), pursuant to Rules 717 to 722.	An absolute majority of delegates entitled to attend the relevant meeting of State Conference.
E	To change Rules 662 to 667, pursuant to Rules 717 to 722.	75 percent of delegates entitled to attend the relevant meeting of State Conference

Item	Column 1: Power	Column 2: Voting majority required
F	To interpret these Rules.	A simple majority of delegates present and voting.
G	To make recommendations to the ALP National Conference, the ALP National Executive or the ALP National Policy Forum.	An absolute majority of delegates credentialed for the session of State Conference at which the motion is voted upon.
H	To review, amend or revoke any decision or action of the Officers or of the Administrative Committee or any other committee.	A simple majority of delegates present and voting.
I	To approve or reject any affiliation application made by a Union, pursuant to Rule 21.	A simple majority of delegates present and voting.
J	To determine what fees, other than affiliation fees, must be paid by Affiliated Unions to the Victorian Branch, pursuant to Rule 23.	A simple majority of delegates present and voting.
K	To grant Life Membership of the Victorian Branch to a Member with at least 40 years of uninterrupted membership, pursuant to Rule 90.	A simple majority of delegates present and voting.
L	To reduce the period a person cannot rejoin the Victorian Branch under Rule 94, pursuant to Rule 97.	An absolute majority of delegates entitled to attend the relevant meeting of State Conference.
M	To convene a Special State Conference, pursuant to Rule 114.	A simple majority of delegates present and voting.

Item	Column 1: Power	Column 2: Voting majority required
N	To approve a purpose for the Capital Investment Fund, pursuant to Rule 664(a).	75 percent of delegates present and voting.
O	To determine any question and deal with any matter in respect of which these Rules are silent.	A simple majority of delegates present and voting.

111. The State Conference can only exercise the powers set out in Item A or G of the table in Rule 110 if:

- (a) notice of the proposed change or recommendation is contained in the agenda paper and/or the other documents made accessible to all State Conference delegates pursuant to Rules 123 to 125; and
- (b) at least one half of the delegates entitled to attend State Conference have taken out credentials for the session of State Conference at which any such motion for change or recommendation is voted upon

Meetings of State Conference

112. There will be two types of meetings of State Conference:

- (a) Annual State Conferences; and
- (b) Special State Conferences.

113. An Annual State Conference is a two-day State Conference that must be held once every year. The Administrative Committee must determine the time and place of the Annual State Conference and unless it resolves to the contrary, the Annual State Conference will be held on the second last weekend in May.

114. A Special State Conference must be convened in accordance with the following rules:

- (a) The Administrative Committee must convene a Special State Conference if:
 - (i) State Conference passes a resolution with a simple majority of delegates present and voting;
 - (ii) the Administrative Committee passes a resolution with at least 11 votes in favour;

- (iii) 20 percent of delegates entitled to attend State Conference sign a petition; or
 - (iv) an absolute majority of the SPLP sign a petition.
 - (b) A decision to convene or any petition requiring the convening of a Special State Conference must state the business to be transacted thereat.
 - (c) When convening a Special State Conference, the Administrative Committee must give all delegates at least five working days' notice in writing of the said Conference, such notice to state the time and place of the Conference and the business to be conducted thereat.
 - (d) A Special State Conference will be limited in its powers to dealing with the specific matters in respect of which it is convened.
115. The State Secretary must notify all State Conference delegates and Constituent Units of the date, place and duration of meetings of State Conference.
116. Quorum for a meeting of State Conference will be one quarter of delegates entitled to attend. No motion can be put to State Conference unless a quorum is present.
117. A delegate to State Conference may appoint a Member as their proxy for all or part of a meeting of State Conference by notifying the Policy and Conference Agenda Committee in writing of the appointment, provided that:
- (a) Membership Delegates can only appoint another member of their FEA as a proxy;
 - (b) Union Delegates can only appoint another member of their Affiliated Union as a proxy; and
 - (c) delegates who are women can only appoint another woman as a proxy.
118. The President will preside over all meetings of State Conference. In their absence the Senior Vice-President will preside. In the absence of both the President and the Senior Vice-President, the Junior Vice-President will preside.
119. At each meeting of State Conference, the Policy and Conference Agenda Committee must propose the agenda, and the State Conference must then determine the agenda.
120. Any Affiliated Union or Constituent Unit may propose changes to these Rules, changes to the platform or policy of the Victorian Branch or other motions for consideration by State Conference by submitting them in writing to the State Secretary prior to the conference.
121. All motions must be presented to State Conference in or one or other of the following forms:

- (a) That the Rules be amended by ...
 - (b) That it be the Platform of the Victorian Branch that ...
 - (c) That it be the Policy of the Victorian Branch that...
 - (d) That State Conference recommends to National Conference/Executive that ...
 - (e) That State Conference resolves that ...
122. No motion which is inconsistent with ALP National Platform or Policy can be presented to State Conference in the form “That it be the Platform/Policy of the Victorian Branch that ...” Any such motion must be presented in the form “That State Conference recommends to the National Conference/Executive that ...”.
123. At least 15 working days before each meeting of State Conference, the Policy and Conference Agenda Committee must make an agenda paper and committee reports accessible to all State Conference delegates.
124. At least five working days before each meeting of State Conference, the Policy and Conference Agenda Committee must make supplementary reports accessible to all State Conference delegates.
125. An urgency resolution or motions arising from the minutes of the previous State Conference can only be considered by the State Conference if they are submitted to the Policy and Conference Agenda Committee by 9am on the Monday before the commencement of the scheduled State Conference, has a mover and a seconder and is deemed to be genuinely urgent by the Policy and Conference Agenda Committee. The Policy and Conference Agenda Committee must make any urgency resolutions and/or motions accessible to State Conference delegates as soon as practicable after the submission deadline, provided that the Policy and Conference Agenda Committee may recommend to the State Conference the form in which motions appear on the agenda.
126. A member of a Policy Committee or any other committee elected by the delegates to State Conference who is not a delegate to State Conference will have the speaking and moving rights of a delegate on items arising out of their committee’s report but will not be entitled to vote or be counted for quorum purposes.

Elections by the delegates to State Conference

127. The positions and committees listed in column 1 of the following table must be elected by the delegates to the Annual State Conferences specified in column 2:

Column 1: Positions and committees to be elected	Column 2: Delegates of which Annual State Conference to elect
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Administrative Committee Officers Policy and Conference Agenda Committee Rules Revision Committee	Annual State Conference in each even numbered year.
POSC	Annual State Conference in each odd numbered year.
Policy Committees	First Annual State Conference held after each Victorian state election.
Municipal Coordination Committee	First Annual State Conference held after each Victorian municipal election round.
Half of the Victorian Branch's National Conference delegates (pursuant to Rule 580)	Union Delegates of the Annual State Conference immediately preceding the ALP National Conference.

128. Nominations for the positions and committees listed in column 1 of the table in Rule 127 must:
- (a) open no later than two months before an Annual State Conference;
 - (b) for all positions and committees except the POSC, close by 12 noon 10 working days prior to an Annual State Conference; and
 - (c) for the POSC, close during the meeting of the Annual State Conference.
129. Nominations for positions and committees listed in column 1 of the table in Rule 127 must be submitted in writing to the Chief Returning Officer.
130. Unless specified to the contrary in these Rules, any Member will be eligible to stand for election to any of the positions and/or committees listed in column 1 of the table in Rule 127.
131. Voting in the election of any of the positions and/or committees listed in column 1 of the table in Rule 127 (other than the POSC) must be in person, unless the Administrative Committee resolves that voting be by postal ballot. Voting for the election of the POSC must be by postal ballot.

132. Where voting for an election by the delegates to the Annual State Conference is in person, the following rules will apply:
- (a) Voting will be in person at the relevant meeting of the Annual State Conference;
 - (b) Ballot papers will only be issued to delegates;
 - (c) When collecting their ballot papers, a delegate must produce photographic identification that conforms with the form of photographic identification specified in the Membership Protocols, pursuant to Rule 414(b);
 - (d) To ensure the option of voting secrecy, the Chief Returning Officer must ensure that a voting compartment or private place is set aside so as to screen delegates from observation by any other person while they are marking their ballot papers and provide such voting compartment or area with a pencil for the use of delegates. Delegates are not required to mark their ballot papers in this voting compartment or private place and are permitted to remove their ballot paper from the voting compartment or private place and mark their ballot paper in a different location; and
 - (e) For the purposes of this Rule, “delegate” will also mean a proxy appointed by the delegate to attend all or part of the relevant meeting of State Conference on behalf of the delegate, pursuant to Rule 117.
133. An election by the delegates to the Annual State Conference that complies with Rule 132 will be deemed to have been conducted by secret ballot for the purposes of these Rules.
134. Where voting for an election by the delegates to the Annual State Conference is by postal ballot, the following rules will apply:
- (a) The State Secretary must:
 - (i) post the ballot papers to all Membership Delegates, the Leader and Deputy Leader of the ALP in the two Houses of the Victorian Parliament, and the two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party; and
 - (ii) provide the ballot papers for Union Delegates to the Affiliated Unions in the manner requested by each Affiliated Union. This may be, but is not required to be, by post;
 - (b) Membership Delegates may elect to have their ballot issued, either in-person or by post, to another Member provided their Party Address is in the same FEA as the delegate;

- (c) Upon the request of an Affiliated Union, a ballot paper for a Union Delegate will be issued to another Member of the party, provided that the Member is a member of that Affiliated Union;
- (d) The Leader and Deputy Leader of the ALP in the two Houses of the Victorian Parliament, and the two persons elected by and from the Victorian members of the Federal Parliamentary Labor Party, may elect to have their ballot issued, either in-person or by post, to another Member;
- (e) The ballots must be returned to the State Office by the deadline set by the Administrative Committee. A delegate must return a postal ballot by:
 - (i) posting it back to the State Office;
 - (ii) returning it to the State Office in person; or
 - (iii) having another Member return the ballot to the State Office in person on a delegate's behalf;
- (f) When returning a postal ballot, the person issued with the ballot must place their printed name, their signature, their membership number, and their FEA or Affiliated Union (whichever is applicable) on the declaration envelope;
- (g) A delegate eligible to vote in an election by State Conference by postal ballot who has not yet voted in that election may:
 - (i) request that the State Secretary post them a new ballot;
 - (ii) collect a re-issued ballot from State Office in person; or
 - (iii) authorise, in writing, another Member to collect a re-issued postal ballot from the State Office on their behalf, provided they have authorisation from the delegate in the form of a letter signed by the delegate or an email from the email address that the delegate had most recently provided to the State Secretary under Rule 39(b) or 64 at the time of Annual State Conference from which the positions and/or committees are being elected;
- (h) Affiliated Unions may appoint, by email or by signed letter, a Member to collect re-issued postal ballots on behalf of Union Delegates from the State Office, provided the delegates for whom the request is made have not yet voted in that election; and
- (i) A Member collecting a re-issued postal ballot under Rule 134(g) or (h) must produce photographic identification that conforms with the form of photographic identification specified in the Membership Protocols.

135. The following will apply to the election of Policy Committees:

- (a) Candidates for each Policy Committee must be given a reasonable opportunity to provide all State Conference delegates with concise personal and other details relevant to their candidacy. Such details must be called for by the Policy and Conference Agenda Committee and distributed to all delegates;
- (b) Only women can nominate for the Women's Affairs Policy Committee;
- (c) Only Members who identify as lesbian, gay, bi-sexual, transgender, intersex or queer can nominate for the LGBTI Affairs Policy Committee; and
- (d) Only Members who are Aboriginal or Torres Strait Islanders can nominate for the Aboriginal & Torres Strait Islander Affairs Policy Committee.

136. Members elected to the positions and/or committees listed in column 1 of the table in Rule 127 will take office at the conclusion of the Annual State Conference in the year in which they are elected, or at the declaration of the ballot, whichever comes last, and will hold office until their successors take office according to these Rules.

137. If a rule change made at an Annual State Conference affects the composition of any of the positions and/or committees that are being elected by the delegates to that Annual State Conference then, unless specified to the contrary in these Rules, that rule change will not take effect until the next time that those positions and/or are committees are to be elected by the delegates to an Annual State Conference.

PART E – OFFICES AND COMMITTEES

Officers

138. The State Conference must elect three Officers of the Victorian Branch pursuant to Rules 127 to 137. Subject to Rule 423, the Officer who is first elected will be declared President of the Victorian Branch. The Officer who is next elected will be Senior Vice President and the Officer who is third elected will be Junior Vice President.

139. No person can serve as an Officer for more than two successive terms.

140. The responsibilities of the Officers include:

- (a) acting as voting members of the Administrative Committee;
- (b) acting as trustees of the Victorian Branch and the Capital Investment Fund, pursuant to Rules 650 to 656 and 662 to 667;
- (c) acting as the shareholders and directors of the LSH Trustee, pursuant to Rules 668 to 683; and

- (d) responding promptly to correspondence from Local Branches, pursuant to Rule 255.

141. The responsibilities of the President include:

- (a) presiding over meetings of the State Conference and the Administrative Committee, pursuant to Rules 118 and 159;
- (b) subject to the direction of State Conference, being the sole spokesperson for the Victorian Branch in matters relating to decisions of State Conference and the Administrative Committee; and
- (c) participating in the Victorian Labor Advisory Council.

Party Officers Committee

142. The Party Officers Committee will consist of:

- (a) the Officers as voting members;
- (b) three nominees of the Administrative Committee as voting members; and
- (c) the State Secretary and Assistant Secretaries as non-voting members.

143. The Party Officers Committee may:

- (a) consider and make recommendations on urgent matters of Victorian Branch administration; and
- (b) make decisions on matters delegated or referred to it by the Administrative Committee, Policy and Conference Agenda Committee or Rules Revision Committee.

144. Decisions of the Party Officers Committee will only take effect where there is a consensus of voting members.

Administrative Committee

Membership of the Administrative Committee

145. The Administrative Committee will consist of:

- (a) the Officers and 18 other members elected by State Conference as voting members;
- (b) the State Secretary and Assistant State Secretaries as non-voting members;
- (c) the president and vice-presidents of Victorian Young Labor as non-voting members; and

- (d) the Co-Convenors of the Victorian Labor Women's Network as non-voting members.
146. A Member is only eligible to be elected, and remain, one of the 17 voting members of the Administrative Committee elected by State Conference if they are:
- (a) a Member with at least two years' continuity of membership;
 - (b) not a member of the POSC; and
 - (c) not an employee of the Victorian Branch.
147. Any voting member of the Administrative Committee who is absent from three consecutive meetings will have their position on the committee declared vacant unless the Administrative Committee has granted the member a leave of absence from meetings of the committee. Any voting member who obtains leave of absence for a period of more than 12 weeks will, for the duration of that leave, have their position on the Administrative Committee treated as a casual vacancy and filled in accordance with Rule 429.
148. The voting members of the Administrative Committee may appoint Alternate Members who can be proxies for any voting member of the Administrative Committee pursuant to Rule 156, provided that:
- (a) Before the first meeting of a new Administrative Committee after its election, each voting member (including Officers) may appoint up to two Alternate Members by notifying the State Secretary in writing of the appointment so it can be tabled at the first meeting;
 - (b) A voting member of the Administrative Committee who is a woman can only appoint women as Alternate Members;
 - (c) A person is only eligible to be appointed, and remain, an Alternate Member if they are:
 - (i) a Member with at least two years' continuity of membership; and
 - (ii) not a member of the POSC;
 - (d) Once appointed, a person will remain an Alternate Member until:
 - (i) the next election of the Administrative Committee;
 - (ii) they cease to be eligible to remain an Alternate Member; or
 - (iii) they resign from being an Alternate Member; and

- (e) If a person ceases to be eligible to remain an Alternate Member or resigns from being an Alternate Member, the voting member of the Administrative Committee may appoint a replacement by notifying the State Secretary in writing of the appointment prior to the next meeting of the Administrative Committee.

Responsibilities of the Administrative Committee

- 149. Members of the Administrative Committee and Alternate Members, in performing their role as a member of the committee, must:
 - (a) act in the best interests of the Victorian Branch;
 - (b) ensure the integrity of the membership roll; and
 - (c) ensure that there are systems in place, and that these systems are working, to confirm that the Party Address of all Members match their AEC Address (except for Members who are not eligible to enrol to vote at State and Federal elections).
- 150. A member of the Administrative Committee or an Alternate Member may request the State Secretary provide any further information reasonably available and necessary to perform their responsibilities under Rule 149.
- 151. The responsibilities of the Administrative Committee as a whole include:
 - (a) promoting and encouraging membership of the Victorian Branch;
 - (b) providing appropriate membership development and training for Members;
 - (c) accepting or rejecting a membership application within three months of receiving a recommendation from the Membership Sub-Committee, pursuant to Rule 49;
 - (d) advising State Conference when it is satisfied that a Member has 40 years of uninterrupted membership, pursuant to Rule 90;
 - (e) specifying a time and place for the Annual State Conference, pursuant to Rule 113;
 - (f) convening Special State Conferences, pursuant to Rule 114;
 - (g) determining any objections from Affiliated Unions or FEAs to the State Secretary's calculation of their State Conference delegation entitlement at its first meeting after such an objection is made, pursuant to Rules 104(j), (l) and 106(e);
 - (h) ensuring affiliation applications made by Unions are considered by the next meeting of State Conference, pursuant to Rule 20;
 - (i) providing a report on the integrity of the membership roll to the Annual State Conference;

- (j) carrying out the decisions of State Conference;
- (k) ensuring the active operation of all Constituent Units;
- (l) establishing and maintaining the Standing Sub-Committees, pursuant to Rules 161, 168, 169 and Item A42 in Rule 152;
- (m) employing a State Secretary, Assistant State Secretaries, organisers and any such other staff necessary for the efficient functioning of the Victorian Branch, and encouraging them to be members of an Affiliated Union;
- (n) responding promptly to correspondence from Local Branches, pursuant to Rule 255;
- (o) where a redistribution results in the creation of a new State Electorate, taking appropriate steps to establish a Local Branch in the new State Electorate, pursuant to Rule 236;
- (p) where a redistribution results in the abolishment of a State Electorate, dissolving the Local Branches in the abolished State Electorate, pursuant to 237(a);
- (q) authorising timetables for SECC meetings, pursuant to Rule 289;
- (r) where a redistribution results in the creation of a new Federal Electorate, appointing from among FEA returning officers and deputy returning officers in neighbouring FEAs an appropriate person to conduct the election of the inaugural FEA Executive, FEA returning officer and deputy returning officer for the new FEA, pursuant to Rule 295;
- (s) electing a Legislative Council returning officer and deputy returning officer in each Legislative Council Province from among the Local Branch returning officers in each Legislative Council Province, pursuant to Rule 492;
- (t) appointing a Party Monitor whenever there is a vacancy in that position, pursuant to Rule 223;
- (u) considering reports from the Party Monitor regarding disputes dealt with under Rules 228(a)*;
- (v) convening meetings of the VYL Conference, pursuant to Rule 376;
- (w) reporting any casual vacancy amongst the committee's voting members to the State Secretary within 14 days of becoming aware of the vacancy;
- (x) determining the timelines the elections of delegates and proxy delegates to the ALP National Conference, pursuant to Rule 588;

- (y) subject to any direction of State Conference, arranging preselections for federal, state and municipal elections;
- (z) prior to the initial opening of nominations for any preselection round, determining the minimum number of women to be preselected for each of the groups listed in Rule 435, pursuant to Rule 437;
- (aa) ensuring that the preselection timetables for each of the groups listed in Rule 435 are scheduled to occur contemporaneously, pursuant to Rule 438;
- (bb) setting a new preselection timetable if nominations for all seats within a group listed in Rule 435 are declared void, pursuant to Rule 440;
- (cc) determining the procedures for re-opening preselection nominations in electorates for which no nomination has been received;
- (dd) holding a meeting within 10 working days of the resignation, death or removal of a MP for the purpose of setting a preselection timetable to fill the vacancy created;
- (ee) determining the Victorian Branch's participation in municipal elections, pursuant to Rule 501;
- (ff) initiating and organising all election campaigns and such other campaigns on matters of Victorian Branch policy as it may determine or is directed to initiate and organise by State Conference;
- (gg) establishing a Campaign Committee, and directing any resources as it deems necessary in conducting the campaigns specified in Rule 151(ff);
- (hh) conducting a review of all state election campaigns within three months of the election;
- (ii) organising and maintaining such funds as may be necessary for any or all of the objectives for which the Victorian Branch exists and to exercise together with Trustees proper control and supervision of the disbursement of such funds;
- (jj) nominating a bank that every Constituent Unit must bank at, and ensuring that every Constituent Unit banks at this nominated bank;
- (kk) preparing by no later than 30 September each year an annual report for the 12-month period ending 30 June, which must include:
 - (i) a summary of the financial position of the Victorian Branch;
 - (ii) a report on membership of the Victorian Branch; and

- (iii) a summary of the membership integrity report of the Party Monitor, and actions taken by the Administrative Committee in response to that report;
- (ll) appointing Respect Contact Officers and Complaint Managers and updating their contact details from time to time, pursuant to the Complaints Handling Policy (Schedule D); and
- (mm) after each State Conference where these Rules are changed, confirming a draft of the changed Rules that it receives from the Rules Revision Committee, pursuant to Rule 205(c).

Powers of the Administrative Committee

152. The powers of the Administrative Committee include those set out in column 1 of the following table, and the minimum number of Administrative Committee members (including proxies) that need to vote in favour of a resolution to exercise each of these powers is set out in column 2:

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A1	Prescribing advice to the auditor on the scope of an independent audit for calculating Union membership, pursuant to Rule 27(b)(i).	14
A2	Prescribing the audit certificate that must be included in an independent audit report for calculating Union membership, pursuant to Rule 27(c)(i).	14
A3	Setting and amending membership fees, pursuant to Rule 54.	14
A4	Approving amendments to membership forms.	11
A5	If the name of, or eligibility for, a Services Australia Health Care Card changes, determining which other government card will be necessary to claim a concessional membership fee, pursuant to Rule 54(a).	14

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A6	Approving the prescribed form for the declaration that a Member does not have their own email address and/or phone number that they are able to use, pursuant to Rule 66(b).	14
A7	Disallowing a Member from being Certified by a Local Branch in a neighbour State Electorate, pursuant to Rule 74.	14
A8	Disallowing a Member from being Certified by videoconference, pursuant to Rule 76.	14
A9	Revoking the membership of any person that it is satisfied was not eligible to become a Member.	14
A10	Despite anything to the contrary in these Rules, immediately suspending the membership of a Member who has been charged with an indictable offence that is punishable by imprisonment for five years or more pending the hearing of the charge.	11
A11	Despite anything to the contrary in these Rules, revoking the membership of any Member found guilty of an indictable offence that is punishable by imprisonment for five years or more. Before the Administrative Committee revokes the membership of a Member under this power, the State Secretary must notify the Member in writing of the proposed revocation and the Member must be given an opportunity to make a written submission to the Administrative Committee as to why their membership should not be revoked.	11
A12	Reversing a Member's forfeiture of the right to rejoin the Victorian Branch pursuant to Rule 41.	14
A13	Setting and amending the Membership Protocols, pursuant to Rule 99.	16

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A14	Deciding to hold a Special State Conference, pursuant to Rule 114(a)(ii).	11
A15	Between meetings of State Conference, resolving disagreements concerning the platform and policy of the Victorian Branch. Any such decision made under this power will lapse unless it is ratified by the next Annual State Conference, pursuant to Item C of the table in Rule 110.	11
A16	Making urgent statements not inconsistent with the platform or policy of the of the Victorian Branch. Any such statement made under this power will lapse unless it is ratified by the next Annual State Conference, pursuant to Item C of the table in Rule 110.	11
A17	Appointing the State Secretary and Assistant State Secretaries.	16
A18	Approving Policy Committees to conduct campaigns on policy matters within the terms of reference of the committee, pursuant to Rule 196(c).	11
A19	Approving the establishment of additional Local Branches, pursuant to Rule 233.	16
A20	Taking action when a Local Branch fails to meet its required minimum number of meetings, pursuant to Rule 244.	14
A21	Waiving the requirement of Rule 261 for a Local Branch member re-nominating for the Local Branch Executive, pursuant to Rule 262.	14
A22	Allowing an amendment to a Local Branch meeting schedule, pursuant to Rule 248(b).	14

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A23	Establishing a Local Sub-Branch, pursuant to Rule 270.	11
A24	Approving an electronic count sheet that can be used by returning officers in place of a physical count sheet, pursuant to Rule 425.	11
A25	Approving a Online Voting Platform to be used for a Remote Ballot, pursuant to Rules 453 to 455.	14
A26	Appointing or removing members of the Disputes Tribunal including the president, pursuant to Rule 218.	16
A27	Appointing or removing the Party Monitor, pursuant to Rule 223.	16
A28	Approving the prescribed complaint form for disputes, pursuant to Rule 589(a).	14
A29	Abridging the time for preparation and distribution of the roll under Rules 489(b) to (f) or 533(a) to (e) in special cases requiring urgent elections, pursuant to Rules 489(g) and 533(f).	14
A30	Waiving any of the eligibility requirements under Rules 479(a), (b) and (c), pursuant to Rule 480.	14
A31	Determining the Victorian Branch's participation in a municipal election that is inconsistent with the recommendation of the relevant Municipal Forum, pursuant to Rule 501(e).	14
A32	Waiving the Preferencing Requirement for a municipal election, pursuant to Rule 511.	14
A33	Nominating a municipality to be a Special Municipal Election.	14

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A34	Upon a recommendation by the Municipal Preselection Panel, varying candidates selected for municipal electorates, pursuant to Rule 509.	14
A35	Temporarily suspending scheduled internal ballots during Federal or State election campaigns or where it is impracticable to proceed with FEA Elections until the redistribution of Federal Electorate boundaries is completed.	14
A36	Appointing a suitable person to act as FEA returning officer or deputy returning officer, pursuant to Rule 521.	11
A37	Determining that voting in FEA Elections will be by Remote Ballot where the Federal Electorate is between 750 and 1,500 square kilometres in size, pursuant to Rule 540.	14
A38	Determining that voting for any of the positions and/or committees listed in column 1 of the table in Rule 127 must be by postal ballot, pursuant to Rule 131.	11
A39	Suspending and referring Members alleged to have been engaged in Branch Stacking to the Disputes Tribunal. No suspension under this power can exceed two months in duration without resolution.	18
A40	Authorising payment to any employee, agent, or contractor for work or services performed, or reimbursement of expenses incurred by any employee or person when acting for or on behalf of the Victorian Branch.	11
A41	Approving the inclusion of agenda items for meetings of the Administrative Committee submitted less than five working days prior to a meeting but at least 48 hours prior to the meeting, pursuant to Rule 157.	11

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A42	Determining the powers, voting members, president and secretary of each of the Standing Sub-Committees.	16
A43	In addition to the Standing Sub-Committees established by these Rules, appointing sub-committees from time to time, and delegating such powers to those sub-committees as it thinks fit, provided that such delegated powers cannot be further delegated. Sub-committees established under this power must report to the Administrative Committee on a monthly basis.	11
A44	Authorising the Officers to raise and borrow money and secure the repayment of that money by granting a mortgage, charge or other security over property belonging to the Victorian Branch, pursuant to Rule 656.	11
A45	Approving an advance from the Capital Investment Fund providing short term (not exceeding six months) operating cash flow to the Victorian Branch, pursuant to Rule 664(c).	16
A46	Authorising the Officers, in their capacity as trustees of the Capital Investment Fund, to give a guarantee or other undertaking, pursuant to Rule 666(c).	75 percent of the voting members present
A47	Determining the two nominees who, along with the Officers, will be the shareholders and directors of the LSH Trustee, pursuant to Rule 670(b).	14
A48	Approving changes to the trust deed constituting the LSH Trust and/or the constitution of the LSH Trustee, pursuant to Rule 672.	14
A49	Requiring the trust deed constituting the LSH Trust to be varied to limit the rights and powers of the LSH Trustee as trustee of the trust in respect of one or more of the ways specified in Rule 673.	14

Item	Column 1: Power of the Administrative Committee	Column 2: Votes in favour required
A50	Approving or amending key strategic documents, including annual organisation plans, budgets and internal policies.	16
A51	Making recommendations about a change to these Rules.	16
A52	Exercising such other powers as are conferred upon it by these Rules.	11
A53	Acting upon matters that may arise upon which the Rules are silent.	11

Meetings of the Administrative Committee

153. The Administrative Committee must hold at least ten meetings each calendar year at such times and places as it may from time to time determine.
154. Meetings of the Administrative Committee must be held when:
- (a) an absolute majority of the committee itself so determines, either by a resolution at a meeting or in writing to the State Secretary; or
 - (b) on receipt by members of the committee from the President of at least three days' notice of their intention to convene a meeting.
155. There will be a quorum for a meeting of the Administrative Committee if at least:
- (a) 11 voting members (including proxies) are in attendance; and
 - (b) one Officer (or their appointed proxy) is in attendance.
156. A voting member of the Administrative Committee may appoint any Alternate Member as their proxy for a meeting of the committee by notifying the State Secretary in writing of the appointment. A voting member of the Administrative Committee who is a woman can only appoint an Alternate Member as their proxy if the Alternate Member is also a woman.
157. Agenda items for meetings of the Administrative Committee must be submitted in writing to the State Secretary at least five working days prior to such meetings. Late items may be included only if approved by the Administrative Committee and received

by the State Secretary at least 48 hours prior to the Administrative Committee meeting. This Rule will not apply if the members of the committee receives less than five working days' notice of the meeting being held.

158. The State Secretary must ensure that agenda items and papers for an Administrative Committee meeting are forwarded to all members:

- (a) if the items were provided at least five working days prior to the meeting, at least three clear days prior to the meeting; and
- (b) if the items were proved less than five working days, as soon as practicable.

159. The President will preside over all meetings of the Administrative Committee. In their absence, the Senior Vice-President will preside. In the absence of both the President and the Senior Vice-President, the Junior Vice-President will preside.

160. Unless specified to the contrary in these Rules, a resolution of the Administrative Committee will be passed if there are at least 11 votes in favour.

Standing Sub-Committees of the Administrative Committee

161. The Administrative Committee must establish and maintain the following three standing sub-committees:

- (a) the Membership Sub-Committee; and
- (b) the Finance, Risk & Audit Sub-Committee; and
- (c) the Governance Sub-Committee.

162. The Membership Sub-Committee will be responsible for:

- (a) considering and making recommendations to the Administrative Committee in relation to applications for membership, pursuant to Rules 47 and 48;
- (b) making recommendations to the Administrative Committee in relation to changes to the Membership Protocols;
- (c) making recommendations to the Administrative Committee in relation to recruitment and membership services; and
- (d) receiving annually, and as updated, a list of all members or previous members suspended or expelled from the Victorian Branch to guide recommendations.

163. The Finance, Risk & Audit Sub-Committee will be responsible for overseeing the Victorian Branch's finances, risk-management and audit functions.

164. The Governance Sub-Committee will be responsible for:

- (a) making recommendations relating to the appointment of sub-committees and Victorian Branch officials; and
 - (b) ensuring that the arrangements and operation of the Victorian Branch and the Administrative Committee reflect good governance practice.
165. The Finance, Risk and Audit Sub-Committee and the Governance Sub-Committee must meet at least four times each year. The Membership Sub-Committee must meet at least 10 times each year.
166. Each Standing Sub-Committee must consist of:
- (a) at least three voting members of the Administrative Committee as voting members;
 - (b) no more than three externally-appointed members as voting members; and
 - (c) Victorian Branch officials as non-voting members.
167. The Administrative Committee may appoint one or more Alternate Members to the Membership Sub-Committee as voting members. An Alternate Member will not be considered an externally-appointed member for the purposes of Rule 166(b).
168. At its first meeting after a new Administrative Committee has been elected, the Administrative Committee must:
- (a) establish the three Standing Sub-Committees;
 - (b) determine the powers of each Standing Sub-Committee (other than those powers already outlined in these Rules);
 - (c) appoint voting members to each Standing Sub-Committee; and
 - (d) appoint from amongst the voting members of each Standing Sub-Committee a president and a secretary.
169. The powers, voting members, president and secretary of each Standing Sub-Committee must be determined by the Administrative Committee at the same time in the same resolution passed with at least 16 votes in favour. If for any reason a voting member must resign their position on a Standing Sub-Committee, their vacancy will be reappointed pursuant to this Rule.
170. Meetings of Standing Sub-Committees must be convened and conducted in accordance with the following procedures:
- (a) Meetings of each Standing Sub-Committees must be convened by the secretary after consultation with the president;

- (b) Members of each Standing Sub-Committee must be given at least four working days' written notice of any meeting of that sub-committee, unless every voting member of the sub-committee gives written consent to waive the notice period;
- (c) The State Secretary must ensure that agenda items and papers for a Standing Sub-Committee meeting are forwarded to all members at least four working days prior to the meeting. Late items may be included only if approved by a consensus of voting members at a quorate meeting of the sub-committee; and
- (d) Decisions and recommendations of each Standing Sub-Committee will only take effect where there is a consensus of voting members.

171. Each Standing Sub-Committee must report to the Administrative Committee on a monthly basis.

Policy and Conference Agenda Committee

172. The Policy and Conference Agenda Committee will consist of:

- (a) 11 members elected by State Conference as voting members; and
- (b) the Officers as non-voting members.

173. The Policy and Conference Agenda Committee must elect from among its voting members a president and a secretary.

174. A person is only eligible to be elected, and remain, a member of the Policy and Conference Agenda Committee if they are:

- (a) a Member with at least two years' continuity of membership; and
- (b) not an employee of the Victorian Branch.

175. The responsibilities of the Policy and Conference Agenda Committee include:

- (a) credentialing delegates to State Conference;
- (b) preparing and proposing the agenda for meetings of State Conference, pursuant to Rules 119 and 177;
- (c) making an agenda paper, committee reports, supplementary reports, urgency resolutions and motions arising from the minutes of the previous State Conference accessible to all State Conference delegates, pursuant to Rules 123 to 125;
- (d) coordinating the organisation of State Conference;
- (e) assisting in preparation of ALP policy documents;

- (f) encouraging maximum Victorian Branch participation in the activities of the Government regarding implementing policy and allocating policy priorities;
 - (g) encouraging maximum Victorian Branch consultation in the Government budget process;
 - (h) where appropriate, convening policy forums in conjunction with the relevant Policy Committees and inviting all Members to attend these forums;
 - (i) where appropriate, developing and implementing policy and policy development training programs for Members;
 - (j) establishing and coordinating a system of annual policy reviews to assess the Victorian Branch's progress towards attaining the ALP's goals, pursuant to Rule 176;
 - (k) making recommendations to State Conference through the Administrative Committee, with respect to the creation, disbanding and naming of Policy Committees;
 - (l) coordinating the Policy Coordination Committee and the Platform Committee;
 - (m) calling for candidates for each Policy Committee to provide concise personal and other details relevant to their candidacy and distributing this to all delegates, pursuant to Rule 135(a);
 - (n) responding promptly to correspondence from Local Branches, pursuant to Rule 255; and
 - (o) reporting any casual vacancy in the committee to the State Secretary within 14 days of becoming aware of the vacancy.
176. The Policy and Conference Agenda Committee must establish and coordinate a system of annual policy reviews to assess the Victorian Branch's progress towards attaining the ALP's goals. The Policy and Conference Agenda Committee must develop this review system through the Policy Committees, who will be required to produce progress and implementation reports in consultation with the relevant Ministers and Bill Committees. The Policy and Conference Agenda Committee must present these reports to the Annual State Conference.
177. The Policy and Conference Agenda Committee must ensure that in the agenda it prepares for the Annual State Conference sufficient time is allocated for the debate of each Policy Committee's recommendations, unless a Special State Conference has been convened for this purpose for a date within the same calendar year and notice has been given of this Special State Conference by two weeks prior to the Annual State Conference.

Policy Coordination Committee

178. The Policy Coordination Committee will consist of:
- (a) the voting members of the Policy and Conference Agenda Committee; and
 - (b) the president and secretary of each Policy Committee.
179. The president and secretary of the Agenda Committee will be the president and secretary of the Policy Coordination Committee.
180. The responsibilities of the Policy Coordination Committee include:
- (a) coordinating the work of Policy Committees, especially with respect to matters that overlap the jurisdiction of two or more Committees; and
 - (b) liaising between Policy Committees and the ALP National Policy Forum to ensure that Policy Committees are kept up to date with developments in the preparation of the ALP National Platform, and to ensure that Policy Committee members are provided with ongoing support and guidance as determined by the Committee.

Platform Committee

181. The Platform Committee will consist of:
- (a) the voting members of the Policy and Conference Agenda Committee; and
 - (b) members of the SPLP nominated by the SPLP Leader.
182. The secretary of the Platform Committee will be the secretary of the Policy and Conference Agenda Committee. The president of the Platform Committee will be a member of the SPLP nominated by the SPLP Leader.
183. The responsibilities of the Platform Committee include:
- (a) developing the platform of the Victorian Branch in consultation with the Policy Committees; and
 - (b) recommending that platform to State Conference.

Policy Committees

184. There will be the following Policy Committees:
- (a) Aboriginal & Torres Strait Islanders Affairs;
 - (b) Conservation, Environment & Resources;

- (c) Culture, Sport & Tourism;
- (d) Economics, Innovation, Employment & Industry Development;
- (e) Education & Youth Affairs;
- (f) Commonwealth Affairs & Federal Relations;
- (g) Health, Community Services, Senior Victorians & Disability;
- (h) Urban Affairs, Housing, Local Government & Infrastructure;
- (i) Industrial Affairs;
- (j) Justice & Democracy;
- (k) Multicultural Affairs & Population;
- (l) Transport;
- (m) Women's Affairs; and
- (n) LGBTI Affairs.

Membership of Policy Committees

- 185. Each Policy Committee will consist of:
 - (a) 20 members elected by State Conference as voting members;
 - (b) SPLP members elected by the SPLP as non-voting members; and
 - (c) Associate Members as non-voting members.
- 186. The Women's Affairs Policy Committee must co-opt two members of the VLWN Executive as non-voting members.
- 187. Only Members can become, and remain, members of Policy Committees.
- 188. Only women can become and remain members of the Women's Affairs Policy Committee.
- 189. Only Members who identify as lesbian, gay, bi-sexual, transgender, intersex or queer can become and remain members of the LGBTI Affairs Policy Committee.
- 190. Only Members who are Aboriginal or Torres Strait Islanders can become and remain members of the Aboriginal & Torres Strait Islander Affairs Policy Committee.

191. The voting members of a Policy Committee must elect from among themselves a president and a secretary.
192. A Member becomes an Associate Member of a Policy Committee by writing to the State Secretary and requesting to become an Associate Member.
193. After the election of Policy Committees at the first Annual State Conference held after each Victorian state election, the State Secretary must write to the unsuccessful candidates for each Policy Committee and invite them to request to become an Associate Member of the relevant committee.
194. A Policy Committee may by resolution passed by an absolute majority of the voting members at the time remove any Associate Member who:
 - (a) unreasonably disrupts meetings of the committee; or
 - (b) who fails to respect the confidentiality of information given to members; or
 - (c) fails to respect the confidentiality of discussions at meetings.
195. Any member of any Policy Committee who is absent from three consecutive meetings will have their position on the committee declared vacant, unless the president of the committee has granted the member a special leave of absence from meetings of the committee.

Responsibilities of Policy Committees

196. The responsibilities of each Policy Committee include:
 - (a) developing the policy of the Victorian Branch in co-operation with ALP ministers and shadow ministers, the Policy Coordination Committee, the ALP National Policy Forum, Constituent Units and other relevant persons or bodies in the Victorian Branch;
 - (b) convening policy forums as it considers appropriate, to which all Members are invited;
 - (c) conducting campaigns on policy matters within the terms of reference of the committee as it considers appropriate, but only with the approval of the Administrative Committee;
 - (d) reporting to each Annual State Conference in accordance with Rule 197;
 - (e) responding promptly to correspondence from Local Branches, pursuant to Rule 255;

- (f) reporting any casual vacancy amongst committee's voting members to the State Secretary within 14 days of becoming aware of the vacancy; and
 - (g) performing such other tasks as may be requested or directed by State Conference, the Policy and Conference Agenda Committee or the Administrative Committee.
197. Each Policy Committee must submit a report to the Annual State Conference containing the following:
- (a) policy recommendations the committee may wish to put forward;
 - (b) resolutions the committee has received from Constituent Units and the committee must specify the extent, if any, these resolutions have been incorporated or instrumental in formulating policy recommendations;
 - (c) a report on projects under way; and
 - (d) a report to on the activities of the Federal and Victorian Governments in the policy area relevant to the committee.

Meetings of Policy Committees

198. Meetings of Policy Committees may be convened by:
- (a) the secretary after consultation with the president; or
 - (b) any five members of the committee.
199. Members must be given at least four days' notice of a Policy Committee meeting.
200. Quorum for any meeting of a Policy Committee will be the presence of more than one third of the members eligible to vote at the time.
201. Recommendations to State Conference proposing amendments to policy or resolutions can only be made if adopted by a meeting where at least half the members eligible to vote at the time are present.

Rules Revision Committee

202. The Rules Revision Committee will consist of:
- (a) nine voting members elected by State Conference; and
 - (b) any non-voting members appointed by the president and secretary of the Rules Revision Committee, provided any non-voting member can be removed by the voting members of the Rules Revision Committee by a resolution passed with at least five votes in favour.

203. The Rules Revision Committee must elect from among its members a president and a secretary.
204. Only Members can become, and remain, members of the Rules Revision Committee.
205. The responsibilities of the Rules Revision Committee include:
- (a) assisting the State Secretary with the compilation of proposed Rule changes prior to them being made accessible under Rule 721, which may include adding or amending titles and/or written descriptions;
 - (b) recommending how proposed Rule changes are to be debated at State Conference;
 - (c) after each State Conference where these Rules are changed, preparing a draft of the changed Rules, including any consequential renumbering of the Rules as may be required, and submitting such draft to the Administrative Committee for confirmation;
 - (d) considering proposed Rule changes that have been referred to the committee;
 - (e) responding promptly to correspondence from Local Branches, pursuant to Rule 255; and
 - (f) reporting any casual vacancy amongst the committee's voting members to the State Secretary within 14 days of becoming aware of the vacancy.
206. Meetings of the Rules Revision Committee can be held in person, by teleconference, by video conference, or through a combination of these methods.
207. A resolution agreed to in writing by a majority of the voting members of the Rules Revision Committee has the same effect as a resolution passed at a meeting of the Rules Revision Committee. A resolution agreed to in writing by all voting members of the Rules Revision Committee has the same effect as a resolution passed by the consensus of the voting members of the Rules Revision Committee. In this Rule, "writing" includes emails, faxes and other electronic means of representing or reproducing words in a visible form.

Public Office Selection Committee

208. The Public Office Selection Committee (POSC) will consist of 100 members elected by State Conference.
209. A Member is only eligible to be elected, and remain, a voting member of the POSC if they are not:
- (a) a member of the Administrative Committee; and

- (b) an employee of the Victorian Branch.
210. No member of the Administrative Committee can be a proxy for a member of the POSC. An Alternate Member can be a proxy for a member of the POSC.
211. The responsibilities of the POSC include:
- (a) voting in ballots for federal and state preselections, pursuant to Rule 486 and 487;
 - (b) electing a POSC executive and municipal preselection panel, pursuant to Rule 212;
 - (c) responding promptly to correspondence from Local Branches, pursuant to Rule 255;
 - (d) reporting any casual vacancy in the committee to the State Secretary within 14 days of becoming aware of the vacancy;
212. At its first meeting after a new POSC has been elected, the POSC must elect from among its members:
- (a) an executive of six members, who will appoint from among themselves a POSC president and a POSC returning officer; and
 - (b) a municipal preselection panel of 10 members.
213. The responsibilities of the POSC executive include:
- (a) keeping proper minutes of committee meetings and selection panel meetings and reporting on same to both the Administrative Committee and the State Conference as required from time to time;
 - (b) arranging in accordance with the directions of the Administrative Committee for the selection of candidates throughout Victoria; and
 - (c) determining the date and times of the preselection ballots, pursuant to Rule 488.

Municipal Coordination Committee

214. The Municipal Coordination Committee will consist of nine members elected by State Conference and must elect from amongst themselves a president and a secretary.
215. Only Members can become, and remain, members of the Municipal Coordination Committee.
216. The responsibilities of the Municipal Coordination Committee include:

- (a) working towards effective participation of the Victorian Branch in municipal elections and during the term of each council;
- (b) advising the Administrative Committee and the Campaign Committee on the conduct of campaigns and candidate activities in municipal elections;
- (c) subject to Administrative Committee coordination, communicating with and providing support to municipal candidates during elections and Members elected to council, which may including developing and implementing training programs;
- (d) acting as a liaison point for Members elected across all Victorian local councils;
- (e) convening events which serve to improve the Victorian Branch's participation in municipal councils, as determined by the committee;
- (f) developing recommendations to the Rules Revision Committee on rules and processes relating to Victorian Branch involvement in municipal elections and conduct of councillors;
- (g) subject to Administrative Committee coordination, assisting in the facilitation of Municipal Forums and any other process relating to municipal elections or governance, and advising the Administrative Committee on these matters;
- (h) responding promptly to correspondence from Local Branches, pursuant to Rule 255; and
- (i) reporting any casual vacancy in the committee to the State Secretary within 14 days of becoming aware of the vacancy.

Disputes Tribunal

217. The Disputes Tribunal will consist of up to six members appointed by the Administrative Committee and one of these members must be appointed as the president by the Administrative Committee.
218. Members of the Disputes Tribunal, including the president, can only be appointed or removed by the Administrative Committee by a resolution passed with at least 16 votes in favour.
219. A person is only eligible to be appointed, and remain, a member of the Disputes Tribunal if they:
- (a) are a Member;
 - (b) are experienced in participating in tribunal or disciplinary hearings or similar dispute resolution processes;

- (c) have a good understanding of the rules of procedural fairness;
- (d) are not a MP;
- (e) have obtained trauma informed advocacy experience within a legal environment or legal practice and/or undertaken trauma informed advocacy training; and
- (f) satisfy at least one of the following criteria:
 - (i) they have been admitted to the Australian legal profession in an Australian state or territory for at least five years;
 - (ii) they have previously been an MP;
 - (iii) they have previously been a secretary or assistant secretary (or an equivalent position) in a Union; or
 - (iv) they have previously served as an Officer.

220. The responsibilities of the Disputes Tribunal include:

- (a) performing the roles and responsibilities set out for it in the Complaints Handling Policy in relation to complaints made in respect of, or under, the Code and Associated Policies; and
- (b) hearing and deciding all other complaints by Members, Affiliated Unions and Constituent Units that relate to compliance with these Rules or enforcement of the rights and obligations of Members, Affiliated Unions and Constituent Units under these Rules, including but not limited to the types of dispute set out in Rules 610 to 623.

221. The powers of the Disputes Tribunal include:

- (a) making declarations and giving directions for compliance with, and the enforcement of, these Rules;
- (b) regulating its own procedure and making regulations for that purpose;
- (c) in cases of urgency, doing one or more of the following:
 - (i) permitting complaints to be made responses orally and/or without a complaint form, pursuant to Rule 594;
 - (ii) permitting responses to be given orally and/or without a written statement of facts, pursuant to Rule 598(a); and/or
 - (iii) varying the time periods specified in Rules 595 to 597, pursuant to Rule 598(b);

- (d) conciliating disputes, if it thinks appropriate;
- (e) requiring any Member to attend a hearing to give evidence;
- (f) summarily dismissing any complaint that it finds is frivolous, vexatious or made without reasonable grounds;
- (g) hearing and deciding appeals in relation to breaches of the Code in accordance with the Complaints Handling Policy; and
- (h) imposing sanctions or disciplinary action in relation to breaches of the Code in accordance with the Complaints Handling Policy;
- (i) making recommendations to State Conference, the Administrative Committee and the Rules Revision Committee for the prevention and resolution of disputes, including changes to these Rules;
- (j) the specific powers under Rules 614, 619, 622 and 623; and
- (k) doing anything else necessary or desirable to handle and resolve complaints under these Rules.

222. The responsibilities of the Disputes Tribunal president include:

- (a) deciding on the constitution of the Disputes Tribunal for each matter, pursuant to Rule 599; and
- (b) performing the roles and responsibilities set out for them in Complaints Handling Policy in relation to complaints made in respect of, or under, the Code and Associated Policies.

Party Monitor

223. The Party Monitor can only be appointed or removed by the Administrative Committee by a resolution passed with at least 16 votes in favour.

224. A Party Monitor must be appointed for a term of no less than two years.

225. A person is only eligible to be appointed, and remain, the Party Monitor if they:

- (a) are a Member;
- (b) do not hold public office;
- (c) are not actively seeking election or appointment to public office;
- (d) do not hold a position on the Disputes Tribunal, the Administrative Committee or the POSC;

- (e) have a demonstrated record of integrity; and
- (f) have a good understanding of the operation of the Victorian Branch and its Rules.

226. The responsibilities of the Party Monitor include:

- (a) making complaints to the Disputes Tribunal of its own volition based on information that comes before it, including complaints about Disciplinary Offences and breaches of previous versions of these Rules pursuant to Rule 591;
- (b) receiving complaints where the State Secretary is the Complainant or Respondent pursuant to Rule 589(d), providing copies of these complaints to the Respondent pursuant to Rule 595, receiving responses pursuant to Rule 596(e) and providing copies of both these complaints and the responses to the Disputes Tribunal pursuant to Rule 597;
- (c) resolving disputes within the Victorian Branch which do not involve complaints before the Disputes Tribunal or under the Code and Associated Policies;
- (d) investigating Branch Stacking, pursuant to Rules 227 and 228;
- (e) providing an annual report to Members about the Victorian Branch's compliance with these Rules, including the function of the Administrative Committee and its Sub-Committees; and
- (f) reviewing the integrity of the Victorian Branch membership and membership arrangements every two years and providing a report to the Administrative Committee on the findings of this review.

227. The Party Monitor must investigate allegations of Branch Stacking in a Federal Electorate where a complaint is received by 50 Members whose Party Address is in the Federal Electorate concerned or 20 percent of Voting Members whose Party Address is in the Federal Electorate concerned, whichever is the lesser.

228. After investigating allegations of Branch Stacking pursuant to Rule 227, the Party Monitor must:

- (a) provide a written report of the investigation to the Administrative Committee; and
- (b) if they identify any Members as having breached one or more of Rules 643 to 646, charge these Members with a Disciplinary Offence pursuant to Rules 610 to 616.

229. Rule 227 does not prevent the Party Monitor from investigating Branch Stacking on its own volition.

230. Members must cooperate with investigations by the Party Monitor and comply with reasonable requests made by the Party Monitor.
231. The State Secretary must assist the Party Monitor in the performance of their role. This assistance will include providing the Party Monitor with:
- (a) administrative support;
 - (b) access to documents and records;
 - (c) answers to questions; and
 - (d) a quarterly report of Victorian Branch membership, new membership and any spikes in membership in specific State Electorates.

PART F – LOCAL BRANCHES AND OTHER LOCAL BODIES

Local Branches

The establishment and dissolution of Local Branches

232. There will be at least one Local Branch in each State Electorate.
233. The Administrative Committee may only establish additional Local Branches in an State Electorate if:
- (a) it passes a resolution with at least 16 votes in favour; and
 - (b) one of the following criteria is satisfied:
 - (i) an existing Local Branch in the State Electorate has more than 300 members;
 - (ii) the State Electorate exceeds 1,350 square kilometres in size; or
 - (iii) the relevant FEA includes five or more State Electorates.
234. In determining whether to establish an additional Local Branch in a State Electorate in accordance with Rule 233, the Administrative Committee must have regard to evidence of the number of Members who regularly attend Local Branch meetings.
235. When establishing additional Local Branches, the Administrative Committee must:
- (a) identify a location within the State Electorate which will be used to determine the Local Branch closest to a Member's Party Address;
 - (b) make arrangements to facilitate the:
 - (i) allocation of Members into the new Local Branch;

- (ii) election of inaugural Local Branches Executives and inaugural Local Branch returning officers; and
 - (iii) transfer of the property under the control of existing Local Branches, including monies held in bank accounts, to the new Local Branch.
236. In the event of there being a redistribution of State Electorates that results in the creation of a new State Electorate, the Administrative Committee must as soon as practicable:
- (a) establish a Local Branch in the new State Electorate;
 - (b) allocate all Members whose Party Address is within the new State Electorate to this new Local Branch;
 - (c) appoint from among the existing returning officers an appropriate person to conduct and count the ballots for the election of the inaugural Local Branch Executive and inaugural Local Branch returning officer; and
 - (d) call a meeting of the new Local Branch to elect an inaugural Local Branch Executive and inaugural Local Branch returning officer; and
237. In the event of there being a redistribution of State Electorates that results in the abolishment of a State Electorate, as soon as practicable:
- (a) the Administrative Committee must dissolve the Local Branches in the abolished State Electorate;
 - (b) the State Secretary must reallocate the affected members to the Local Branch in their new State Electorate, or if there is more than one Local Branch in their new State Electorate, the Local Branch in their new State Electorate closest to their Party Address; and
 - (c) the assets of each Local Branch dissolved must be transferred to the State Secretary and then disbursed to the surrounding Local Branches as evenly as possible based on the proportion each of the surrounding branches has of the members of the dissolved branch to which the assets previously belonged.
238. For the purposes of Rules 236 and 237, the renaming of a State Electorate does not constitute the creation or abolishment of a State Electorate.

Local Branch membership

239. Every Member will be allocated to a Local Branch in the State Electorate in which their Party Address is located, pursuant to Rules 51(a), 235(b)(i), 236(b), 237(b), 240 and 241.

240. In the event that a Member notifies the State Secretary of a change to their Residential Address pursuant to Rule 64 and their new Residential Address is in a different State Electorate, the State Secretary must:
- (a) if there is only one Local Branch in the new State Electorate, reallocate the Member to the Local Branch in their new State Electorate;
 - (b) if there is more than one Local Branch in the new State Electorate, reallocate the Member to the Local Branch that they have nominated, or in the absence of a nomination, to the Local Branch closest to the Member's new Party Address; and
 - (c) notifying the Member and the relevant Local Branch secretary of the reallocation under Rule 240(a) or (b).
241. Where there is more than one Local Branch in a State Electorate and a Member wants to be reallocated from one Local Branch to another within the same State Electorate, the following process will apply:
- (a) A Member may apply to be reallocated to a different Local Branch by:
 - (i) making an online transfer application; or
 - (ii) completing a membership transfer form and either posting it to the State Secretary or personally attending State Office to submit the application;
 - (b) Should a Member apply to be reallocated to a different Local Branch pursuant to Rule 241(a), the relevant Victorian Branch staff member must write, date and sign their name on the hardcopy membership transfer form and provide the completed form to the Victorian Branch operations manager or their nominee. The operations manager, or nominee, must on receipt, time and date stamp the form, and provide the form to the membership staff to be processed;
 - (c) On receipt of a transfer application, the State Secretary must cause the details included in the application to be examined to confirm that the:
 - (i) Member's Party Address matches their AEC Address or, if that Member is not enrolled to vote, that their Residential Address can be verified; and
 - (ii) Member has correctly nominated a Local Branch in the State Electorate where their Party Address is located; and
 - (d) On confirming the details set out in Rule 241(c), the State Secretary must reallocate the Member to the Local Branch they have nominated and notify the Member and the relevant Local Branch secretary of the reallocation.

- (e) If the State Secretary cannot confirm the details set out in Rule 241(c), they must reject the transfer application and write to the Member advising them of the rejection.

Responsibilities of Local Branches

242. The responsibilities of Local Branches include:

- (a) meeting regularly, pursuant to Rule 243;
- (b) assisting in the organisation of election campaigns;
- (c) furthering the interests and extending the influence of the Victorian Branch within the State Electorate concerned; and
- (d) raising and disbursing funds for the above purposes.

Meetings of Local Branches

243. Local Branches in a Metropolitan Area must meet at least ten times each calendar year and Local Branches in a Non Metropolitan Area must meet at least four times each calendar year.

244. Any Local Branch which fails to meet its required minimum number of meetings pursuant to Rule 243, or which has not held a quorate meeting in the past six months, must be referred by the State Secretary to the Administrative Committee for it to action, and such action can include but is not limited to:

- (a) declaring the Local Branch Executive vacant and holding an election for a new executive;
- (b) declaring the Local Branch Executive vacant and appointing an interim executive until the next Local Branch Elections;
- (c) convening a meeting of the Local Branch for the purposes of increasing the number of Members Certified;
- (d) directing the State Secretary to provide support to the Local Branch Executive; and/or
- (e) dissolving the Local Branch and redistributing its assets as the Administrative Committee sees fit.

245. The Administrative Committee may only exercise its powers under Rule 244 by a resolution passed with at least 14 votes in favour.

246. Notwithstanding Rule 250, quorum for a Local Branch meeting convened under Rule 244(c) will be five Members (including Members who are not Certified Members or Voting Members).
247. By the end of February each year, the Local Branch secretary must provide to the State Secretary a schedule of the Local Branch's meetings for that calendar year, setting out the date, time and place of each meeting.
248. Once provided to the State Secretary pursuant to Rule 247, a Local Branch's meeting schedule for a calendar year can only be amended:
- (a) if the Local Branch Secretary notifies the State Secretary in writing at least one week prior to the scheduled meeting or at least one week prior to the new meeting date, whichever is earlier; or
 - (b) by the Administrative Committee by a resolution passed with at least 14 votes in favour.
249. The Local Branch Executive must provide reasonable notice of all Local Branch meetings to all members.
250. Quorum for a Local Branch meeting will be:
- (a) for Local Branches with less than 25 members, five members who are either Certified Members or Voting Members;
 - (b) for Local Branches with 25 to 59 members, six members who are either Certified Members or Voting Members; and
 - (c) for Local Branches with 60 members or more, seven members who are Certified Members or Voting Members.
251. A Member will count to quorum under Rule 250 if they are attending:
- (a) in person; or
 - (b) by teleconference or videoconference and Rule 252 applies.
252. Local Branches in State Electorates that exceed 1,350 square kilometres in size may allow teleconference or video conference attendance at Local Branch meetings for members who live in a postcode district outside the postcode district of the meeting or more than 50 kilometres from the meeting location, provided that:
- (a) the meeting must acknowledge by resolution any members attending by electronic means;

- (b) the meeting must authorise the Local Branch secretary to notate the members' attendance in the official Local Branch attendance book;
 - (c) the Local Branch secretary must take a photo or screenshot of those attending by videoconference to assist in the proof of attendance; and
 - (d) at least one member of the Local Branch Executive or two other members of the Local Branch must be attending the meeting in person.
253. The president or vice-president of the Local Branch, or in their absence another member of the Local Branch Executive, must preside at all meetings of the Local Branch, and must conduct such meetings in accordance with the Standing Orders set out in Rules 685 to 716.
254. Only members of the Local Branch who are either Certified Members or Voting Members may move and second motions and vote on matters discussed at Local Branch meetings.

Obligation to respond to Local Branch correspondence

255. The following persons and committees must respond promptly to correspondence from Local Branches:
- (a) MPs;
 - (b) Party Officials;
 - (c) the Administrative Committee;
 - (d) the Policy and Conference Agenda Committee;
 - (e) Policy Committees;
 - (f) the Rules Revision Committee;
 - (g) the POSC; and
 - (h) the Municipal Coordination Committee.

Local Branch Elections

256. At the Local Branch Elections, a Local Branch must elect:
- (a) a Local Branch returning officer; and
 - (b) five members of the Local Branch Executive.

257. The Local Branch Elections must be held at a Local Branch meeting in October, November or December each calendar year.
258. Nominations for the Local Branch Elections must open at the Local Branch meeting preceding that at which the elections are to be held and close at 6:00pm seven days prior to the elections.
259. The Local Branch returning officer must provide all Local Branch members with written notification of the close of nominations and the time, duration and place of voting for the Local Branch Elections at least 14 days prior to the elections.
260. To nominate for a position to be elected at the Local Branch Elections, a Member must:
- (a) be eligible to nominate, pursuant to Rule 261;
 - (b) be eligible to be elected, pursuant to Rule 275; and
 - (c) signify their consent to the nomination, either personally or in writing, to the Local Branch returning officer.
261. A member of a Local Branch Executive is only eligible to re-nominate for the Local Branch Executive if, at the date of the closing of nominations, they have attended at least one meeting of the Local Branch in the previous twelve months.
262. The Administrative Committee may waive the requirement of Rule 261 by a resolution passed with at least 14 votes in favour.
263. If the number of nominations for a Local Branch Executive is less the number of positions to be elected, the Local Branch returning officer must re-open nominations and waive the requirement of Rule 261.
264. Where a member of a Local Branch Executive re-nominates, the Local Branch secretary must provide the Local Branch returning officer with access to the attendance book so they can determine that the member has met the requirement of Rule 261.
265. The duration of voting for the Local Branch Elections will be two hours commencing at the start of the designated Local Branch meeting.
266. To be eligible to vote in the Local Branch Elections, a Member must:
- (a) be a Certified Member or a Voting Member at the close of nominations;
 - (b) have been allocated to the Local Branch pursuant to Rule 239; and
 - (c) not have been reallocated to the Local Branch pursuant to Rule 240 or 241 in the six week period preceding the Local Branch meeting where the Local Branch Elections are to be held.

267. The Local Branch returning officer and Local Branch Executive elected in the Local Branch Elections will take office at the first meeting of the Local Branch in the following calendar year.
268. Rules 256 to 267 will apply to the election of an inaugural Local Branch Executive under Rule 235(b)(ii) or 236, except the inaugural Local Branch Executive and inaugural Local Branch returning officer will take office at the conclusion of the election.

Local Sub-Branches

269. A Local Branch may have a Local Sub-Branch to represent the interests of a language group, a cultural group or a group with a particular community of interest.
270. A Local Sub-Branch may only be established with the approval of the Administrative Committee upon the provision of a petition signed by 10 members of the Local Branch.
271. Attendance at a Local Sub-Branch meeting will not count as attending a Local Branch meeting for the purposes of Rule 72(b). In all other respects, Local Sub-Branches will be treated as Local Branches under these Rules.
272. Members will be permitted to attend meetings of a Local Sub-Branch even if they are not members of the relevant Local Branch but only if they share the Local Sub-Branch's language, cultural or community of interest.
273. The establishment and operation of a Local Sub-Branch will not offend the Code and Associated Policies.

Local Branch Executives

274. A Local Branch Executive will consist of five members elected at the Local Branch Elections and must elect from among themselves a president, a vice-president, a secretary, an assistant secretary and a treasurer.
275. A Member is only eligible to be elected, and remain, a member of a Local Branch Executive if they are:
- (a) allocated to the Local Branch pursuant to Rule 239; and
 - (b) not an MP.
276. The responsibilities of a Local Branch Executive include:
- (a) ensuring the proper management and conduct of the Local Branch;

- (b) providing the State Secretary with a contact email address for the Local Branch (which the State Secretary must make accessible to Members on the Victorian Branch's website); and
 - (c) providing reasonable notice of all Local Branch meetings to all members, pursuant to Rule 249.
277. A Local Branch Executive can correspond with the members of their Local Branch by mail or other appropriate means.
278. The State Secretary must, upon request, provide a Local Branch Executive with the contact details of their Local Branch members.
279. The responsibilities of the Local Branch secretary include:
- (a) keeping proper minutes of Local Branch meetings;
 - (b) keeping all other records necessary to the proper conduct of the Local Branch and its meetings;
 - (c) advising the State Secretary by the end of February each year of the:
 - (i) composition of the Local Branch Executive; and
 - (ii) meeting schedule for the Local Branch, pursuant to Rule 247;
 - (d) sighting photo identification of a Member attending a Local Branch meeting intending to be Certified and marking on the attendance book the type of photo identification provided and their initials to confirm they have sighted the photo identification, pursuant to Rule 81; and
 - (e) within four hours of the closing of a Local Branch meeting, providing the State Secretary and all other members of the Local Branch Executive with a copy of the attendance book pages from the meeting and the the name of any Member who attended the meeting intending to be Certified , pursuant to Rule 82.
280. The Local Branch treasurer will be responsible for all moneys received by the Local Branch and must bank all such moneys and keep proper records and statements of account.
281. The president, secretary and treasurer of a Local Branch Executive must be authorised to oversee and approve payments from the Local Branch bank account, and all payments must be approved by at least two of them.

State Electorate Assemblies

282. In each State Electorate there will be a State Electorate Assembly which will consist of all Members whose Party Address is in the State Electorate concerned.
283. Within six months of State preselections, the Administrative Committee must convene a meeting of the State Electorate Assembly for the purposes of:
- (a) deciding whether to establish a State Electorate Campaign (SECC) and the composition of any such SECC;
 - (b) electing a Legislative Assembly returning officer and deputy returning officer by proportional representation; and
 - (c) considering a report from the SPLP.
284. Quorum for any meeting of the State Electorate Assembly will be fifteen percent of the total number of Members whose Party Address is in the State Electorate concerned or ten Members whose Party Address is in the State Electorate concerned, whichever is the lesser.

State Electorate Campaign Committees

285. Each State Electorate Assembly may establish a State Electorate Campaign (SECC) which will consist of:
- (a) the candidate;
 - (b) the campaign director; and
 - (c) unless the State Electorate Assembly determines its own formula to the contrary, five members of the State Electorate Assembly elected by and from the Assembly.
286. The SECC must elect from among themselves a president, a vice-president, a secretary, an assistant secretary and a treasurer.
287. The SECC has the power to co-opt further members and to fill casual vacancies.
288. The responsibilities of the SECC include:
- (a) conducting State election campaigns within the State Electorate concerned and to campaign on an ongoing basis between State elections; and
 - (b) raising and disbursing funds for the above purpose.
289. The Administrative Committee will authorise a timetable for SECC meetings.
290. Quorum for a meeting of the SECC will be one third of the members.

Federal Electorate Assemblies

291. In each Federal Electorate there will be a Federal Electorate Assembly (FEA) which will consist of all Members whose Party Address is in the Federal Electorate concerned.
292. The responsibilities of each FEA include:
- (a) conducting Federal elections campaigns and campaigning on an ongoing basis between Federal elections;
 - (b) furthering the interests and extending the influence of the Victorian Branch within the Federal Electorate concerned;
 - (c) electing a FEA returning officer, a FEA deputy returning officer, an FEA Executive and Membership Delegates at the FEA Elections in accordance with Rule 518;
 - (d) meeting when convened by the president of the FEA Executive; and
 - (e) raising and disbursing funds for the above purposes.
293. A meeting of the FEA must be convened by the president of the FEA Executive when:
- (a) an absolute majority of the FEA Executive so determines, either by a resolution at a meeting or in writing to the president of the FEA Executive;
 - (b) a meeting of the FEA passes a resolution to convene a meeting with a simple majority of Members present and voting; or
 - (c) they receive a petition to convene a meeting which has been signed by at least 25 percent of the Members of the FEA.
294. Quorum for any meeting of a FEA will be:
- (a) for FEAs where the Federal Electorate concerned is less than 4,000 square kilometres in size, 25 percent of the total number of members of the FEA or 25 members, whichever is the lesser; and
 - (b) for FEAs where the Federal Electorate concerned is 4,000 or more square kilometres in size, 15 percent of the total number of members of the FEA or 15 members, whichever is the lesser.
295. In the event of there being a redistribution of Federal Electorates that results in the creation of a new Federal Electorate, the Administrative Committee must as soon as practicable appoint from among the FEA returning officers and deputy returning officers in neighbouring FEAs an appropriate person to conduct and count the ballots

for the election of the inaugural FEA Executive, FEA returning officer and returning officer for the new FEA.

296. In the event of there being a distribution of Federal Electorates that results in the abolishment of a Federal Electorate, as soon as possible the assets of the FEA abolished must be transferred to the State Secretary and then disbursed to the surrounding FEAs as evenly as possible based on the proportion each of the surrounding FEAs has of the members of the abolished FEA to which the assets previously belonged.
297. For the purposes of Rules 295 and 296, the renaming of a Federal Electorate does not constitute the creation or abolishment of a Federal Electorate.

FEA Executives

298. Each FEA Executive will consist of five voting members elected by the FEA at the FEA Elections.
299. A Member is only eligible to be elected, and remain, a member of an FEA Executive if:
- (a) they are a Voting Member;
 - (b) their Party Address is in the relevant Federal Electorate; and
 - (c) they are not an MP.
300. The members of an FEA Executive must elect from among themselves a president, a vice-president, a secretary, an assistant secretary and a treasurer.
301. Any member of the FEA Executive who is absent from three consecutive meetings will have their position on the Executive declared vacant, unless the president of the FEA Executive has granted the member a leave of absence from meetings of the FEA Executive. Any person who obtains leave of absence for a period of more than 12 weeks will for the duration of that leave, have their position on the FEA Executive treated as a casual vacancy and filled in accordance with Rule 429. Any member who attends a meeting via teleconference or videoconference is deemed to be present.
302. The responsibilities of each FEA Executive include:
- (a) convening meetings of the FEA as required by Rule 293;
 - (b) implementing the decisions of the FEA; and
 - (c) reporting any casual vacancy in the FEA Executive or the Membership Delegates to the State Secretary within 14 days of becoming aware of the vacancy.
303. The secretary of an FEA Executive must keep proper minutes of FEA meetings and keep all other records necessary to the proper conduct of the FEA and its meetings.

304. The treasurer of an FEA Executive will be responsible for all moneys received by the FEA and must bank all such moneys and keep proper records and statements of account.
305. The president, secretary and treasurer of an FEA Executive must be authorised to oversee and approve payments from the FEA bank account, and all payments must be approved by at least two of them.

Municipal Forums

306. In each municipality there will be a Municipal Forum which will consist of all the Members whose Party Address is in the municipality.
307. The Municipal Forum must meet to elect a municipal returning officer and to make recommendations to the Administrative Committee, pursuant to Rule 501(a).
308. Quorum for a Municipal Forum will be 25 percent of the total number of Voting Members whose Party Address is in the municipality or 25 Voting Members whose Party Address is in the municipality, whichever is the lesser.
309. Only Voting Members whose Party Address is in the municipality can vote at a meeting of a Municipal Forum.

Municipal Forum Executives

310. In each municipality there will be a Municipal Forum Executive which will consist of:
- (a) Any Member who holds the office of councillor in the municipality;
 - (b) Any Member who is an Endorsed Candidate in the municipality;
 - (c) Any member of an FEA Executive whose Party Address is in the municipality;
 - (d) Any Member who is a MP (or their representative) whose electorate includes any part of the municipality; and
 - (e) Any other Member who is co-opted by the Municipal Forum Executive from time to time.
311. The responsibilities of each Municipal Forum Executive include:
- (a) convening Municipal Forums, pursuant to Rule 501(a);
 - (b) providing recommendations for consideration by Members at Municipal Forums;
 - (c) establishing a campaign committee to organise municipal election campaigns; and

- (d) assisting in facilitating and maintaining a ALP team approach outside of municipal election campaigns.

312. Quorum for a meeting of a Municipal Forum Executive will be one third of its members.

PART G – CAUCUSES AND THE LABOR ADVISORY COUNCIL

State Parliamentary Labor Party

313. The State Parliamentary Labor Party (SPLP) may make rules to govern the business of caucus but when any part of those rules are inconsistent with any part of these Rules, the latter will prevail and the former will, to the extent of the inconsistency, be invalid.
314. The leader of the SPLP must be elected by the SPLP and Members, pursuant to Rules 552 to 577.
315. When in government, each minister in the SPLP must submit a written report to the Annual State Conference specifying, in detail, the steps taken within their ministerial portfolio to implement the platform of the Victorian Branch.

Municipal Caucuses

316. In each municipality there will be a Municipal Caucus which will consist of:
- (a) the Endorsed Candidates elected to the office of councillor in the municipality; and
 - (b) any Non Endorsed Candidates elected to the office of councillor in the municipality that decide to join the Municipal Caucus.
317. If there are no Endorsed Candidates elected to the office of councillor in a municipality but there are two or more Non Endorsed Candidates elected to office, these Non Endorsed Candidates may establish a Municipal Caucus.
318. The Municipal Caucus must meet as a caucus:
- (a) prior to council meetings at which councillors are to be elected or appointed to official positions and delegations, including mayor, to discuss these matters and determine upon such matters; and
 - (b) from time to time, as determined by the caucus.
319. The vote of an absolute majority of Municipal Caucus members will bind:
- (a) all members of caucus; and

- (b) Non Endorsed Candidates obliged to caucus under Rule 513(f) insofar as the vote relates to the election or appointment of councillors to official positions and delegations, including mayor.

320. No Municipal Caucus member can oppose in debate in council any matter which has been determined by caucus, except by the agreement of caucus.

321. Each Municipal Caucus must formally report to the Municipal Forum on its performance.

Victorian Labor Advisory Council

322. The Victorian Labor Advisory Council will consist of:

- (a) the Leader and senior members of the SPLP;
- (b) the President and State Secretary or their nominees; and
- (c) representatives of the Victorian Trades Hall Council.

323. The role of the Victorian Labor Advisory Council will be to provide a formal consultative mechanism between the Victorian Branch and the union movement in Victoria.

PART H – REPRESENTATIVE GROUPS

General rules for all Representative Groups

324. Rules 325 to 329 will apply to all Representative Groups. When any part of Rules 325 to 329 is inconsistent with any other part of these Rules, the latter will prevail and the former will, to the extent of the inconsistency, not apply.

325. There will be no membership fee to become, or remain, a member of a Representative Group.

326. The executive of each Representative Group will be elected by a single Remote Ballot of all its members at the close of nominations for the election. This election must held at the same time as FEA Elections.

327. The responsibilities of the executive of each Representative Group include:

- (a) ensuring that the aims of the Representative Group are fulfilled;
- (b) reporting regularly to the Representative Group's members on its activities; and
- (c) providing a report on its activities to each meeting of the Annual State Conference.

328. The secretary of each Representative Group executive must maintain an up to date membership list for the purposes of communication and elections. The relevant Representative Group executive will have access to this list but acknowledges that all member information will be held in a strictly confidential manner.
329. Where membership of a Representative Group is not automatic, the following rules will apply:
- (a) a Member may join a Representative Group by:
 - (i) writing to the State Secretary; or
 - (ii) using the Victorian Branch's website;
 - (b) membership of a Representative Group must be offered at the point of joining the Victorian Branch and on the Victorian Branch's website; and
 - (c) the executive of each Representative Group may remove a member from the group if they behave in a disruptive or offensive manner.

Country Labor

Membership of Country Labor

330. Every Member whose Party Address is in a Federal Electorate that is 4,000 or more square kilometres in size will automatically be a member of Country Labor.

Membership of the Country Labor Executive

331. The Country Labor Executive (CLX) will consist of:
- (a) 20 members elected by and from the members of Country Labor pursuant to Rule 326 as voting members; and
 - (b) associate members as non-voting members.
332. At the first meeting of a new CLX after its election, the voting members of CLX must elect from amongst themselves a president and a secretary and may nominate any of its members to become Associate Members on Policy Committees. If a member of CLX is nominated to become an Associate Member of a Policy Committee, they must write to the State Secretary and request to become an Associate Member of that committee, pursuant to Rule 192.
333. The CLX can resolve to elect such other officers as the work of CLX requires.
334. A Member becomes an associate member of CLX by writing to the State Secretary and requesting to become an associate member.

335. After the election of a new CLX, the State Secretary must write to the unsuccessful candidates and invite them to request to become an associate member of CLX.
336. The CLX may by resolution passed by an absolute majority of the voting members at the time remove any Associate Member who:
- (a) unreasonably disrupts meetings of the CLX; or
 - (b) who fails to respect the confidentiality of information given to members or discussions at meetings; or
 - (c) who behaves in a manner seriously contrary to the values of the Victorian Branch.

Aims of the Country Labor Executive

337. The aims of CLX are:
- (a) to provide a voice for people from Country Labor both within the Victorian Branch and in the general community;
 - (b) to advocate policies within the Labor movement which are of concern to Country Labor members;
 - (c) to promote and adopt mechanisms which encourage the participation of people from Country Labor in the Victorian Branch;
 - (d) to support the objectives and platform of the Victorian Branch and in doing so educate Members, Affiliated Unions, Constituent Units and Representative Groups in Country Labor;
 - (e) to encourage, enable and support where possible, Country Labor members, branches and FEAs in the election to public office of endorsed Victorian Branch candidates at a National, State and Local level; and
 - (f) to undertake any other duties referred to it by the State Conference, the Administrative Committee and the Agenda Committee.
338. The CLX's responsibilities include:
- (a) developing and recommending policy affecting the Country Labor to the Administrative Committee, Agenda Committee, Policy Committees, State Conference and any other Constituent Unit;
 - (b) organising forums from time to time, including deciding the agenda and order of business and developing any policy recommendations that may emerge from the proceedings for submission to the Administration Committee, Agenda Committee, Policy Committees, State Conference and any other Constituent Unit;

- (c) facilitating engagement on policy, training and campaigns between Constituent Units in Country Labor, the Trade Union movement and the SPLP; and
 - (d) establishing working groups in line with the objectives of CLX.
339. CLX must report regularly to its members on its activities via email and forums and will provide a report on its activities to each meeting of State Conference.

Meetings of CLX

340. At its first meeting in each calendar year, the CLX must set a meeting calendar for the rest of the calendar year, which must include:
- (a) the dates of meetings;
 - (b) the times of meetings;
 - (c) the mode of meetings;
 - (d) a minimum of eight meetings per year;
 - (e) the timeframes for the calling of agenda items;
 - (f) the timeframes for the distribution of the minutes; and
 - (g) any other operational matter.
341. CLX may hold its meetings in any manner it deems appropriate including but not limited to in person, teleconference, video conference, online or any combination of the above. Any CLX member who attends a meeting via electronic means is deemed to be present.
342. There will be quorum for a CLX meeting of:
- (a) at least one third of the voting members (including proxies) are in attendance; and
 - (b) at least the CLX president or secretary (or their appointed proxy) is in attendance.
343. Resolutions of CLX will be passed if a simple majority of voting members that are present and voting vote in favour of the resolution, except:
- (a) a resolution to remove an associate member pursuant to Rule 336 will only be passed if an absolute majority of the voting members at the time vote in favour of the resolution; and
 - (b) a resolution to appoint a replacement to a casual vacancy on CLX pursuant to Rule 429(e) will be only be passed if at least 75 percent of the voting members at the time vote in favour of the resolution.

344. Any elected or associate member of the CLX who fails to attend three consecutive meetings may have their position declared vacant by a vote of the CLX, unless the CLX has granted the member a leave of absence from meetings of the CLX.
345. Any member of CLX who has failed to attend two consecutive meetings must be advised of Rule 344 prior to the next meeting.
346. Any member whose position on CLX is declared vacant pursuant to Rule 344 will be notified in writing within seven days of the decision.

Labor Enabled

347. The aims of Labor Enabled are:
- (a) to raise awareness of disability within the ALP and foster a greater level of inclusion through appropriate representation;
 - (b) to encourage membership to the ALP within the disability community;
 - (c) to provide a channel for the support of people with disability, families and interested parties in relation to disability policy;
 - (d) to assist and contribute in the development of all ALP policies to ensure inclusive platforms that proactively include individuals with disability and their families in all social, economic and political processes;
 - (e) to develop and contribute disability specific policy to support and assist MPs; and
 - (f) to promote the ALP within the disability community and sector.
348. Membership of Labor Enabled is open to Members who:
- (a) have a disability;
 - (b) are a carer of a person with a disability;
 - (c) have a family member, relative or friend who have a disability; or
 - (d) have a strong interest in disability policy.
349. The Labor Enabled executive will consist of five members elected by and from the members of Labor Enabled and must elect from amongst themselves two co-convenors, a secretary, a communications officer and a treasurer.

Labor for an Australian Republic Victoria

350. The aims of Labor for an Australian Republic Victoria are:

- (a) to promote the ALP's belief that modernising our Constitution also entails a transition to an Australian Republic, with an Australian Head of State, who can fully represent our traditions, values and aspirations as a nation;
- (b) to consult with the Australian people, other political parties and the states and territories as to the form that the Republic should take;
- (c) to promote community debate about the advantages and disadvantages of the various republican models;
- (d) to encourage the ALP to conduct a plebiscite to establish support for an Australian Head of State and the preference for different forms of a Republic. When a preference has emerged the ALP will initiate an appropriate referendum under section 128 of the Constitution;
- (e) to develop dialogue and relationships with like-minded organisations committed to action on establishing an Australian Republic; and
- (f) to promote ALP membership throughout Australia.

351. Membership of Labor for an Australian Republic Victoria is open to Members who support Australia becoming a Republic.

352. The Labor for an Australian Republic Victoria executive will consist of five members elected by and from the members of Labor for an Australian Republic Victoria and must elect from amongst themselves two co-convenors, a secretary, an assistant secretary and a treasurer.

Rainbow Labor Network Victoria

353. The aims of the Rainbow Labor Network Victoria are:

- (a) to ensure that the human rights of lesbians and gay men, and bi-sexual, transgendered and intersex people are protected and advanced within ALP policies;
- (b) to promote the ALP within the LGBTI communities;
- (c) to encourage membership of the ALP;
- (d) to develop strong links with the community through participation in community activities;
- (e) to encourage members to participate in all party forums;
- (f) to assist in the organisation of electoral campaigns;

- (g) to create social and support networks for LGBTI Members and their supporters; and
- (h) to devise and promote training programs to improve skills, confidence and participation of LGBTI Members throughout the ALP.

354. Membership of the Rainbow Labor Network Victoria is open to Members who:

- (a) identify as lesbian, gay, transgender, intersex or bi-sexual; or
- (b) wish to support the human rights of members of these communities.

355. The Rainbow Labor Network Victoria executive will consist of five members elected by and from the members of the Rainbow Labor Network Victoria and must elect from amongst themselves two co-convenors, a secretary, an assistant secretary and a treasurer.

Victorian Indigenous Labor Network

356. The aims of the Victorian Indigenous Labor Network are:

- (a) to attract and support Aboriginal or Torres Strait Islander ALP members in Victoria;
- (b) to advise the Victorian Branch on platforms, policies and legislation impacting Aboriginal or Torres Strait Islander people;
- (c) to increase the involvement of Aboriginal or Torres Strait Islander people at all levels of the Victorian Branch;
- (d) to provide a focus for the identification and support of Aboriginal or Torres Strait Islander candidates in Victoria;
- (e) to increase awareness of issues of particular importance to Aboriginal or Torres Strait Islander people throughout the Victorian Branch;
- (f) to increase the commitment of Party members to greater representation of Aboriginal or Torres Strait Islander people throughout the Victorian Branch;
- (g) to encourage the employment of Aboriginal and Torres Strait Islander people in staff and Party positions in Victoria; and
- (h) to determine and promote such other objectives as the Victorian Indigenous Labor Network considers relevant.

357. Every Member who is an Aboriginal or Torres Strait Islander is automatically a member of the Victorian Indigenous Labor Network.

358. The Victorian Indigenous Labor Network executive will consist of five members elected by and from the members of the Victorian Indigenous Labor Network and must elect from amongst themselves two co-convenors, a secretary and such other officers as the executive resolves.

Victorian Labor Women's Network

359. The aims of the Victorian Labor Women's Network (VLWN) are:

- (a) to encourage women to join and participate in the ALP; and
- (b) to increase the number of women in the Victorian Branch;
- (c) to maintain and expand electronic communication between Labor women;
- (d) to devise and promote training programs to improve skills, confidence and participation of women throughout the Victorian Branch;
- (e) to organise social and networking activities for women Members;
- (f) to encourage women to participate in political education programs;
- (g) to develop support systems for elected women, especially at the local government level;
- (h) to alert women to career opportunities within the Victorian Branch;
- (i) to co-ordinate a state based women's conference;
- (j) to work with the executive of the National Labor Women's Network to assist, with other interested groupings, the co-ordination of National Women's Conference;
- (k) to promote contact between the Victorian Branch and women's organisations in the community; and
- (l) to be responsible for determining a proposal for the introduction of local Labor Women's Networks.

360. Every Member who is a woman is automatically a member of the VLWN.

361. The VLWN executive will consist of 15 members elected by and from the VLWN members and must elect from amongst themselves two co-convenors, a secretary and a communications officer.

362. The VLWN executive must co-opt two members of the Women's Affairs Policy Committee as non-voting members.

Victorian Multicultural Labor Network

363. The aims of the Victorian Multicultural Labor Network are:

- (a) to attract and support ALP members who are people of colour or are culturally and linguistically diverse;
- (b) to increase the involvement of people of colour and culturally and linguistically diverse people at all levels of the ALP;
- (c) to provide a focus for the identification, training and support of ALP candidates for public office who are people of colour or culturally and linguistically diverse, particularly those from underrepresented cohorts;
- (d) to increase awareness of issues facing multicultural communities throughout the ALP;
- (e) to increase the commitment of Members to greater representation throughout the Victorian Branch of people of colour and culturally and linguistically diverse people, particularly those from underrepresented cohorts;
- (f) to encourage the employment of people of colour and culturally and linguistically diverse people in staff and Victorian Branch positions; and
- (g) to advocate for improvements to state and federal government policy and the Victorian Branch's platform in areas of interest to multicultural communities.

364. Membership the Victorian Multicultural Labor Network is open to Members who identify as people of colour or culturally and linguistically diverse.

365. Membership of the Victorian Multicultural Labor Network must be advertised in such a way that it is clear that only those who identify as people of colour or are culturally and linguistically diverse may join.

366. The Victorian Multicultural Labor Network executive will consist of:

- (a) nine members elected by and from the members of the Victorian Multicultural Labor Network as voting members; and
- (b) the VYL People of Colour co-convenors as non-voting members.

367. The Victorian Multicultural Labor Network executive must elect from amongst its voting members two co-convenors, a secretary, an assistant secretary and such other officers as the executive resolves.

Victorian Young Labor

Aims of Victorian Young Labor

368. The aims of Victorian Young Labor (VYL) are:

- (a) to support the objectives and platform of the ALP;
- (b) to provide a forum for young people across the state to debate progressive issues and ALP policies within the labour movement;
- (c) to develop campaign skills and support endorsed ALP candidates;
- (d) to encourage young people to join the Victorian Branch;
- (e) to engage with Local Branches and support young members involvement in party structures;
- (f) to engage with young people, and encourage young people to join the Victorian Branch in rural and regional Victoria;
- (g) to advise the ALP and the Victorian and Federal Parliamentary Caucuses on matters concerning young people;
- (h) to involve young Members in the Victorian Branch policy development process, and provide an independent forum to debate and develop policy across a wide range of issues;
- (i) to advocate the policy adopted at VYL Conferences;
- (j) to foster youth involvement with Unions and the general community;
- (k) to increase the profile and act as a lobby group for youth issues in the community; and
- (l) to organise social events and regular meetings.

Membership of Victorian Young Labor

369. Every Member who is under twenty six years of age on 1 January is automatically a member of VYL for that calendar year.

370. Despite Rule 369, a Member elected as a VYL delegate to the Australian Young Labor National Conference will remain a member of VYL until the election of new delegates.

Victorian Young Labor Conference

371. The delegates to VYL Conference will consist of VYL members who have:

- (a) at least three months' continuity of membership at the commencement of the VYL Conference; and
 - (b) registered for the VYL Conference, pursuant to Rule 372.
- 372. Registration for a VYL Conference will open 28 working days from the commencement of the conference and close at 12 noon on the Friday two clear weeks before the commencement of the conference. Prior to registration opening, the State Secretary must notify all VYL members of the opportunity to register for a VYL Conference and specify the process for registration. A VYL member will be able to register for a VYL Conference by following the registration process set out by the State Secretary.
- 373. The VYL Conference will be the principal policy making and governing body of VYL.
- 374. The responsibilities of the VYL Conference include:
 - (a) determining agenda items put before it;
 - (b) formulating policy for VYL, in accordance with the aims of VYL;
 - (c) electing the VYL president, senior vice president, junior vice president, Executive and people of colour co-convenors;
 - (d) electing VYL delegates and alternate delegates to the Australian Young Labor National Conference; and
 - (e) receiving and considering reports from the VYL president, vice presidents, Executive and any other committee of VYL.
- 375. Subject to these Rules and any decision of State Conference, the VYL Conference will have the power to determine all matters affecting VYL, including reviewing, amending or revoking any decision or action of the VYL president, vice presidents or the VYL Executive.
- 376. The Administrative Committee must convene at least one meeting of the VYL Conference every calendar year and unless it resolves to the contrary, one of these meetings will be held on the first weekend in August.
- 377. Quorum for a meeting of the VYL Conference will be one quarter of delegates registered to attend. No motion can be put to the VYL Conference unless a quorum is present.
- 378. The VYL president will preside over all meetings of the VYL Conference, unless the conference resolves to the contrary.

379. At each meeting of the VYL Conference, the VYL Conference Agenda Committee must propose the agenda, and the VYL Conference must then determine the agenda
380. Policy proposals and motions for debate at meetings of VYL Conference must be submitted in writing to the VYL secretary at least 10 days before the commencement of the conference.
381. Policy proposals or motions that are not debated at any VYL Conference will lapse at the conclusion of the conference.

Elections by the Victorian Young Labor Conference

382. At each VYL Conference, the conference delegates must, in five separate single ballots, elect:
 - (a) a VYL president, senior vice president and junior vice president;
 - (b) 15 voting members of the VYL Executive;
 - (c) two VYL People of Colour co-convenors;
 - (d) VYL delegates to the Australian Young Labor National Conference; and
 - (e) VYL alternate delegates to the Australian Young Labor National Conference.
383. The VYL president, senior vice president and junior vice president will be elected in a single ballot, where the candidate first elected will be the president, the candidate second elected will be the senior vice president and the candidate third elected will be the junior vice president.
384. The VYL people of colour co-convenors will be elected in a single ballot by and from the VYL Conference delegates who are members of the VYL People of Colour Caucus.
385. Nominations for the positions to be elected by VYL Conference close at 12 noon on the Friday two clear weeks before the commencing of the VYL Conference. Nominations must be submitted in writing to the Chief Returning Officer.
386. Only VYL Conference delegates will be eligible to nominate and vote in elections by the VYL Conference.
387. Voting for the positions to be elected by the VYL Conference will be conducted in person at the conference. Voting must be open for at least five hours on the last day of the VYL Conference.
388. VYL Conference delegates whose Party Address is in a Federal Electorate that is more than 2,000 square kilometres in size may, at the time of registration, request a postal ballot. Any such ballots must be mailed by the State Secretary on the Monday two

weeks before the conference and must be returned to the State Secretary by 5.00 pm the last working day before the commencement of the VYL Conference.

Victorian Young Labor Executive

389. The VYL Executive will consist of:

- (a) 15 members elected by VYL Conference as voting members; and
- (b) The VYL president, senior vice president, junior vice president and VYL People of Colour co-convenors as non-voting members.

390. The VYL Executive must elect from among its voting members:

- (a) a VYL secretary and assistant secretary/treasurer elected in a single ballot, where the candidate first elected will be the VYL secretary and the candidate second elected will be the VYL assistant secretary/treasurer;
- (b) a VYL women's officer, who must be a woman;
- (c) a VYL LGBTI officer, who must identify as LGBTI;
- (d) a VYL regional officer; and
- (e) a VYL disabilities officer, who must be someone who recognises themselves as having a disability or being a carer of someone with a disability.

391. Any member of the VYL Executive who is absent from more than three meetings during their term of office will have their position declared vacant.

392. The VYL Executive will be responsible for:

- (a) carrying out all decisions of the VYL Conference;
- (b) notifying all VYL members of the date, place and duration of the VYL Conference;
- (c) publicity, including publications and journals;
- (d) ensuring an accurate record of VYL policy and minutes is maintained;
- (e) electing a VYL secretary, assistant secretary/treasurer, women's officer, LGBTI officer and regional officer, pursuant to Rule 390;
- (f) electing three of its members to the VYL Conference Agenda Committee, pursuant to Rule 397(c); and

- (g) appointing two assistant returning officers for the elections at the VYL Conference to work at the sole direction of the Chief Returning Officer or nominee, provided that an assistant returning officer cannot be a candidate in any ballot with which they are assisting.
393. The VYL Executive has the power to create working groups to make recommendations, provided that:
- (a) such power cannot be delegated further;
 - (b) the members of these working groups must be elected by the VYL Executive; and
 - (c) these working groups can only be established by a resolution passed with at least two thirds of the total voting members of the VYL Executive in favour.
394. The VYL Executive must hold at least eight meetings each calendar year, unless it resolves to the contrary.
395. Quorum for a meeting of the VYL Executive will be more than half of the voting members. If quorum is not met 30 minutes after the commencement time for a meeting of the VYL Executive, the meeting cannot take place.
396. Agenda items for meetings of the VYL Executive must be submitted in writing to the VYL secretary at least five days prior to such meetings. The VYL secretary must ensure that agenda items and papers for meetings of the VYL Executive are forwarded to all members at least three days prior to the meeting.

Victorian Young Labor Conference Agenda Committee

397. The VYL Conference Agenda Committee will consist of:
- (a) The VYL president as a non-voting member;
 - (b) The VYL secretary and assistant/secretary as voting members; and
 - (c) Three other members elected by the VYL Executive as voting members.
398. The three members elected to the VYL Conference Committee pursuant to Rule 397(c) must be elected no later than six months before a VYL Conference.
399. The responsibilities of the VYL Agenda Committee include:
- (a) preparing and proposing an agenda for meetings of VYL Conference, including time allocations for discussions;
 - (b) distributing a current version of the VYL policy volume to all VYL Conference delegates;

- (c) accepting and collating policy proposals and motions for debate at meetings of VYL Conference;
 - (d) circulating reports from the VYL president and vice presidents to all VYL Conference delegates; and
 - (e) performing other duties as required by these Rules.
400. Agenda items for meetings of the VYL Conference Agenda Committee must be submitted in writing to the VYL secretary at least five days prior to such meetings. The VYL secretary must ensure that agenda items and papers for meetings of the VYL Conference Agenda Committee are forwarded to all members at least three days prior to the meeting.

Victorian Young Labor General Meetings

401. A VYL general meeting has the power to formulate policy for VYL.
402. A VYL general meeting must take place at least once every two months.
403. The VYL Executive may convene VYL general meetings by a resolution passed with at least two thirds of the total voting members of the VYL Executive in favour.
404. The VYL secretary and president must invite all VYL members by email to a VYL general meeting at least 10 days prior to the meeting.
405. Agenda items for VYL general meetings must be submitted in writing to the VYL secretary at least five days prior to the meeting.

Victorian Young Labor Women's Forum

406. All VYL members who are woman are automatically members of the VYL Women's Forum.
407. The VYL women's officer must convene at least three meetings of the VYL Women's Forum in a calendar year. The VYL women's officer must invite all members of the VYL Women's Forum in writing to a meeting of the forum at least five days prior to the meeting.
408. The VYL Women's Forum will work in conjunction with the VYL women's officer to implement the policy of VYL.

Victorian Young Labor People of Colour Caucus and co-convenors

409. The VYL People of Colour Caucus will consist of all VYL members who identify as a person of colour.
410. The aims of the VYL People of Colour Caucus are to:

- (a) attract and support people of colour who want to get involved in progressive politics through VYL;
- (b) find new avenues and areas in which to bring more people of diverse backgrounds into politics through VYL;
- (c) increase awareness of issues that people of colour are facing in VYL and the wider party;
- (d) work collaboratively with other VYL members to achieve greater representation of cultural minority groups across VYL; and
- (e) advocate for improvements to state and federal government policy on areas of interest to people of colour through VYL policy platform.

411. The responsibilities of the VYL People of Colour co-convenors include:

- (a) organising, maintaining and supporting a VYL People of Colour Caucus;
- (b) convening the VYL People of Colour Caucus at least three times in a calendar year (whether that be through a meeting or an event);
- (c) coordinating and ensuring that the voices of people of colour within VYL are being heard and supported;
- (d) working collaboratively with the VYL Executive, Young Labor groups and the Victorian Multicultural Labor Network to achieve greater representation of people of colour across VYL;
- (e) with the support of the VYL Executive, planning and organising meetings and events of the VYL People of Colour Caucus; and
- (f) attending meetings of the VYL Executive and Victorian Multicultural Labor Network executive as non-voting members and regularly reporting to them on their ideas, plans, progress and challenges so they can be fully supported in their activities.

PART I – ELECTIONS

Rules for all elections

412. All elections under these Rules must:

- (a) be by secret ballot;
- (b) use optional preferential voting; and

- (c) use proportional representation where multiple positions are being elected in a single ballot.
413. When conducting an election under these Rules, a returning officer must ensure that:
- (a) voters and candidates are notified of the time, date and place at which voting will be held;
 - (b) voting papers are prepared with the names of candidates listed in an order determined by lot and showing the number of persons to be elected;
 - (c) only Members entitled to vote in the election in accordance with these Rules will be issued with a voting paper; and
 - (d) voters are instructed either verbally or in writing, whichever is the more convenient, to the following effect: “For your vote to be valid you must vote for at least one candidate by placing the figure 1 opposite the first candidate of your first choice. You may then show continuing preferences by placing the continuing figures 2, 3, 4 and so on, opposite the names of the other candidates in the order of your choice.”
414. Where voting at an election under these Rules is in person,
- (a) to ensure voting secrecy, the relevant returning officer must ensure that a voting compartment or private place is set aside so as to screen voters from observation by any other person while they are marking their ballots and provide such voting compartment or area with a pencil for the use of voters; and
 - (b) a voter must produce photographic identification that conforms with the forms of photographic identification specified in the Membership Protocols.
415. Unless specified to the contrary in these Rules, if after the closing of nominations for a position to be elected under these Rules the number of valid nominations is received is:
- (a) equal to the number of positions to be elected, the relevant returning officer must declare all nominees elected (subject to Rule 431). If the order of election is determinative of the position occupied by each successful candidate, the relevant returning office must conduct a ballot pursuant to these Rules to determine the order of election, unless the nominees agree in writing to an agreed order of election;
 - (b) less than the number of positions to be elected, the relevant returning officer must declare those nominees elected (subject to Rule 431) and then call for nominations for the remaining positions. If the order of election is determinative of the position occupied by each successful candidate, the relevant returning office must also conduct a ballot pursuant to these Rules to determine the order of

election of the initial nominees, unless they agree in writing to an agreed order of election; and

- (c) is greater than the number of positions to be elected, the relevant returning officer must conduct a ballot pursuant to these Rules.

416. When there is a challenge to the eligibility of a Member to nominate or vote on the basis that their Party Address does not match their AEC Address, the following procedure must be followed:

- (a) The challenge must be made to the relevant returning officer;
- (b) The challenger bears the onus of proving that the Party Address of the challenged Member at the close of nominations did not match their AEC Address;
- (c) If the relevant returning officer determines that the challenger cannot establish a prima facie case, they must dismiss the challenge;
- (d) If the relevant returning officer determines that the challenger has established a prima facie case, they must notify the challenged Member of the challenge and provide them with a reasonable opportunity to respond;
- (e) Once the relevant returning officer has determined that the challenger has established a prime facie case, the challenged Member bears the onus of proving that their Party Address at the close of nominations match their AEC Address;
- (f) The relevant returning officer must then rule on the eligibility of the challenged Member; and
- (g) For the purposes of this procedure, the “relevant returning officer” means:
 - (i) prior to the closure of the voters roll in FEA Elections and preselections, the Chief Returning Officer; and
 - (ii) in all other instances, the returning officer conducting the ballot.

417. Any Member who is aggrieved by a ruling of any returning officer other than the Chief Returning Officer may appeal within 24 hours of receiving notice of the ruling to the Chief Returning Officer who must resolve the appeal as soon as practicable. Subject to these Rules, no appeal will lie from any decision made by the Chief Returning Officer under this Rule.

418. Unless specified to the contrary in these Rules, any person elected to a position under these Rules will take office at the declaration of the election and will hold their position until their successors take office.

Counting of ballots

419. Returning officers conducting an election under these Rules must:

- (a) notify voters and candidates of the time, date and place at which the counting of the ballot will be held; and
- (b) count the ballot immediately after voting closes, unless the Chief Returning Officer decides to delay the counting.

420. When counting a ballot for an election under these Rules, the relevant returning officer must conduct the count in the following manner:

- (a) After the close of the ballot, remove all voting papers from the ballot boxes, scrutinise each and exclude as informal all voting papers that do not have the figure 1 opposite a candidate or have more than one figure 1 opposite candidates. For the purposes of determining the formality of a voting paper, if there is tick or cross against the name of a candidate and there are no other numbers, ticks crosses or any other markings against the name of any other candidates on the ballot paper, the tick or cross will be deemed to be the figure 1.
- (b) Total the number of formal votes and work out the “quota” in accordance with the following formula:

$$\frac{\text{Total number of formal votes cast} \times 1,000 \text{ points}}{\text{Number of vacancies to be filled} + 1}$$

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

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

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

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

- (c) Sort the formal papers according to the first preferences shown for each candidate and record the tallies of each in the respective columns of the “Count Sheet”, with each voting paper having the value of 1,000 points.
- (d) Subject to the affirmative action principles of Rule 420(i), record as elected all candidates whose value of first preference papers equals or exceeds the quota, in order of their election, commencing with the highest number of points polled, then next and so on. In the circumstances where is an equality of the value of first preference papers, the returning officer must determine the order by lot.

- (e) If number of candidates elected in accordance with Rule 420(d) does not fill all the vacancies, the preference votes of the elected candidates are then distributed among the remaining candidates in the following manner:
- (i) Re-sort the first preference papers of the highest candidate according to the next preference shown for a continuing candidate (who is not yet recorded as elected or defeated), and count the total papers allotted to each continuing candidate. Voting papers which show no further preference are called exhausted papers and the number of them should be recorded.
 - (ii) Work out the transfer value of each voting paper of the candidate whose surplus of first preference papers is being transferred. Find the surplus by subtracting the quota from the value of their preference papers. Divide the surplus by the number of papers, including the exhaustive papers. The whole number part of the result is the transfer value; the small remainder is entered opposite the remainders entry on the counting sheet in order to keep the total points correct. Any exhausted ballot papers are then excluded, and their value is then recorded on the counting sheet.
 - (iii) Work out the value of the papers allotted to each continuing candidate, by multiplying the number of pages allotted to them by the transfer value of each paper.
 - (iv) Credit the value in points for each continuing candidate to them on the counting sheet and add to the previous progress totals. The new grand total must agree with the previous grand total if all the work has been done correctly. Find and correct any errors.
 - (v) Repeat the steps in Rules 420(e)(i) to (iv) with the papers of the candidates with the second highest value of first preference papers, and so on in order of reducing number of points. If two surpluses are equal, the Returning Officer must determine by lot which to take first.
 - (vi) Subject to the affirmative action principles of Rule 420(i), any candidate who, whenever the step in Rule 420(e)(iv) is completed, obtains a quota or more of points, is recorded as elected. No more papers are allotted to them beyond the bundle which gave the surplus. But all elected candidates who obtained their quota earlier than them, must have their surpluses dealt with first, even if theirs are larger.
 - (vii) When, occasionally, a candidate receives an exact quota and no surplus, their papers are set aside, since they will not be required again in this election.

- (viii) When a candidate receives a surplus of points as a result of the preference distribution of another elected candidate, only the last bundle of papers received which produces the surplus is used to spread that surplus among the continuing candidates at a new transfer value. The earlier papers are removed from the ballot, as they are not involved in any of the surplus points still available for distribution.
 - (ix) When two equal surpluses are made by the transfer of one bundle of papers, transfer first the surplus of the candidate who had the higher progress total of points when they were last unequal. If every previous progress total was equal the returning officer must determine by lot.
 - (x) The returning officer may, if they choose, delay the transfer of a surplus, if the value of that surplus together with the value of any other surplus not yet transferred is less than the difference between the quota and the highest progress total of a continuing candidate and is also less than the difference between the progress totals of the two lowest continuing candidates.
 - (xi) Where a transfer of a surplus is delayed, the situation must be examined after every candidate is dealt with in order to see if both conditions are still being fulfilled. Transfer of one surplus may not be delayed so that a later one can be done. To postpone the transfer of a surplus may save considerable time in sorting later on, but is not recommended for beginners.
- (f) When the transfer of all surplus points of the elected candidates have been carried out or safely delayed, and vacancies remain to be filled, candidates then remaining are dealt with as follows:
- (i) Record as defeated all candidates with no points and remove their names from the counting table.
 - (ii) Declare the candidate with the lowest progress total of points defeated and distribute their papers bundle by bundle in the order in which they were received. Each continuing candidate is allotted those papers, on which they are indicated as preferred to any other continuing candidate, at the same values at which the papers were originally received by the defeated candidate. Keep every bundle of papers separate even though a candidate has other papers of the same transfer value.
 - (iii) Rules 420(e)(vi) to (vii) apply to each bundle of voting papers dealt with in Rule 420(f)(ii).
 - (iv) When a candidate receives their quota in this way, no further papers are allotted to them, and the distribution of the defeated candidate's papers

must be completed before the new surplus is transferred. On the other hand, transfer of the new surplus must be either done or safely delayed, before another candidate is eliminated.

- (v) When it becomes necessary to eliminate a candidate and two (or more) candidates have equal progress totals lower than any other progress total, the Returning Officer must determine by lot which candidate is to be eliminated first.
- (g) The procedure, of transferring the surpluses of successful candidates and of eliminating in succession the defeated candidates pursuant to Rule 420(f) is continued until the election is finished. The election is finished when:
 - (i) The number of candidates recorded as elected equals the number of vacancies; or
 - (ii) Only one vacancy remains unfilled and two continuing candidates remain, in which case the candidate with the higher progress total is recorded as elected (since all the papers of the other candidate must go either to them or to exhausted); or
 - (iii) The number of continuing candidates is equal to the number of vacancies not yet filled, in which case all these candidates are recorded as elected, subject to Rule 420(h).
- (h) If the application of Rule 420(g)(iii) would not meet the affirmative action requirements of Rules 431 to 433 (because more than the maximum permissible number of non female candidates would be elected):
 - (i) Continue the procedure of transferring the surpluses of successful candidates and of eliminating in succession the defeated candidates until the number of remaining non female continuing candidates is equal to the maximum permissible number of vacancies that can be filled by non female candidates.
 - (ii) Record as elected those continuing candidates who have not been eliminated in order starting with the candidate with the highest progress total of votes, and set aside their papers.
 - (iii) Apply Rules 420(i)(iii), (iv) and (vi) to (x).
- (i) To meet the affirmative action requirements of Rules 431 to 433, in all elections the returning officer must ensure that at least percent 50 percent of positions are filled by women. If the calculation to determine the minimum percentage results in a fraction of more than one half then the minimum percentage will be the next

higher whole number, and where it results in a fraction of one half or less it will be the next lower number. This will be achieved by the following procedure:

- (i) Immediately before recording as elected any non female candidate, the returning officer must calculate whether the election of that candidate would be contrary to the affirmative action requirements. If so, the returning officer must reverse the last distribution of papers.
- (ii) Exclude the remaining non female candidates.
- (iii) Take all the papers off the table (including those of unelected female candidates).
- (iv) Make a new place marker for each female candidate not yet elected, and a new count-sheet for the affirmative action count carrying forward previous quotas, remainders, etc. (note: all such candidates are reintroduced to the count at zero votes, regardless of how many votes they had earlier in the count), then re-introduce any defeated female candidates into the count at a zero number of points.
- (v) Distribute any surpluses not previously distributed from the already elected candidates, in the order they were declared elected, between the female candidates on the table. If a candidate is elected on this surplus, she is not allocated any further ballot papers.
- (vi) Re-distribute any previously exhausted papers bundle by bundle in the order in which they were previously declared exhausted. Each continuing female candidate is allotted those papers on which she is indicated as preferred to any other continuing female candidate, at the same values at which the papers were originally excluded, keeping every bundle of papers separate. Once a candidate reaches the quota, she is not allocated any further ballot papers beyond the bundle that elected her.
- (vii) Re-distribute in an order determined by lot the papers of any female candidate still in the count at the time the non female candidates were excluded, bundle by bundle in the order in which they were received by the female candidate. Each continuing female candidate is allotted those papers on which she is indicated as preferred to any other continuing female candidate, at the same values at which the papers were originally received by the first mentioned female candidate, keeping every bundle of papers separate. Once a candidate reaches the quota, she is not allocated any further ballot papers beyond the bundle that elected her.
- (viii) Re-distribute in an order determined by lot the papers of the excluded non female candidate, bundle by bundle in the order in which they were received by the non female candidate. Each continuing female candidate

is allotted those papers on which she is indicated as preferred to any other continuing female candidate, at the same values at which the papers were originally received by the excluded non female candidate, keeping every bundle of papers separate. Once a candidate reaches the quota, she is not allocated any further ballot papers beyond the bundle that elected her.

- (ix) After all the votes taken off the table under this clause have been allocated, commence the distribution of any surpluses of the women elected by virtue of the affirmative action provisions.
- (x) Continue the count in accordance with Rules 420(e) to (g).
- (j) To meet the requirements of Rule 582(d) in the elections of National Conference delegates under Rule 579, the returning officer must ensure no less than two positions are filled by Non Metropolitan Candidates. This will be achieved by the following procedure:
 - (i) After recording as elected the last candidate/s pursuant to Rule 420(g) and complying with the affirmative action requirements in Rules 431 to 433, the returning officer must calculate whether at least two of the positions have been filled by Non Metropolitan Candidates. If not, the returning officer must then calculate the number of additional Non Metropolitan Candidates that would need to be elected to satisfy the requirements of Rule 582(d).
 - (ii) Starting from the last candidate elected, the Returning Officer must unelect and exclude elected Metropolitan Candidates until there are enough vacancies for the requirements of Rule 582(d) to be satisfied. If unelecting and excluding any elected metropolitan candidates would contravene any of the affirmative action requirements in Rule 431 to 433, the Returning Officer must unelect and exclude the last elected candidate/s whose unelection and exclusion would not contravene any of the affirmative action requirements.
 - (iii) Exclude any unelected Metropolitan Candidates.
 - (iv) Take all the papers off the table (including those of unelected Non Metropolitan Candidates).
 - (v) Make a new place marker for each Non Metropolitan Candidate not yet elected, and a new count-sheet for the Non Metropolitan Candidate delegate count carrying forward previous quotas, remainders, etc. (note: all such candidates are reintroduced to the count at zero votes, regardless of how many votes they had earlier in the count), then re-introduce any

defeated Non Metropolitan Candidate into the count at a zero number of points.

- (vi) Re-distribute the papers of the Metropolitan Candidate/s unelected and excluded under Rule 420(j)(ii), in the order they were declared elected. Each continuing Non Metropolitan Candidate is allotted those papers on which they are indicated as preferred to any other continuing Non Metropolitan Candidate. These papers will be allocated at the same values at which the papers were originally received by the Metropolitan Candidate/s, unless the surplus of these papers has been used to elect another candidate who has not subsequently been unelected. In that case, the value of these papers will be the value at which the papers were originally received minus the transfer value of the surplus. Once a candidate reaches the quota, they are not allocated any further ballot papers beyond the bundle that elected them.
- (vii) Distribute any surpluses not previously distributed from the already elected candidates, in the order they were declared elected, between the Non Metropolitan Candidates on the table. If a candidate is elected on this surplus, they are not allocated any further ballot papers.
- (viii) Re-distribute any previously exhausted papers bundle by bundle in the order in which they were previously declared exhausted. Each continuing Non Metropolitan Candidate is allotted those papers on which they are indicated as preferred to any other continuing non-metropolitan candidate, at the same values at which the papers were originally excluded, keeping every bundle of papers separate. Once a candidate reaches the quota, they are not allocated any further ballot papers beyond the bundle that elected them.
- (ix) Re-distribute in an order determined by lot the papers of any the Non Metropolitan Candidate still in the count at the time Metropolitan Candidates were excluded, bundle by bundle in the order in which they were received by the Non Metropolitan Candidate. Each continuing Non Metropolitan Candidate is allotted those papers on which they are indicated as preferred to any other continuing Non Metropolitan Candidate, at the same values at which the papers were originally received by the first mentioned Non Metropolitan Candidate, keeping every bundle of papers separate. Once a candidate reaches the quota, they are not allocated any further ballot papers beyond the bundle that elected them.
- (x) After all the votes taken off the table under this clause have been allocated, commence the distribution of any surpluses of the Non Metropolitan Candidate elected by virtue of Rule 582(d).

(xi) Continue the count in accordance with Rules 420(e) to (g).

421. No ballot can be declared until all appeals under Rule 417 have been determined.
422. No candidate can withdraw from an election between the close of voting and the declaration of the ballot, except in preselections between the end of the voting in the ballot of Voting Members and the ballot of POSC. A candidate for preselection may only withdraw in writing to the State Secretary.
423. In elections for the Officers and preselections for Multi Member Electorates, the relevant returning officer will count the ballot and declare elected the required number of persons in the order of their election. This order of election will stand unless within 24 hours of the declaration of the ballot, an elected candidate requests a recount of the vote in writing to the State Secretary as follows:
- (a) Where a third placed candidate requests a recount, the relevant returning officer must recount the ballot as if there were only two positions and only three candidates. As a consequence of the recount, the ticket will be reordered to a new first elected, a new second elected, and the remaining candidate in the third position; or
 - (b) Where a second placed candidate requests a recount, the relevant returning officer must recount the ballot as if there was only one position and three candidates. As a consequence of the recount, the ticket will be reordered with the candidate elected heading the ticket and the other candidates remaining in their relative order of election.
424. At any stage in the recount process under Rule 423, a candidate may decline to be elected to a higher position. In such circumstances, the relevant returning officer must count past that candidate when distributing the ballot papers.
425. When counting a ballot, electronic count sheets approved by the Administrative Committee may be used in place of a physical count sheet.
426. The result of an election or any part of it is not to be challenged because the returning officer did not use the official counting sheet.
427. Any candidate will be permitted to scrutinise a physical or electronic count sheet. A copy of the count sheet will be provided to a candidate upon request.
428. Subject to Rule 551, the voting papers must be retained by the current returning officer for the term of office of the elected member, so that casual vacancies may be filled by a recount of the papers.

Casual vacancies

429. In the event of a casual vacancy occurring in any elected position through death, incapacity, resignation, disqualification, ineligibility to remain in the position or the position being declared vacant in accordance with these Rules, this vacancy will be filled in accordance with the following procedure:
- (a) Where the casual vacancy is on one of the committees listed in column 1 of the table in Rule 127, the State Secretary must notify the relevant returning officer within five working days of receiving notification, or becoming aware, of a casual vacancy. Failure by the State Secretary to notify the relevant returning officer of a casual vacancy under this Rule does prevent the relevant returning officer from taking steps to fill the vacancy pursuant to Rule 429(c).
 - (b) Where the casual vacancy was the only position elected in a single ballot, the relevant returning officer must call for nominations and, if necessary, conduct an election as soon as practicable.
 - (c) Where the casual vacancy was one of multiple positions elected in a single ballot, the relevant returning officer must call for nominations from among the unsuccessful candidates in the last election and then conduct a recount of the previous ballot as soon as practicable. In election of the Officers and the VYL president, senior vice president and junior vice present, any candidates elected after the candidate who has caused the casual vacancy will be treated as unsuccessful candidates for the purposes of this Rule. If there had not previously been an election or conducting a recount would result in the minimum percentage of positions not being filled by women as required by Rule 431, then the relevant returning officer must call for fresh nominations and, if necessary, conduct a new election if necessary as soon as practicable. This Rule does not apply to preselections or the elections of Policy Committees.
 - (d) Where the casual vacancy is on one of the Policy Committees, the Chief Returning Officer must conduct an election to fill the vacancy at the next meeting of the Annual State Conference pursuant to Rules 128 to 137. If there are multiple vacancies on the same Policy Committee, the vacancies will be filled in an election by a single ballot.
 - (e) Where the casual vacancy is on the CLX, the Chief Returning Officer must call for nominations from among the unsuccessful candidates in the last election and then conduct a recount of the previous ballot as soon as practicable. If there had not previously been an election or conducting a recount would result in the minimum percentage of positions not being filled by women as required by Rule 431, the CLX can appoint a replacement by a resolution passed with at least 75 percent of the voting members of CLX in favour.

- (f) Any person appointed or elected to a casual vacancy under this Rule will hold the position for the remainder of the term for that position.

Affirmative Action

Objectives of Affirmative Action

- 430. The ALP has a strong record of working to improve the status of women in Australia, both in public and private life. Fundamental to this is a belief in equality, and recognition of the benefits to the Victorian Branch and to society of increasing the representation of women in all areas of political activity. It is our objective to have 50 percent women at all levels in the Victorian Branch organisation, and in public office positions the Victorian Branch holds. To achieve this, the Victorian Branch adopts the affirmative action model in Rules 431 to 449, in accordance with the ALP National Constitution.

Affirmative Action for Victorian Branch positions

- 431. At least 50 percent of the positions elected or appointed under these Rules (other than preselections and Party Officials) must be filled by women. If at the close of nominations for a group of positions the minimum percentage cannot be met, nominations for that group of positions will be reopened for a period of five working days.
- 432. At least 50 percent of the Party Official positions that are to be elected or appointed must be filled by women. When a Party Official position becomes vacant, if less than 50 percent of the positions would be held by women if the vacancy was not filled by a woman, then the vacancy must be filled by a woman. If it is necessary to meet the requirements of this Rule, the Victorian Branch must seek to obtain an exemption under the *Equal Opportunity Act 2010* (Vic).
- 433. Rule 432 does not apply to any person employed as a Party Official on 13 November 2016.

Affirmative Action for Union Delegations

- 434. The minimum percentage of a Union Delegation that must be women will be 50 percent or the percentage of the Affiliated Union's members that are women, whichever is the lesser. When calculating the percentage of the Affiliated Union's members who are women under this Rule, only members who reside in Victoria and are eligible to vote in a ballot for an office in that union under the rules of the Affiliated Union will be counted.

Affirmative Action for preselections

- 435. For all preselections, at least 50 percent of the candidates preselected for each of the following groups of seats (determined separately for each group) must be women:

- (a) the seats currently held by the ALP;
 - (b) Winnable Seats; and
 - (c) all other seats to be preselected.
436. Rule 435 applies separately to each house of the Victorian Parliament and to individual municipalities, however in preselections for the Federal Parliament, seats in the Senate and the House of Representatives must be grouped together. Specifically, the requirement that at least 50 percent of the candidates preselected must be women separately applies:
- (a) in relation to the Victorian Legislative Assembly, to each of the groups listed in Rule 435;
 - (b) in relation to the Victorian Legislative Council, to each of the groups listed in Rule 435; and
 - (c) in relation to the Federal Parliament, to the combined totals for each of the groups listed in Rule 435 from both the House of Representatives and the Senate.
437. Prior to the initial opening of nominations for any preselection round, the Administrative Committee must determine the minimum number of women to be preselected for each of the groups listed in Rule 435. If there has been a redistribution since the last election, the Administrative Committee must determine which of the seats affected by the redistribution fall into each of the categories listed in Rule 435 prior to the initial opening of nominations.
438. When the majority of preselections are due to occur, the Administrative Committee will ensure that:
- (a) the preselection timetables for all seats defined by Rule 435(a) are scheduled to occur contemporaneously;
 - (b) the preselection timetables for all seats defined by Rule 435(b) are scheduled to occur contemporaneously; and
 - (c) the preselection timetables for all seats defined by Rule 435(c) are scheduled to occur contemporaneously.
439. The requirements of Rule 435 apply whether or not the preselection timetables in Rule 438 is achieved.
440. If at the close of nominations for a preselection for a group of seats or positions the number of women nominees is such that the requirements of Rule 435 cannot be met, nominations for that group of seats or positions must be reopened for a period of five working days. If at the close of this period the requirements of Rule 435 still cannot be

met, then nominations for all seats within the group must be declared void and reopened and a new preselection timetable set by the Administrative Committee.

441. Prior to the declaration of results for any preselection round, the Chief Returning Officer must ensure that the requirements of Rule 435 have been met. If the requirements of Rule 435 cannot be met by declaring the results in question, the POSC may meet within seven days and vote again on all preselections within the relevant group. If on the completion of this process the requirements of Rule 435 are still not met, then all nominations for that group of seats will automatically be declared void and all nominations for that group of seats must be reopened and a fresh ballot conducted in accordance with these Rules.
442. For casual vacancies, if less than 50 percent of all held seats in the relevant group would be held by women if the vacancy was not filled by a woman, then the vacancy must be filled by a woman.
443. For the purposes of Rule 442, a “casual vacancy” refers to any instance in which a member needs to be replaced outside of the standard election timetable. This includes, but is not limited to, any occurrence of a by-election, and to the appointment of a Senator or member of the Victorian Legislative Council outside of a general election. For preselection rounds leading up to Federal or State elections, the resignation of members after the initial opening of nominations but prior to the election will not be considered a casual vacancy, and the selection of a new candidate must be done in accordance with Rule 435.
444. In Rules 435 to 443, any reference to the opening or closing of nominations refer to both the initial opening or closing of nominations for a particular election or preselection round, and to each subsequent opening or closing of nominations.

The ALP National Executive’s responsibilities around Affirmative Action

445. The ALP National Executive has the responsibility and the power to enforce Rules 431 to 444 generally and specifically to determine the outcome in any preselection in order to ensure that Rule 435 is complied with.

The State Secretary’s responsibilities around Affirmative Action

446. By no later than 1 November each year, the State Secretary must provide on report on the implementation of Rules 431 to 444 to:
- (a) the Women’s Policy Committee;
 - (b) the VLWN executive;
 - (c) the Administrative Committee; and
 - (d) the ALP National Executive.

447. On the opening of nominations for preselections, the State Secretary must write to all Voting Members outlining the affirmative action rules, the list of seats in each of the three groups listed at Rule 435, and the number of women to be preselected in each group.
448. On the closing of nominations for preselections, the State Secretary must write to all POSC members and all candidates for preselection outlining the affirmative action rules, the list of seats in each of the three groups listed at Rule 435, and the number of women to be preselected in each group.

Affirmative Action's interaction with the Code and Associated Policies

449. Compliance with Rules 431 to 448 does not breach the Code or Associated Policies.

Postal ballots

450. Unless specified to the contrary, the following rules will apply where a person can vote by postal ballot in an election under these Rules:
- (a) The State Secretary must post the postal ballot papers to the voter and include a prepaid return mail envelope and a declaration envelope;
 - (b) A voter must return a postal ballot by:
 - (i) posting it to the State Office or the relevant returning officer; or
 - (ii) returning it to the State Office or the relevant returning officer in person; or
 - (iii) authorising another Member to return it to the State Office in person, pursuant to Rule 450(f);
 - (c) When returning a postal ballot, the voter must place their printed name, their Local Branch and their signature on the declaration envelope;
 - (d) A Member eligible to vote in an election by postal ballot under these Rules who have not yet voted in that election may:
 - (i) request that the State Secretary post them a new ballot;
 - (ii) collect a re-issued ballot from the State Office in person; or
 - (iii) authorise another Member to collect a re-issued ballot from the State Office on their behalf, pursuant to Rule 450(f);
 - (e) A Member returning a postal ballot under Rule 450(b)(ii) or (iii) or collecting a re-issued postal ballot under Rule 450(d)(ii) or (iii) must produce photographic

identification that conforms with the form of photographic identification specified in the Membership Protocols.

- (f) A Member can only return a postal ballot to the State Office on behalf of another Member or collect a re-issue postal ballot from the State Office on behalf of another Member if:
 - (i) the Member is an immediate family member of the other Member;
 - (ii) both Members had the same Party Address at the time nominations for the postal ballot closed; and
 - (iii) the Member has authorisation from the other Member in the form of a letter signed by the other Member or an email from the other Member from the email address that the other Member had most recently provided to the State Secretary under Rule 39(b) or 64 at the time nominations for that postal ballot closed.

Remote Ballots

- 451. Rules 453 to 473 will apply to all elections by Remote Ballot under these Rules.
- 452. If a Remote Ballot fails to comply with Rules 453 to 473, this may be grounds for a member to dispute the declared results of an election under Rule 617.

Online Voting Platform

- 453. Any Online Voting Platform used for a Remote Ballot must be approved by the Administrative Committee by a resolution passed with at least 14 votes in favour.
- 454. When approving an Online Voting Platform, the Administrative Committee must be satisfied that it meets the following standards:
 - (a) All rights and responsibilities of voters under these Rules must, as far as is possible, be maintained during any online voting process;
 - (b) Online voting must be conducted in such a manner that the secrecy of each Online Elector's ballot is maintained, and that the only person who is able to access how an Online Elector voted is the Online Elector themselves;
 - (c) Online Electors must not be able to vote more than once in an online ballot, and must be prevented from changing their vote after submission;
 - (d) Online voting must be made accessible to Online Electors through email;
 - (e) There must be measures in place to ensure that no Member is able to access the results of the online voting until voting has closed, with the exception that the

Chief Returning Officer and Party Officials may access the names and total number of voters who have casted votes;

- (f) The Online Voting Platform must be capable of providing sufficient information about the counting of online votes so that scrutineers can properly supervise the counting of these votes;
- (g) The Online Voting Platform must aim to conform to the Web Consortium Accessibility Guidelines (WCAG 2.0) priority AA checkpoints; and
- (h) All Members must be able to register as a Permanent Postal Elector.

455. Once an Online Voting Platform has been approved, that approval will be ongoing unless Administrative Committee decides otherwise.

456. A person must not access an Online Voting Platform used for an election by Remote Ballot without the express authorisation of the Chief Returning Officer. Unauthorised access to an Online Voting Platform will be a Disciplinary Offence.

Conduct and logistics of a Remote Ballot

457. Any election by Remote Ballot must be conducted or supervised by the Chief Returning Officer.

458. The State Secretary will be responsible for organising the logistics of an election by Remote Ballot. The State Secretary can delegate any part of this responsibility to External Ballot Provider, unless otherwise stated in these Rules.

Notice of online voting

459. Before an election by Remote Ballot is to commence, the State Secretary must send an email to all Online Electors. In this email, the State Secretary must provide the following information:

- (a) When online voting will open and close;
- (b) How Online Electors will be able to cast their online ballot;
- (c) When online ballots will be made accessible to Online Electors at their preferred email address;
- (d) Who to contact if an Online Elector has not received the online ballot at their preferred email address at the time set out in Rule 459(c);
- (e) Who to contact if an Online Elector would like to check and/or change their preferred email address;

- (f) Who to contact if an Online Elector would like to request a postal ballot instead, or to request that their online ballot be reissued as a postal ballot;
- (g) Who to contact if an Online Elector would like to register as a Permanent Postal Elector, and the deadline by which they must register in order to receive a postal ballot in the upcoming election (the deadline must be before an election by Remote Ballot is to commence); and
- (h) Who to contact if an Online Electors needs support or assistance in completing an online ballot.

460. The email outlined in Rule 459 must be sent by the State Secretary, and this responsibility cannot be delegated to an External Ballot Provider.

Online voting in a Remote Ballot

461. During an election by Remote Ballot, online ballots must be made accessible to Online Electors through a preferred email address that they have most recently provided to the State Secretary under Rule 39(b) or 64 and must be made accessible at the time set out in Rule 459(c).
462. If two or more Online Electors share the same preferred email address, they will be issued with postal ballots and considered Postal Electors for the purposes of these Rules.
463. A person must not obtain unauthorised access to the ballot of another Member. Doing so will be a Disciplinary Offence.
464. If additional information, such as candidate statements, is included in the online ballot provided under Rule 461, this additional information must be replicated in its entirety in any postal ballots sent to Postal Electors. This does not apply to the notices sent under Rule 459 nor does it apply to any other additional notices sent to Online Electors.
465. If an Online Elector contacts the contact set out in Rule 459(f) before the deadline and requests a postal ballot, the Online Elector must be issued with a postal ballot, pursuant to Rules 466 to 468, in lieu of an online ballot.

Postal voting in a Remote Ballot

466. During an election by Remote Ballot, postal ballots must be sent to:
- (a) Postal Electors;
 - (b) an Online Elector who contacts the contact set out in Rule 459(f) before the close of polls and requests a postal ballot; and

- (c) Permanent Postal Electors, but only if they registered as a Permanent Postal Elector before the deadline set out in Rule 459(g).

467. Rule 450 will apply to the postal ballots sent pursuant to Rule 466.

468. To be counted, postal ballots must be returned to the State Office before online voting has closed.

Period of voting in a Remote Ballot

469. In an election by Remote Ballot, voting for both the online ballot and postal ballot must open and close at the same time.

Counting of ballots and scrutineering in a Remote Ballot

470. Candidates will be eligible to appoint up to two scrutineers each for the counting of a Remote Ballot.

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

472. A Remote Ballot cannot be counted until after voting has closed.

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

Chief Returning Officer and Deputy Returning Officers

474. The Administrative Committee must appoint a Chief Returning Officer and may appoint up to four Deputy Returning Officers.

475. The responsibilities of the Chief Returning Officer include:

- (a) conducting or supervising elections as required under these Rules;
- (b) determining appeals of returning officers' rulings pursuant to Rule 417; and
- (c) making rulings on any election matters which are silent or unclear under these Rules.

476. The Chief Returning Officer may delegate one or more of their responsibilities and/or powers under these Rules to any of the Deputy Chief Returning Officers

Preselections for federal and state elections

477. Subject to any direction of State Conference, the Administrative Committee must arrange for the preselection of Victorian Branch candidates for the Victorian Legislative Assembly, the Victorian Legislative Council and Victorian seats in the Australian House of Representatives and the Australian Senate.
478. An FEA Executive or SECC may at any time request in writing that the Administrative Committee arrange for the preselection of a Victorian Branch candidate for the relevant State Electorate or Federal Electorate, provided that the seat is not currently held by the Victorian Branch. The State Secretary must provide a written response to the relevant FEA Executive or SECC within 30 working days.

Nominations in federal and state preselections

479. A person can only nominate to be preselected as a Victorian Branch candidate for a federal or state election if at the close of preselection nominations they:
- (a) are a Voting Member;
 - (b) have been member of an Affiliated Union (if eligible) for at least three months;
 - (c) have undertaken in writing to relinquish any public office(s) they currently hold as an endorsed Victorian Branch candidate (if any) within a year of being elected to the office for which they now seek preselection;
 - (d) have submitted a nomination form and it signed by the requisite number of Members pursuant to Rules 481 and 482;
 - (e) submitted a questionnaire in a form approved by the Administrative Committee; and
 - (f) have agreed in writing to the following parliamentary candidate's pledge: "I hereby pledge myself not to 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 Party may decide 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 State Conference of the Australian Labor Party, not to resign my seat in Parliament without the consent of the Administrative Committee of the Victorian Branch. I agree to pay such contributions as are recommended from time to time by the Victorian Administrative Committee."

480. The Administrative Committee may waive one or more of the requirements of Rules 479(a), (b) and (c) by a resolution passed with at least 14 votes in favour.
481. Where a person is nominating to be preselected for a Single Member Electorate in a federal or state election, the nomination form must be signed by 10 other Members whose Party Address at the close of preselection nominations is in the electorate the person is nominating for.
482. Where a person is nominating to be preselected for a Multi Member Electorate in a federal or state election, the nomination form must be signed by 30 other Members whose Party Address at the close of preselection nominations is in the electorate the person is nominating for.
483. Where only one nomination is received for a Single Member Electorate, the following process must be followed:
- (a) the State Secretary must notify the following people of the nomination in writing:
 - (i) every member of the POSC executive; and
 - (ii) every Local Branch secretary whose Party Address is in the Single Member Electorate;
 - (b) when notifying the relevant people of the nomination, the State Secretary must also notify them that, unless 20 of the POSC members or 20 percent of the Voting Members whose Party Address is in the Single Member Electorate object to the acceptance of the nomination within 10 working days of the written notification, the nominee will be endorsed as candidate; and
 - (c) If 20 of the POSC members or 20 percent of the Voting Members whose Party Address is in the Single Member Electorate object to the acceptance of the nomination within 10 working days of receiving the written notification from the State Secretary, the POSC must meet so as to determine whether the nominee will be endorsed as candidate or nominations will be re-opened.
484. After nominations close but before voting opens in a preselection, the POSC may re-open nominations by a resolution passed with at least 67 votes in favour.
485. The Administrative Committee may, in circumstances where the continued endorsement of a preselected candidate is no longer viable, re-open preselection nominations for any seat and upon nominations closing, if in the opinion of the Administrative Committee time does not permit preselection ballots, determine the replacement candidate provided such resolution is passed with at least 15 votes in favour.

Voting in federal and state preselections

486. Candidates for the Australian House of Representatives, the Victorian Legislative Assembly and the Victorian Legislative Council will be preselected by a ballot of Voting Members in the electoral area concerned and a ballot of POSC, where the results of each ballot will be given equal weighting and added together.
487. Candidates for the Australian Senate will be preselected by a ballot of POSC.
488. Subject to the Administrative Committee, the POSC executive may determine the date and times of the preselection ballots.
489. The following rules will apply to the ballot of Voting Members in the preselection of candidates for the Australian House of Representatives, the Victorian Legislative Assembly and the Victorian Legislative Council:
- (a) A Member is only eligible to vote in the ballot if at the close of preselection nominations:
 - (i) they are a Voting Member;
 - (ii) their Party Address is in the electoral area concerned; and
 - (iii) they are enrolled to vote in federal elections (if eligible);
 - (b) The State Secretary must compile a draft voters roll from the Victorian Branch's records, and when compiling the draft voters roll, must only include Voting Members whose Party Address matches their AEC Address;
 - (c) At least 10 working days before the close of preselection nominations, the State Secretary must send copies of the draft voters roll compiled under Rule 489(b) to the returning officer conducting the election and any Local Branch secretaries whose Party Address is in the electoral area concerned;
 - (d) The returning officer conducting the election and any Local Branch secretaries whose Party Address is in the electoral area concerned must notify the State Secretary at least five working days before the close of preselection nominations of any inaccuracies in the draft voters roll provided under Rule 489(c), including any challenges to the eligibility to nominate or vote on the basis of address;
 - (e) The State Secretary must consider the corrections submitted under Rule 489(d), refer any challenges on the basis of address to the Chief Returning Officer and finalise the voters roll on the basis that, subject to proved errors or omissions notified within three working days after closure of the roll, the roll closes at the close of preselection nominations;

- (f) The State Secretary must make the final voters roll available at least 10 working days before voting opens;
- (g) The Administrative Committee may abridge the time for preparation and distribution of the roll under Rules 489(b) to (f) in special cases requiring urgent elections (for example, by-elections) by a resolution passed with at least 14 votes in favour; and
- (h) The ballot of Voting Members must be held before the ballot of POSC.

490. The following rules will apply to the ballot of Voting Members in the preselection of candidates for the Victorian Legislative Council only:

- (a) Voting will be by postal ballot, pursuant to Rule 450;
- (b) When arranging for the preselection of Victorian Branch candidates for the Victorian Legislative Council, the Administrative Committee must determine how many seats are winnable; and
- (c) The process for preselecting Victorian Branch candidates for the Victorian Legislative Council must commence before July in the year prior to a state election.

491. The preselection ballots listed in column 1 of the following table must be conducted by the returning officer/s specified in column 2:

Column 1: Ballots	Column 2: Relevant returning officer/s
A ballot of Voting Members when preselecting candidates for the Australian House of Representatives.	FEA returning officer and deputy returning officer, elected at the FEA Elections.
A ballot of Voting Members when preselecting candidates for the Victorian Legislative Assembly.	Legislative Assembly returning officer and deputy returning officer, elected pursuant to Rule 283(b).
A ballot of Voting Members when preselecting candidates for the Victorian Legislative Council.	Legislative Council returning officer and deputy returning officer, elected pursuant to Rule 492.
A ballot of POSC.	POSC returning officer, elected pursuant to Rule 212(a).

492. In each Legislative Council Province, the Administrative Committee must elect a Legislative Council returning officer and deputy returning officer from among the Local Branch returning officers in the Legislative Council Province.
493. Where in the opinion of the Administrative Committee the time between the calling of nominations for any by-election and the holding of such by-election makes it impossible to conduct a ballot of Voting Members, then the members of the POSC and any Voting Members whose Party Address is in the electoral area concerned present at the scheduled time for the preselection will proceed to preselect a candidate, with their ballots weighted in accordance with Rule 486.
494. The State Secretary must ensure that the outcome of a federal or state preselection is relayed by email to the Members whose Party Address is in the electoral area concerned.

Obligations of MPs and candidates for federal and state elections

495. Any MP who does not intend to re-nominate for the position they currently hold must notify the State Secretary of this intention:
- (a) in writing; and
 - (b) at least one month before preselection nominations close for this position.
496. If an MP fails to provide notice pursuant to Rule 495 and does not re-nominate for the position they currently hold, preselection nominations for this position:
- (a) must be re-opened for 24 hours; and
 - (b) may be re-opened a period longer than 24 hours by the POSC by a resolution passed with at least 51 votes in favour.
497. Preselected candidates cannot withdraw from an election contest without the consent of State Conference or the Administrative Committee. Notice of intention to withdraw from candidacy must be given no less than one month before the close of nominations for the federal or state election.
498. An MP can only resign from parliament if:
- (a) they provide adequate notice of their intention to resign, and the reasons for resigning, to the Administrative Committee;
 - (b) the State Conference or Administrative Committee consents to the resignation; and
 - (c) it takes place in accordance with a timetable approved by the State Conference or Administrative Committee.

499. If a Member contests a federal or state election but not as the preselected Victorian Branch candidate, the Member must not:
- (a) have access to Victorian Branch resources to assist with their election campaign;
 - (b) use the ALP's or Victorian Branch's name or logo in their election campaign; and
 - (c) in any way give the impression in their election campaign that they are a preselected candidate or supported by the ALP and/or Victorian Branch.

Preselections for municipal elections

Overarching objective for Local Government

500. The Victorian Branch will actively engage in local government to:
- (a) improve, shape, influence and contribute to effective decision-making at the local level;
 - (b) pursue ALP values and relevant policies at the local level;
 - (c) develop a ALP team approach that is tailored to specific local areas; and
 - (d) support ALP MPs and candidates in each local area.

Determining participation in municipal elections

501. To determine whether the Victorian Branch will formally endorse candidates for a municipal election, the following process will be followed:
- (a) The Municipal Forum Executive must convene a meeting of the Municipal Forum in February, March or April in the year prior to a municipal election. This meeting of the Municipal Forum must elect a municipal returning officer and determine the following matters as recommendations to the Administrative Committee:
 - (i) Whether the Victorian Branch should formally endorse candidates to contest the local municipal election as ALP candidates; and
 - (ii) If the Victorian Branch should formally endorse candidates, how many candidates should be endorsed in each electoral contest or ward; and
 - (iii) If the Victorian Branch should formally endorse candidates, whether there should be a common how-to-vote card for each electoral contest used by all candidates or whether each candidate can have their own how-to-vote card;

- (b) In making its recommendations to the Administrative Committee under Rule 501(a), the Municipal Forum must consider the presumption in favour of endorsing candidates to contest local municipal elections as ALP candidates;
- (c) In May or June in the year prior to a municipal election, the Administrative Committee must determine in relation to each municipality:
 - (i) Whether the Victorian Branch should formally endorse candidates to contest the local municipal election as ALP candidates;
 - (ii) If the Victorian Branch should formally endorse candidates, how many candidates should be endorsed in each electoral contest or ward; and
 - (iii) If the Victorian Branch should formally endorse candidates, whether there should be a common how-to-vote card for each electoral contest used by all candidates or whether each candidate can have their own how-to-vote card;
- (d) In making its determination under Rule 501(c), the Administrative Committee must consider:
 - (i) any recommendations made by the relevant Municipal Forum under Rule 501(a); and
 - (ii) the presumption in favour of endorsing candidates to contest local municipal elections as ALP candidates; and
- (e) If a Municipal Forum has made one or more recommendations to the Administrative Committee under Rule 501(a), the Administrative Committee can only make a determination under Rule 501(c) that is inconsistent with any of these recommendations by a resolution passed with at least 14 votes in favour.

Preselection of Endorsed Candidates

- 502. If the Administrative Committees decides the Victorian Branch should formally endorse candidates to contest a local municipal election, preselection for Endorsed Candidates will be in accordance with Rules 503 to 509.
- 503. Subject to any direction of State Conference, the Administrative Committee must arrange for the preselection of Endorsed Candidates.
- 504. A person can only nominate to be preselected as an Endorsed Candidate for a municipal election if by the close of preselection nominations they:
 - (a) are a Voting Member;
 - (b) have been member of an Affiliated Union (if eligible) for at least three months;

- (c) have undertaken in writing to relinquish any public office(s) they currently hold as an endorsed Victorian Branch candidate (if any) within a year of being elected to the office for which they now seek preselection;
 - (d) have submitted a nomination form signed by 10 other Members whose Party Address at the close of preselection nominations is in the local government area of the local council the person is nominating for;
 - (e) have submitted a questionnaire in a form approved by the Administrative Committee; and
 - (f) have agreed in writing to the following municipal candidate's pledge: "I consent to the above nomination, and hereby pledge myself to the Australian Labor Party of Victoria not to oppose the selected candidate and, if successful in my candidature, to loyally vote and work for the Party Platform, and to comply with the Municipal Rules. I further pledge not to resign my seat on Council without the consent of the Administrative Committee of the Victorian Branch."
505. The Administrative Committee may waive one or more of the requirements of Rules 504(a), (b) and (c) by a resolution passed with at least 14 votes in favour.
506. Endorsed Candidates for municipal elections will be preselected by a ballot of Voting Members whose Party Address is in the ward, division or other geographic area for which candidate endorsement is to occur at the close of preselection nominations.
507. The ballot of Voting Members to preselect Endorsed Candidates must:
- (a) be held in July, August, September or October in the year prior to a municipal election;
 - (b) comply with Rules 489(a) to (g); and
 - (c) be conducted by the municipal returning officer elected under Rule 501(a).
508. Following the ballot of Voting Members, the POSC municipal preselection panel elected under Rule 212 must consider the suitability of the Endorsed Candidates that have been preselected and either confirm the results of the ballot or recommend to the Administrative Committee that, in the interests of the Victorian Branch, changes should be made to the Endorsed Candidates preselected.
509. Upon a recommendation by the POSC municipal preselection panel pursuant to Rule 508, the Administrative Committee may vary the Endorsed Candidates preselected but only if such a resolution is passed with at least 14 votes in favour.

Preferencing Requirement

510. Any Member (including non Voting Members) standing for election to a municipal vacancy must direct preferences to any Voting Member standing for the same vacancy before any other candidate (referred to as the Preferencing Requirement in these Rules).
511. The Preferencing Requirement will not apply if:
- (a) all Members standing for the relevant vacancy agree in writing to waive the Preferencing Requirement and this written agreement is lodged with the State Secretary prior to the commencement of voting for the relevant election;
 - (b) upon receipt of an application by one of the Members standing for a vacancy, the Administrative Committee waives the Preferencing Requirement by a resolution passed with at least 14 hours votes in favour; or
 - (c) it is a Special Municipal Election.

Obligations of Endorsed Candidates

512. The obligations of a Endorsed Candidates include:
- (a) not withdrawing from an election contest without the consent of State Conference or the Administrative Committee;
 - (b) providing any notice of intention to withdraw from candidacy no less than one month before the close of nominations for the municipal election;
 - (c) the Preferencing Requirement; and
 - (d) if elected, only resigning from their position if:
 - (i) they provide adequate notice of their intention to resign, and the reasons for resigning, to the Administrative Committee;
 - (ii) the State Conference or Administrative Committee consents to the resignation; and
 - (iii) it takes place in accordance with a timetable approved by the State Conference or Administrative Committee.

Obligations of Non Endorsed Candidates

513. The obligations of a Non Endorsed Candidate include:
- (a) notifying the State Secretary of their nomination (including council and ward) by no later than one hour after the close of nominations;

- (b) providing an email address to the State Secretary which can be used to communicate with them for the duration of the municipal election;
 - (c) the Preferencing Requirement;
 - (d) not using the ALP's or Victorian Branch's name or logo in their municipal election campaign;
 - (e) not in any way giving the impression in their municipal election campaign that they are a Endorsed Candidate or supported by the ALP and/or Victorian Branch;
 - (f) if elected, caucusing with Endorsed Candidates in regard to the election or appointment of councillors to official positions and delegations, including mayor;
 - (g) if elected, loyally working for the platform or policy of the Victorian Branch; and
 - (h) complying with these Rules.
514. Within 48 hours after the close of nominations, the State Secretary must advise all Members who notified them of their nomination under Rule 513(a):
- (a) of the names of any Voting Member standing for the same vacancy; and
 - (b) of the Preferencing Requirement.
515. A Member who notified the State Secretary of their nomination under Rule 513(a) will not be in breach of the Preferencing Requirement if they fail to preference a Voting Member before any other candidate and the State Secretary did not advise them of the name of that Voting Member under Rule 514(a).

Access to Victorian Branch resources

516. The State Secretary must provide access to Victorian Branch resources to assist with municipal election campaigns to:
- (a) Endorsed Candidates; and
 - (b) Non Endorsed Candidates, but only if they apply to the Campaign Committee for such access and the Campaign Committee approves the application.
517. Any Member standing for election to a municipal vacancy that receives access to Victorian Branch resources under Rule 516 must pay a candidate levy to the Victorian Branch. The Campaign Committee will determine the amount of the levy and when it must be paid.

FEA Elections

518. FEA Elections will be held in the months of July and August of each odd numbered year or at such other date as may be determined by the Administrative Committee in accordance with Item A35 of the table in Rule 152.
519. At the FEA Elections, the Voting Members of each FEA must elect:
- (a) a FEA returning officer and deputy returning officer in a single ballot, where the candidate first elected will be the FEA returning officer and the candidate second elected will be the FEA deputy returning officer;
 - (b) five members of the FEA Executive; and
 - (c) the Membership Delegates that the FEA is entitled to elect pursuant to Rule 106.
520. The FEA Elections must be conducted by the FEA returning officer in conjunction with the FEA deputy returning officer.
521. If in the period leading up to FEA Elections the positions of FEA returning officer and/or deputy returning officer are vacant, and it would not be possible to fill the casual vacancy or vacancies under Rule 429 without calling for fresh nominations, the Administrative Committee may appoint suitable persons to act in those positions.

Notice of FEA Elections

522. The Chief Returning Officer must notify all potential voters of the FEA Elections by:
- (a) emailing them at least 14 days before the nominations close, and again before the first day of voting; and
 - (b) posting them at least seven days before the nominations close, and again before the first day of voting, but only if:
 - (i) the potential voter has not provided the State Secretary with an email address under Rule 39(b) or 64; or
 - (ii) the Chief Returning Officer has attempted to notify the potential by email of the election but receives a notification that the email could not be delivered.
523. When notifying potential voters of the FEA Elections under Rule 522, the Chief Returning Officer must including the following in the notification:
- (a) where candidates can lodge their nominations, which must include an email address to which candidates can lodge their nominations;
 - (b) the place where the draw for ballot positions will be held;

- (c) the location and times of voting in the FEA Elections; and
- (d) the requirement that a Member must produce photographic identification in order to vote.

Location of FEA Elections

- 524. The location/s of voting at the FEA Elections must be determined by the FEA returning officer in conjunction with the FEA deputy returning officer, unless the FEA Executive resolves to the contrary.
- 525. The FEA returning officer must notify the State Secretary of the location/s of voting in the FEA Elections before the Chief Returning Officer is required to provide notice of the FEA Elections under Rule 522.

Nominations for FEA Elections

- 526. Only Members eligible to vote pursuant to Rule 532 are eligible to nominate for FEA returning officer, FEA Executive and/or Membership Delegate in the FEA Elections.
- 527. The FEA returning officer and deputy returning officer cannot be candidates for any position to be filled at the FEA Elections they are conducting, other than FEA returning officer or deputy returning officer.
- 528. A FEA returning officer or deputy returning officer who resigns from their position within 14 days before nominations close for FEA Elections will not be eligible to be a candidate for any position to be filled at that election.
- 529. The Chief Returning Officer and the Deputy Returning Officers cannot be elected as an FEA returning officer or deputy returning officer. If a FEA returning officer or deputy returning officer accepts appointment as the Chief Returning Officer or a Deputy Returning Officer, they will vacate their position as a FEA returning officer or deputy returning officer and this casual vacancy will be filled in accordance with Rule 429.
- 530. All nominations for FEA Elections must be signed by the candidate and lodged with the Chief Returning Officer by 6.00 pm on the last Friday of the month prior to that of the first day of voting. Where practicable, the Chief Returning Officer must provide acknowledgment of receipt of the nomination to the nominee.
- 531. The Chief Returning Officer will be available 30 minutes before the close of nominations in which candidates may check if all nominations have been received and are in order. The returning officer is also expected to be available at other advertised times during the week before nominations close.

Voting in FEA Elections

- 532. A Member is eligible to vote in the FEA Elections if at the close of nominations:

- (a) they are a Voting Member; and
- (b) their Party Address is in the relevant Federal Electorate.

533. The following rules will apply when compiling the voters roll for the FEA Elections:

- (a) The State Secretary must compile a draft voters roll from the Victorian Branch's records, and when compiling the draft voters roll, must only include Voting Members whose Party Address matches their AEC Address;
- (b) At least 10 working days before the close of nominations, the State Secretary must send copies of the draft voters roll compiled under Rule 533(a) to the FEA returning officer, the FEA deputy returning officer and any Local Branch secretaries whose Party Address is in the Federal Electorate concerned;
- (c) The FEA returning officer, the FEA deputy returning officer and any Local Branch secretaries whose Party Address is in the Federal Electorate concerned must notify the State Secretary at least five working days before the close of nominations of any inaccuracies in the draft voters roll provided under Rule 533(b), including any challenges to the eligibility to nominate or vote on the basis of address;
- (d) The State Secretary must consider the corrections submitted under Rule 533(c), refer any challenges on the basis of address to the Chief Returning Officer and finalise the voters roll on the basis that, subject to proved errors or omissions notified within three working days after closure of the roll, the roll closes at the close of nominations;
- (e) The State Secretary must make the final voters roll available at least 10 working days before voting opens;
- (f) The Administrative Committee may abridge the time for preparation and distribution of the roll under Rules 533(a) to (e) in special cases requiring urgent elections (for example, by-elections) by a resolution passed with at least 14 votes in favour; and
- (g) The voters roll for an FEA Election must be made available to any candidate in that election on request.

534. The Chief Returning Officer must complete a draw for ballot positions at the place specified in the notice of FEA Elections. The draw must be completed as soon as practicable after nominations close.

535. All ballot papers for the FEA Elections must be printed at the State Office under the supervision of the Chief Returning Officer. Each election will be on separate, different coloured ballot papers.

536. Subject to Rules 539 and 540, voting in the FEA Elections must be in person and at the following times:
- (a) 10:00am to 6:00pm on a Sunday;
 - (b) 6:00pm to 8:00pm on the Monday following the first day of voting; and
 - (c) 10:00am to 12 noon on the Sunday following the second day of voting.
537. Unless the Administrative Committee has determined the FEA Elections be held on a different date in accordance with Item A35 of the table in Rule 152,
- (a) the first day of voting in FEA Elections must be on the second last Sunday in August;
 - (b) the second day of voting in FEA Elections must be held on the Monday immediately after the second last Sunday in August; and
 - (c) the last day of voting in FEA Elections must be held on the last Sunday in August.
538. No alcohol can be consumed at the location of voting in FEA Elections during the hours in which voting is open.
539. In FEAs where the Federal Electorate concerned is 1,500 or more square kilometres in size, voting in FEA Elections will be by Remote Ballot.
540. In FEAs where the Federal Electorate is between 750 and 1,500 or more square kilometres in size, the Administrative Committee may determine that voting in FEA Elections will be by Remote Ballot by passing a resolution with at least 14 votes in favour.
541. Any application for a postal ballot under Rules 539 and 540 must be made to the FEA returning officer by no later than the Friday immediately preceding the first day of voting.
542. Where voting in FEA Elections is by postal ballot:
- (a) the postal ballots must be mailed to voters as soon as practicable and, where possible, at least 15 working days prior to the last day of voting in the FEA Elections;
 - (b) postal ballots must be returned to the nominated return address by 5:00 pm on the Friday preceding the last day of voting in the FEA Elections; and
 - (c) the ballot must be conducted pursuant to Rule 450.

543. The FEA returning officer must differentiate postal ballot papers issued pursuant to Rules 539 and 540 from ordinary ballot papers in order that late postal ballot papers cannot be inserted during the last day of voting.
544. Any Member whose right to vote in FEA Elections is challenged must have their vote placed in the ballot box inside a double envelope so that the matter can be ruled on later. The FEA returning officer must supervise any ballots issued under this Rule.
545. At all times scrutineers representing the candidates must be able to observe all aspects of the FEA Elections process, except observing voters marking their ballots.
546. The FEA returning officer and deputy returning officer must ensure that the ballot box is secure from interference. Either or both the FEA returning officer and deputy returning officer may place an appropriate lock on each ballot box.
547. Upon request by a candidate or by direction of the Chief Returning Officer, the ballot box must be stored at the State Office or, in the case of FEAs where the Federal Electorate concerned is 4,000 or more square kilometres in size, at a site agreed by the FEA returning officer and deputy returning officer.
548. Candidates in FEA Elections may withdraw in writing up until noon on the last day of voting. Where a candidate has withdrawn but their name remains on the ballot paper, the FEA returning officer must count any votes for that candidate through to the next candidate preferenced.

Counting of ballots in FEA Elections

549. Once voting has closed, the FEA returning officer and deputy returning officer must count the ballot in accordance with Rule 420. The FEA returning officer and the deputy returning officer will each have a discretion to physically exclude any person, who causes disruption, from the count.
550. All FEA returning officers must notify the State Secretary of the results of the FEA Elections:
 - (a) in writing; and
 - (b) within a week of the declaration of the ballot.
551. Other than State Conference ballot papers and count sheets which must be retained by the Chief Returning Officer, the FEA returning officer or their successor will retain all ballot papers and will dispose of them only after the next election is declared.

Election of State Parliamentary Labor Party leader

Conduct and logistics of a SPLP leader election

552. The SPLP leader election will be conducted by the SPLP returning officer. The State Secretary will provide such administrative support as necessary to ensure the effective conduct of the election.
553. The SPLP returning officer will have the same powers as the Chief Returning Officer as described in these Rules for the purposes of the SPLP leader election.

When SPLP leader election required

554. Elections for leader of the SPLP must be held:
- (a) following the conclusion of a state election (excluding by-elections) where the SPLP does not form government;
 - (b) following the resignation or death of the incumbent leader;
 - (c) at the request of the leader; or
 - (d) following a resolution to declare the position of leader vacant, carried by the affirmative vote of more than 50 percent of the members of the SPLP.

Interim SPLP leader

555. On the announcement of a vacancy of the SPLP leader or during the period before the election of a new leader, the deputy leader of the SPLP will act as the interim SPLP leader. Where there is no SPLP deputy leader or the SPLP deputy leader is a candidate for leader, the SPLP must elect an interim SPLP leader in accordance with the SPLP caucus rules.
556. The interim SPLP leader cannot be a candidate for SPLP leader.

Nominations for SPLP leader

557. The SPLP returning officer will open nominations for SPLP leader:
- (a) if it is following the conclusion of a state election (excluding by-elections) where the SPLP does not form government, on the first Monday of January following the election or on the swearing in of a new government, whichever is the latter;
 - (b) if it is following the request of the SPLP leader, within 24 hours of the request; and
 - (c) if it is following a vacancy in the position of SPLP leader, within 24 hours of when the vacancy arises.

558. The SPLP returning officer will close nominations for SPLP leader at 5:00 pm on the day which is three working days after the opening of nominations. The SPLP may decide on a different nomination period, provided that:
- (a) the nomination period is no less than 24 hours; and
 - (b) the different nomination period is determined by a resolution carried by the affirmative vote of more than 80 percent of the members of the SPLP.
559. A nomination for SPLP leader will only be valid if:
- (a) it is from a current member of the SPLP;
 - (b) it is in writing;
 - (c) it is signed by the nominee;
 - (d) it is signed by at least 20 percent of the members of the SPLP who have not signed a nomination for any other nominee in that election; and
 - (e) it is submitted to the SPLP returning officer prior to the close of nominations.
560. Upon receipt of a nomination, the SPLP returning officer must determine whether the nomination is valid and publicly announce that the nomination has been accepted.
561. If no valid nomination is received, the SPLP returning officer must reopen nominations for 24 hours and waive the requirement of Rule 559(d).
562. If only one valid nomination is received that candidate will be immediately declared the new SPLP leader.
563. If more than one valid nomination is received, an election must be conducted pursuant to Rules 564 to 577.

Voting for SPLP leader

564. The SPLP leader will be elected by a ballot of Members and a ballot of SPLP members, where the results of each ballot will be given equal weighting and added together.
565. The following rules will apply to the ballot of Members in the election of the SPLP leader:
- (a) a Member will be eligible to vote if they are a Voting Member at the close of nominations or they were a Member on the day of the previous state election (excluding by-elections);
 - (b) At the close of nominations, the State Secretary must compile a voters roll from the Victorian Branch's records, subject to proved errors or omissions notified

within three working days after the closure of the roll. When compiling the voters roll, the State Secretary must only include Members whose Party Address matches their AEC Address;

- (c) Any Member may inspect the voters roll for the purposes of proved errors or omissions;
- (d) The State Secretary must provide the finalised voters rolls to the SPLP returning officer four working days after the close of nominations;
- (e) Voting will be by Remote Ballot pursuant to Rules 453 to 473;
- (f) Voting must open as soon as soon as practicable, and where possible, no later than 14 working days after the close of nominations;
- (g) Voting must close at 5:00pm 28 working days after the close of nominations; and
- (h) If a postal ballot paper is challenged, the SPLP returning officer will request from the State Secretary, who must provide, a copy of a signature from the Member's application or renewal. If such sample is not available, the SPLP returning officer may request the Member to provide an official sample, which may include, but is not limited to, a driver's license.

566. The following rules will apply to the ballot of SPLP members in the election of the SPLP leader:

- (a) SPLP members can only vote in the ballot of SPLP members for SPLP leader and cannot vote in the ballot of Members;
- (b) The SPLP returning officer will compile the voters roll for the SPLP ballot at the opening of nominations;
- (c) The SPLP members can only vote at the SPLP meeting convened for that purpose. The meeting must be convened as soon as practicable after voting closes in the ballot of Members; and
- (d) The ballot of SPLP members must be secret and must otherwise be in accordance with the SPLP caucus rules.

567. The SPLP returning officer must complete a draw for ballot positions at a place advertised prior to the close of nominations. The draw must be completed immediately after nominations close.

568. All candidates are entitled to a copy of the voters rolls and any contact details that Members have provided for the use in the SPLP leader election.

569. The voting papers for each ballot must be distinguishable.

Counting of ballots in election of SPLP leader

570. Following the close of voting in the ballot of Members, the State Secretary must confirm the eligibility of all ballots received and provide them to the SPLP returning officer sealed and uncounted.
571. Once voting in the ballot of SPLP members has closed, the SPLP returning officer must count the ballots in the following manner:
- (a) Separately count the votes of Members and SPLP members weighting each ballot at 100 divided by the total number of valid votes casts in each separate ballot.
 - (b) Then combine the ballots.
 - (c) If a candidate has received more than 50 percent of the combined vote, declare the candidate elected as SPLP leader.
 - (d) If there are more than two candidates and no candidate has received more than 50 percent of combined votes, the candidate that received the lowest total must be eliminated and their preferences allocated to the remaining candidates. This process should continue until a candidate has more than 50 percent of the vote, or only one candidate remains in the ballot, and that candidate will be declared elected.

Expenditure and publicity during SPLP leader election

572. Candidates for SPLP leader will be required to conduct all financial transactions in relation to the election through Victorian Branch accounts established for this purpose.
573. An expenditure cap of 1,500 dollars will apply to each candidate for SPLP leader.
574. At the same time as being sent a postal ballot, each voter will also be sent a publication containing a photo of each candidate for SPLP leader and a statement of up to 500 words from each candidate, in the reverse order those candidates appear on the ballot. The State Secretary must ensure that these statements and photos will also be available on the Victorian Branch website.
575. The State Secretary is encouraged to organise forums for eligible voters to attend.
576. No candidate for SPLP leader or other party may use any paid advertising (including print, television, radio, outdoor or the internet) and paid canvassing in relation to the ballot for the leader of the SPLP. Bulk Short Message Service and email distribution services are permitted.
577. Enforcement of Rules 552 to 576 will be the responsibility of the Administrative Committee and penalties may include the disqualification of a candidate. A disqualified candidate may make a complaint pursuant to Rules 617 to 619.

Election of delegates to ALP National Conference

578. The Victorian Branch's delegates and proxy delegates to the ALP National Conference must be elected in the 12 months immediately preceding the National Conference.
579. Half of the National Conferences delegates must be elected by a single Remote Ballot of Voting Members.
580. Half of the National Conference delegates must be elected by a ballot of the Union Delegates to the Annual State Conference immediately preceding the National Conference.
581. In the event that the total number of National Conference delegates to be elected is an odd number, the ballot for National Conference delegates to which the last delegate position is allocated will be determined by lot. This allocation must be conducted by the Chief Returning Officer before calling for nominations in any of the ballots for National Conference delegates.
582. The following rules will apply to election under Rule 579:
- (a) A Member will be eligible to vote if they are a Voting Member at the close of nominations;
 - (b) Candidates must submit a nomination form signed by themselves and any 30 other Members;
 - (c) At the close of nominations, the State Secretary must compile a voters roll from the Victorian Branch's records, subject to proved errors or omissions notified within three working days after the closure of the roll. When compiling the draft voters roll, the State Secretary must only include Voting Members whose Party Address matches their AEC Address;
 - (d) At least two of the National Conference delegates elected must be Non Metropolitan Candidates;
 - (e) If at the close of nominations less than two Non Metropolitan Candidates have nominated, nominations will be reopened for a period of five working days; and
 - (f) To ensure compliance with Rule 582(d), the procedure outlined in Rule 420(j) must be applied when counting the ballot for the election under Rule 579.
583. Candidates for the election under Rule 580 must submit a nomination signed by themselves and:
- (a) any 30 other Members; or
 - (b) an Affiliated Union.

584. Despite anything to the contrary in these Rules, any Member will be eligible to stand for election to National Conference delegate.
585. The Chief Returning Officer must call for a set of nominations for each ballot of National Conference delegates. A candidate may nominate for both ballots but once elected as a National Conference delegate in one ballot, if the candidate is subsequently elected as a National Conference delegate in the other ballot then they will vacate their position as a delegate in the first ballot and this casual vacancy will be filled in accordance with Rule 429.
586. The ballots will be conducted and counted by the Chief Returning Officer.
587. Following the declaration of both ballots for National Conference delegates, the National Conference proxy delegates will be elected by a single Remote Ballot of the newly elected National Conference delegates. The candidates in the ballot for proxy delegates will comprise of the unsuccessful candidates for both National Conference delegate ballots, provided each candidate has been nominated by a newly elected National Conference delegate. Each newly elected National Conference delegate may only nominate one candidate for proxy delegate.
588. The timelines for the elections under Rules 578 to 587 must be determined by the Administrative Committee.

PART J – DISPUTES

The complaints process

Making a complaint

589. A Member, an Affiliated Union or a Constituent Unit may make a complaint that relates to compliance with these Rules or enforcement of the rights and obligations of Members, Affiliated Unions and/or Constituent Units under these Rules, provided that the complaint:
- (a) is on the complaint form prescribed by the Administrative Committee by a resolution passed with at least 14 votes in favour;
 - (b) is signed by the Member, Affiliated Union or Constituent Unit making the complaint (referred to as the Complainant in these Rules);
 - (c) is accompanied by a deposit of \$100 (unless the Complainant is the Party Monitor); and
 - (d) is submitted to the State Secretary or, if the State Secretary is the Complainant or Respondent, the Party Monitor.

590. A Member may make a complaint under Rule 589 on behalf of a number of Members with the authority of each of those Members.
591. The Party Monitor may make a complaint about a Member for:
- (a) breaching any rule, including those in previous versions of these Rules that existed before the establishment of the Party Monitor; and/or
 - (b) engaging in conduct that occurred before the establishment of the Party Monitor.
592. To the extent of any inconsistency in procedure between complaints brought under previous Rules and the procedural requirements of these Rules, the procedural requirements in these Rules will prevail.
593. The State Secretary must provide Members with access to a copy of the complaint form for disputes:
- (a) on the Victorian Branch website; and
 - (b) on request.
594. In cases of urgency, the Disputes Tribunal may permit complaints to be made orally and/or without a complaint form.

Responding to a complaint

595. A copy of the complaint must be provided to each Respondent within five working days of the complaint being submitted. The provision of the complaint will be the State Secretary's responsibility unless they are the Complainant or Respondent, in which case it will be the Party Monitor's responsibility.
596. Each Respondent must give a response to the complaint within 10 working days of receiving it. The response must:
- (a) be in writing;
 - (b) be signed by the Respondent;
 - (c) set out a concise statement of the facts relied upon by the Respondent;
 - (d) include copies of all documents relied upon by the Respondent; and
 - (e) be submitted to the State Secretary or, if the State Secretary is the Complainant or Respondent, the Party Monitor.
597. Copies of the complaint and all responses received must be provided to the Disputes Tribunal chosen pursuant to Rule 599 within 10 to 15 working days of each Respondent receiving the complaint. The provision of these materials will be the State Secretary's

responsibility unless they are the Complainant or Respondent, in which case it will be the Party Monitor's responsibility.

598. In cases of urgency, the Disputes Tribunal may:

- (a) permit responses to be given orally and/or without a written statement of facts; and/or
- (b) vary the time periods specified in Rules 595 to 597.

The selection of the Disputes Tribunal for a complaint

599. In respect of each complaint, the Disputes Tribunal will be constituted as follows:

- (a) a member of the Disputes Tribunal chosen by the president;
- (b) at the discretion of the Disputes Tribunal president, three members of the Disputes Tribunal chosen by the president; or
- (c) for matters relating to breaches of the Code, pursuant to the Complaints Handling Policy:
 - (i) a member of the Disputes Tribunal chosen by the president in accordance with the Complaints Handling Policy; or
 - (ii) in cases of appeals under the Complaints Handling Policy, three members of the Dispute Tribunal chosen by the president in accordance with the Complaints Handling Policy.

The hearing of a complaint by the Disputes Tribunal

600. The Disputes Tribunal must promptly schedule a hearing of the complaint and notify the Complainant and the Respondent.

601. The Complainant and the Respondent must attend the hearing at the time and date fixed by the Disputes Tribunal.

602. During the hearing, the Complainant and the Respondent are entitled to be represented or assisted by another Member.

603. Hearings can be held in person, by teleconference, by video conference, or through a combination of these methods.

604. When hearing or otherwise dealing with a complaint, the Disputes Tribunal:

- (a) must comply with the rules of procedural fairness;

- (b) must act as expeditiously as possible, provided that it does not derogate from compliance with the rules of procedural fairness;
- (c) is not bound by the rules of evidence and may inform itself as it thinks appropriate; and
- (d) may exercise one or more of the powers set out in Rule 221.

The deciding of a complaint by the Disputes Tribunal

605. When deciding a complaint, the Disputes Tribunal:

- (a) must promptly give written reasons for its decision to the Complainant, the Respondent and the Administrative Committee;
- (b) may exercise one or more of the powers set out in Rule 221.

606. When the Disputes Tribunal is deciding a complaint, a matter of fact is to be taken to be proved if it is established to the reasonable satisfaction of the Disputes Tribunal. A reference in these Rules to the Disputes Tribunal being satisfied has a corresponding meaning.

607. Decisions of the Disputes Tribunal are binding on all Members, Affiliated Unions and Constituent Units.

608. Decisions of the Disputes Tribunal are final, subject only to the ALP National Constitution.

609. If the Disputes Tribunal finds a complaint to be frivolous, vexatious or made without reasonable grounds (whether the complaint is dismissed summarily or not), the Complainant forfeits the deposit. Otherwise, the deposit must be returned to the Complainant.

Types of complaints

Complaints about Disciplinary Offences

610. A Member may charge another Member with a Disciplinary Offence by making a complaint in accordance with Rule 589. The Member making the complaint is the Complainant and the Member being charged with a Disciplinary Offence is the Respondent.

611. A complaint charging a Member with a Disciplinary Offence must be made within six months of the offence being committed unless:

- (a) the Disputes Tribunal is satisfied there is good reason for the delay;

- (b) the Respondent ceased to be a member of the Victorian Branch within six months of the offence being committed; or
 - (c) the Party Monitor is making the complaint.
612. Only the Party Monitor (or their nominee) may charge a Member for a failure to comply with Rule 230.
613. If a Respondent ceases to be a Member before the Disputes Tribunal has decided on the complaint, the Disputes Tribunal's consideration of the complaint will be adjourned. If the member later rejoins the Victorian Branch, the Disputes Tribunal will readjourn to consider the complaint and the member will be automatically suspended from the Victorian Branch until the Disputes Tribunal has decided on the complaint. If when the Disputes Tribunal readjourns the Complainant is no longer able to pursue the complaint, the Party Monitor will assume carriage of the complaint.
614. If the Disputes Tribunal is satisfied that a Respondent has committed a Disciplinary Offence, it may impose one or more of the following penalties:
- (a) a reprimand;
 - (b) a disqualification from holding any position within the Victorian Branch and from endorsement for public office for a period of five years;
 - (c) suspension for a specified period of not more than 12 months of all or some rights of membership; and/or
 - (d) expulsion from the Victorian Branch indefinitely or for a specified period of at least 12 months.
615. If the Disputes Tribunal is satisfied that a Party Official has engaged in Branch Stacking pursuant to Rules 643 to 646, it must remove the Party Official from all positions and expel them from the Victorian Branch for a specified period of at least 12 months.
616. If the Disputes Tribunal is satisfied that a person has been found to have had their membership fees paid for by someone other than the persons specified in Rules 53(a) and (b), it must deem such a person to no longer be a Member and remove all of their membership rights.

Complaints about disputed elections

617. A Member may dispute the declared result of an election by making a complaint in accordance with Rule 589. The Complainant will be the Member making the complaint and the Respondents will consist of the Returning Officer who conducted the election and each candidate who may be affected by a change in the result.

618. A complaint to dispute an election must be made within 10 working days of the declaration of the result by the relevant Returning Officer.
619. If the Disputes Tribunal is satisfied that there has been a defect in the conduct of the election that has or may have affected the result, it may decide that:
- (a) there be a recount of votes by the relevant returning officer or the Chief Returning Officer;
 - (b) a candidate declared elected was not elected, and a candidate not declared elected was elected; or
 - (c) the election is void, and a new election be held. If the Disputes Tribunal decides that new election be held, it must fix the necessary times and give any necessary directions for the new election.

Complaints about credentials of a State Conference delegate

620. A Member may challenge the credentials of a State Conference delegate by making a complaint in accordance with Rule 589. The Member making the complaint is the Complainant and the delegate whose credentials have been challenged is the Respondent to the complaint.
621. Challenges to the credentials of a State Conference must be submitted to the State Secretary by 5.00 pm on the Monday prior to Conference.
622. If the Disputes Tribunal is satisfied that a delegate whose credentials have been challenged is not eligible to be a delegate, it may decide that the delegate is not a delegate, and that another person is a delegate instead.
623. If the Disputes Tribunal is satisfied that a Union Delegate whose credentials have been challenged has not been appointed in accordance with these Rules, it may decide that the Union Delegate is not a delegate and that another person is a Union Delegate instead.

Complaints under the Code and Associated Policies

624. All complaints made in respect of, or under, the Code and Associated Policies must follow the processes set out in the Complaints Handling Policy.
625. Pursuant to the Code and Associated Policies, the Disputes Tribunal may, after the process set out in the Complaints Handling Policy has been followed, impose disciplinary action against a Respondent, including:
- (a) a reprimand;

- (b) an order that a person does or does not do a particular thing (e.g. training or mediation);
- (c) a disqualification from holding any position within the Victorian Branch and from endorsement for public office for a period of five years;
- (d) suspension for a specified period of not more than 12 months of all or some rights of membership;
- (e) expulsion from the Victorian Branch indefinitely or for a specified period of at least 12 months; or/and
- (f) any other sanction or action provided for by the Complaints Handling Policy.

PART K – STANDARDS AND CODE OF CONDUCT

626. 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.
627. To ensure that the Victorian Branch is a safe, inclusive and respectful environment, and to ensure Members meet the standards expected of them, the Victorian Branch has:
- (a) the Code, which is incorporated into these Rules through Schedule A;
 - (b) Disciplinary Offences;
 - (c) the Code of Membership Recruitment and Democratic Participation, which is set out at Rules 643 to 646;
 - (d) Standards of General Conduct, which are set out at Rules 647 to 648; and
 - (e) additional standards of conduct for Party Officials, which are set out at Rule 649.

The Code and Associated Policies

628. The Code at Schedule A is to be read alongside the following Associated Policies, each of which are incorporated into these Rules:
- (a) Victorian Labor Policy for the Prevention of Sexual Harassment (Schedule B);
 - (b) Victorian Labor Policy for the Prevention of Bullying and Harassment (Schedule C); and
 - (c) Victorian Labor Complaint Handling Policy (Schedule D).

629. The State Secretary must provide Members with access to a copy of the Code and Associated Policies:

- (a) on the Victorian Branch website; and
- (b) on request.

Application of the Code and Associated Policies

630. Complaints under, or in relation to, the Code will be handled in accordance with the Complaints Handling Policy in Schedule D.

631. Breaches of the Code and Associated Policies may result in disciplinary action.

632. Complaints in relation to Disciplinary Offences will be handled in accordance with Rules 610 to 616 and not under the Complaints Handling Policy.

633. The State Secretary, the President, respect contact officers and complaints managers have the powers and responsibilities set out in the Complaints Handling Policy.

634. The Code and Associated Policies are subject to, and do not detract from, Rules 4 to 6.

Sexual harassment

635. The Victorian Branch 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. The Victorian Branch recognises that sexual harassment is a form of gendered violence.

636. The Victorian Branch recognises sexual harassment can constitute serious misconduct. Further details about what conduct is considered sexual harassment and how the Victorian Branch handles this are outlined in the Policy on Sexual Harassment Prevention and Response (Schedule B).

Bullying and Harassment

637. The Victorian Branch takes a strong stance against bullying and harassment, including harassment on the ground of sex of any person by any individual covered by the Code.

638. The Victorian Branch recognises that bullying and harassment can constitute serious misconduct. Further details about what conduct is considered bullying and harassment and how the Victorian Branch handles this are outlined in the Policy on Bullying and Harassment Prevention and Response (Schedule C).

Procedure for complaints under the Code and Associated Policies

639. The Victorian Branch takes seriously complaints involving alleged breaches of the Code and Associated Policies.

- 640. Pathways to make, handle and resolve complaints, either formally or informally, are outlined in the Complaints Handling Policy at Schedule D.
- 641. Complaints under, or in relation to, the Code and Associated Policies must be handled in accordance with the Complaints Handling Policy.
- 642. In the event that a matter could constitute a Disciplinary Offence and a breach of the Code and/or one or more of the Associated Policies, it will be handled in accordance with the Complaints Handling Policy.

Code of Membership Recruitment and Democratic Participation

- 643. Members must not engage in Branch Stacking.
- 644. A Member who has individually or collectively engaged in, organised or promoted one or more Branch Stacking activities will be deemed to have engaged in Branch Stacking.
- 645. A Party Official who has individually or collectively engaged in, organised, promoted or assisted in one or more Branch Stacking activities will be deemed to have engaged in Branch Stacking.
- 646. The responsibilities of Party Officials include ensuring that no person other than those specified in Rule 53(a) and (b) pay membership fees.

Standards of General Conduct

- 647. Members, Party Officials and volunteers will:
 - (a) cooperate with other Members, Party Officials and volunteers; and
 - (b) seek to advance the interests of the Victorian Branch.
- 648. Members, Party Officials and volunteers must promptly advise the State Secretary, the Party Monitor or one or more of the Officers about any matter that may bring the Victorian Branch into disrepute.

Additional Standards of Conduct for Party Officials

- 649. Party Officials are placed in a position of trust by the Victorian Branch and its membership. Party Officials are expected:
 - (a) to act in a manner so as to advance the interests of the Victorian Branch and its memberships;
 - (b) to uphold these Rules;
 - (c) to assist all Members in a positive manner; and

- (d) not to play an active role in factional activity.

PART L – FINANCE, PROPERTY, TRUSTEES AND AUDITOR

- 650. Subject to the Rules around the LSH Trust (668 to 683), all property including all moneys, all books, stationery, furniture, office equipment and all other assets, whether of a like kind or not, of the Victorian Branch will be vested in the Officers as trustees.
- 651. Subject to the Rules around the LSH Trust (668 to 683), all property of any Constituent Unit or Representative Group will vest in the Officers, who will hold such property on behalf of and for the purposes of the members of such Constituent Unit or Representative Group.
- 652. The Victorian Branch's funds must be banked in the name of the Victorian Branch, and no funds can be drawn from the bank except when authorised by both:
 - (a) an Officer or other person designated by the Administrative Committee; and
 - (b) the State Secretary.
- 653. All of the Victorian Branch's funds must be applied to the management and conduct of the Victorian Branch and furtherance of its aims and objectives.
- 654. The income and property of the Victorian Branch whensoever derived must be applied solely towards the promotion of the objects of the Victorian Branch as set forth in these Rules and no portion thereof can be paid or transferred directly or indirectly by way of profit to Members provided that nothing hereunder contained will prevent the payment in good faith of remuneration to any Officers or employees of the Victorian Branch in return for any services actually rendered to the Victorian Branch nor for goods supplied in the ordinary way of business nor prevent the payment of interest at a market rate on money borrowed from any Member or reasonable or proper rent for premises demised or let by any Member.
- 655. The Officers, as trustees, will be empowered to give indemnities on behalf of the Victorian Branch.
- 656. The Administrative Committee may, for any purpose set out in existing Rules and subject to any terms and conditions the Administrative Committee thinks fit to impose, authorise the Officers to raise and borrow money and secure the repayment of that money by granting a mortgage, charge or other security over property belonging to the Victorian Branch. Without limiting the generality of the foregoing, the Administrative Committee may authorise the Officers to borrow money using a bill facility provided by a bank.
- 657. All Victorian Branch bank accounts must commence with the words "Australian Labor Party".

658. Constituent Units must forego interest.

Auditor

659. The Annual State Conference must appoint a qualified practising accountant as auditor.

660. The auditor appointed under Rule 659 must present to each Annual State Conference a report on the statements of account and balance sheet of the Victorian Branch for the previous financial year.

661. The State Secretary must provide the auditor appointed under Rule 659 with all books of account, bank statements, used cheques, duplicate receipts and any other documents or vouchers they may be required to produce for the purpose of the auditor's presentation under Rule 660.

Capital Investment Fund

662. Subject to the Rules around the LSH Trust (668 to 683), there will be a Capital Investment Fund comprising of:

- (a) all bequests made to the Victorian Branch or the Officers as its trustees;
- (b) all other donations made to the Victorian Branch or the Officers as its trustees where the donor has expressed a wish that the donation be held in the Capital Investment Fund; and
- (c) interest earned on the Capital Investment Fund.

663. Subject to the Rules around the LSH Trust (668 to 683), the Capital Investment Fund will be vested in the Officers as trustees.

664. The Officers must not use or apply, or allow, permit or enable anything to be done to use or apply, any money or other asset comprised in the corpus of the Capital Investment Fund (including interest earned on the assets of the fund) for any purpose other than:

- (a) a purpose approved by a meeting of State Conference passing a resolution with at least 75 percent of the delegates present and voting in favour;
- (b) for the purpose of making a loan to the ALP or another State or Territory Branch of the ALP, provided the term of the loan is not more than two years and it is made on commercial terms (including a commercial interest rate) approved, before the loan is made, by the Administrative Committee; and
- (c) for the purpose of making an advance providing short term (not exceeding six months) operating cash flow to the Victorian Branch, provided that the advance is:

- (i) approved by a resolution of the Administrative Committee passed with at least 16 votes in favour;
 - (ii) made on terms that require the repayment in full of the amount advanced by the earlier of six months after the advance was made or the end of the financial year (30 June) in which the advance was made; and
 - (iii) made at an interest rate on the amount advanced equal to the rate charged from time to time by the Commonwealth Bank of Australia on overdraft accounts of under 100,000 dollars.
665. When approving an advance pursuant to 664(c), the Administrative Committee may specify additional terms for the advance in their resolution authorising the advance, provided that any additional term must not be inconsistent with the terms set out in Rule 664(c)(ii) and (iii).
666. In their capacity as trustees of the Capital Investment Fund, the Officers must not:
- (a) borrow any money for any purpose;
 - (b) cause, allow, permit or enable any asset of the Capital Investment Fund to be mortgaged, charged, pledged, secure or otherwise provided as a security interest for any liability or obligation of the Officers or any other person (including the ALP); or
 - (c) give any guarantee or other undertaking of any nature to any person except that the Officers may, with the approval of a resolution of the Administrative Committee passed with at least 75 percent of the members present and voting in favour and for the purpose only of improving real estate which is an asset of the fund, borrow funds not exceeding, in aggregate, 25 percent of the value of that real estate and grant a mortgage or other security over that real estate as security for that borrowing.
667. Each Officer must on taking office make a declaration of trust that they will:
- (a) hold the Capital Investment Fund on the terms of Rules 662 to 666; and
 - (b) in particular, not permit any amount to be withdrawn from the Capital Investment Fund except in accordance with Rules 662 to 666.

Labor Services & Holding Trust

668. There will be a trust to be known as the Labor Services & Holding Trust (referred to as the LSH Trust in these Rules) and established to:
- (a) provide all necessary services, support and infrastructure to the Victorian Branch and any other entity established and controlled by the Victorian Branch; and

- (b) as determined by the Officers, to hold the property (including all monies, books, stationery, furniture and office equipment) and other assets of the Victorian Branch on trust for all of the Members.
669. The trustee of the LSH Trust must be a proprietary limited company incorporated in Victoria and called “Labor Services & Holdings Pty Ltd” (referred to as the LSH Trustee in these Rules).
670. The shareholders and directors of the LSH Trustee must at all times be:
- (a) the Officers; and
 - (b) two other nominees of the Administrative Committee determined by a resolution passed with at least 14 votes in favour of the nomination.
671. Each director of LSH Trustee will hold one ordinary share in LSH Trustee. A person who ceases to be an Officer or whose nomination is withdrawn or cancelled by the Administrative Committee must promptly following their retirement or the withdrawal or cancellation of their nomination, do everything necessary to:
- (a) retire as a director of the LSH Trustee; and
 - (b) transfer their share in the LSH Trustee to the person appointed as a director of the LSH Trustee in their stead.
672. Neither the trust deed constituting the LSH Trust nor the constitution of LSH Trustee may be changed in any way without the approval of a resolution of the Administrative Committee passed with at least 14 votes in favour of the resolution.
673. The Administrative Committee may at any time by resolution passed with at least 14 votes in favour of the resolution require the trust deed constituting the LSH Trust to be varied to limit the rights and powers of the LSH Trustee as trustee of the trust in respect of:
- (a) any change to the purpose of the LSH Trust;
 - (b) the creation or acquisition of any sub-trust or the acquisition of securities in or of any corporation;
 - (c) the sale or disposition of any assets of the LSH Trust;
 - (d) the acquisition of any asset having a value of over 100,000 dollars by or for the LSH Trust;
 - (e) the incurrence of any liability of over 100,000 dollars by the LSH Trustee; or

- (f) the giving of any security over the assets of the LSH Trust or the provision of any guarantee by the LSH Trustee either in its own right or as trustee of the LSH Trust.
674. Subject to Rule 673, the LSH Trustee has all powers and may do anything necessary for the purposes of providing all necessary services, support and infrastructure to the Victorian Branch, and any other entity established or controlled by the Victorian Branch, including, without limitation, the power to employ such persons as may be necessary to provide those services, support and infrastructure.
675. The Officers may transfer any property or assets of the Victorian Branch held by them including, but not only, assets held in or as part of the Capital Investment Fund to the LSH Trustee.
676. In addition to assets transferred to the LSH Trustee as contemplated by Rule 675, the LSH Trustee may hold any and all future assets of the Victorian Branch including electoral campaign contributions received from any source.
677. The LSH Trustee will hold all property and assets transferred or given to or acquired by the LSH Trustee on trust for the Members and for no other person and solely for the purposes of the promotion of the objects of the Victorian Branch as set out in these Rules.
678. The LSH Trustee may use and apply all income derived from any property or assets held by it to fund the cost for providing services, support and infrastructure to the Victorian Branch and any other entity controlled by the Victorian Branch.
679. The LSH Trustee may at any time donate any surplus income (being income that is not required to fund the provision of services, support and infrastructure as contemplated by Rule 678) to the Victorian Branch.
680. Rules 650 to 655 will apply to the LSH Trust and the LSH Trustee as if all references to the Officers in those Rules was to the LSH Trust and the LSH Trustee.
681. The appointment of an auditor under Rule 659 will be deemed to be for all purposes the appointment of that auditor to audit and report on statements and account and balance sheet of the LSH Trustee and LSH Trust for the relevant financial year and Rule 661 will apply to the LSH Trustee as if the reference to the State Secretary in Rule 661 was a reference to the LSH Trustee.
682. Rules 664 and 665 will apply to and in respect of any part of the Capital Investment Fund transferred by the Officers to the LSH Trustee.
683. The LSH Trustee may charge the Victorian Branch (and any other entity controlled by the Victorian Branch to whom it provides services) a fee for the provision of those services. Any fee charged must be on a cost recovery basis only and limited to an

amount equal to the actual cost (including any on-costs and indirect costs) of providing those services.

PART M – STANDING ORDERS

684. The Standing Orders (as set out in Rules 685 to 716) will apply to all meetings of the State Conference, Constituent Units and Representative Bodies, unless the Standing Orders are suspended pursuant to Rule 715.
685. When any part of the Standing Orders is inconsistent with any other part of these Rules, the latter will prevail and the former will, to the extent of the inconsistency, not apply.

Quorum

686. A quorum will be the presence of at least half of the persons eligible to vote at that meeting.

The chair

687. The president of the body that is meeting must preside. Subject to Rules 118, 159 and 253, if the president cannot preside or the body meeting does not have a president, a member present shall be appointed by the meeting to preside.
688. The chair will have the power to direct any member to direct their remarks to the chair, to resume their seat, or to withdraw any remark which, in the opinion of the chair, is an unwarranted personal attack on any other member. In the event of a member refusing to accept any such direction, or engaging in behaviour deemed to be disruptive to the good order of the meeting, the chair will have the power to name the member concerned and to require that they withdraw from the meeting.

Order of business

689. Subject to the meeting at any time on motion without debate determining some other order of business, the order of business will be:
- (a) Acknowledgment of Country.
 - (b) Values Statement.
 - (c) Tabling and confirmation of minutes.
 - (d) Reports.
 - (e) Correspondence.
 - (f) General business.

690. No discussion will be allowed except on motion or amendment duly moved and seconded.
691. Only voting members of the body meeting will have the ability to move or second motions or amendments.
692. Any member desiring to move a motion or amendment or to discuss any matter under consideration, must rise and address the chair. No member shall address the meeting unless called by the chair.
693. All questions must be determined in the following manner:
- (a) The mover of the motion will have seven minutes to present argument in support of their motion and five minutes to reply.
 - (b) The seconder of such motion, and all other speakers, will be limited to five minutes.
 - (c) The meeting on motion without debate may extend the time of any speaker; such extension of time must not exceed five minutes. The meeting may agree to further extensions on the same basis.
 - (d) The chair must call attention to the time of all speakers one minute before such time expires. Motions for extensions may be made when the president so calls, but not later.
 - (e) The movers and seconders of motions and amendments must exercise the right to speak at the time of moving and not subsequently, subject to the right of reply by the mover of the motion.
 - (f) Other than movers of motions, no member can speak more than once to any question before the chair, unless by way of personal explanation or with the consent of the meeting. Such consent shall not be given unless by a majority of those present.
 - (g) Other than movers and seconders, no more than two members in succession can speak for or against any question, unless the meeting has moved into cognate debate pursuant to Rules 699 to 704.
 - (h) After a motion has been moved and seconded, and no speaker rises to oppose or move an amendment, the chair must proceed to put such motion to a vote of the meeting.
 - (i) After a motion has been moved and seconded and at least one speaker rises to oppose or move an amendment, the chair can only call for the right of reply and then put the motion to a vote of the meeting once any amendments have been dispensed with pursuant to Rules 705 to 709 and there is no further member rising

to speak to the motion in accordance with Rule 693(g) or the meeting has agreed “that the question be now put” pursuant to Rules 710 and 711.

- (j) Any vote of the meeting must be conducted pursuant to Rules 694 to 698.

Voting at a meeting

694. All votes of the meeting must be subject to the following procedure:

- (a) the chair must call upon those who support the question to say “Aye”, and those who are opposed to say “No”; and
- (b) they will then declare the question carried or lost.

695. Unless a different voting majority is specified in these Rules, resolutions will be passed if a simple majority of persons entitled to vote that are present and voting vote in favour of the resolution.

696. A meeting will be taken to have made a decision by consensus if all persons entitled to vote that are present at the meeting are in favour of the decision.

697. Any voting member of the body meeting not satisfied with the chair’s decision under Rule 694(b) may, by standing in their place, call for a show of hands. The chair must proceed to determine the question by calling upon those who support the motion to raise their right hands, and those opposed to act similarly. If requested, the chair must appoint two or more tellers to take the count and they must be representative of the opposing viewpoints. The chair must declare the result by quoting the figures for and against.

698. Any voting member of the body meeting not satisfied with the count as declared by the chair under Rule 697 may, by standing in their place call for a division. If supported by not less than a quarter of those present standing in their place, the chair must proceed to conduct a division. This will be done by the chair calling upon all members who support the question to leave their places and stand on their right. They will then call upon those who oppose, to stand on their left. They must appoint a teller or tellers representative of the opposing viewpoints to count the members so standing. When tellers are agreed upon their count the chair shall declare the result by quoting the figures for and against.

Cognate debate

699. If two or more motions relate to the same subject-matter and are inconsistent with each other, they may be debated together.

700. Subject to Rule 712, the chair must rule on the order the motions are to be moved.

701. Once all the motions in cognate debate have moved and seconded, the chair must only call for the rights of reply and then put the motions to a vote of the meeting once:
- (a) there is no further member rising to speak to the motions; or
 - (b) excluding the movers and seconders, seven members have spoken to the motions.
702. Notwithstanding Rule 701, the meeting may on motion without debate increase the number of speakers for cognate debate.
703. The rights of reply must be exercised in the reverse order to the moving of the motions.
704. The motions must be put in the order they were moved, until either a motion is carried, in which case the remaining motions lapse, or until all motions are lost.

Amendments

705. Any time during debate on any motion any voting member of the body meeting may move an amendment.
706. All amendments must be seconded.
707. Motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place, provided that the effect of any proposed amendment is not to establish a direct negative to the question contained in the motion.
708. Any number of amendments may be proposed and discussed simultaneously with the original motion.
709. At the close of debate amendments must be put in the order they have been moved.

The closure

710. At any time during debate on any question the chair may accept a motion “that the question be now put” or “that the question be adjourned” or “that the item be referred to ...”, provided at least two speakers, other than the movers and seconders, have spoken. A member having spoken to the question will not be able to move such a motion. Such motions must be immediately put without debate, provided that in the event of the meeting agreeing “that the question be now put” the mover of the original motion will have the right to reply.
711. On the meeting agreeing “that the question be now put” it will mean not only the question contained in the motion, but any and all amendments.

Dissent in the chair

712. Rulings given by the chair on any question will be subject to a motion calling upon the meeting to disagree with any ruling. In the event of such motion, the mover will be

permitted not more than five minutes to support the motion and the chair will be permitted not more than five minutes to defend their ruling. There will be no other speakers. A vice-president of the body that is meeting or any other member appointed by the meeting will occupy the chair during the currency of such motion.

Proxies

713. A Member entitled to vote at a meeting may appoint another Member as their proxy for that meeting by notifying in writing the secretary or president of the body that is meeting, provided that:
- (a) the person being appointed a proxy is not already a voting member of that meeting;
 - (b) a person who is a woman can only appoint a person as their proxy if that person is also a woman; and
 - (c) where it is a meeting of the executive of a Representative Group, the person being appointed a proxy must be a member of the relevant Representative Group.
714. Rule 713 will not apply to meetings of Local Branches, FEA, State Electorate Assemblies, Municipal Forums, the SPLP, VYL Conferences and VYL general meetings.

Suspension of Standing Orders

715. At any time, a meeting may suspend the Standing Orders.
716. When Standing Orders are suspended, Rules 686, 695, 696, 713 and 714 will continue to apply.

PART N – CHANGING THESE RULES AND TRANSITIONAL RULES

Changing these Rules

717. A change to these Rules (except Rules 662 to 667) can only be made by a meeting of State Conference passing a resolution with at least an absolute majority of delegates entitled to attend the relevant meeting of State Conference voting in favour.
718. A change to any part of Rules 662 to 667 can only be made by a meeting of State Conference passing a resolution with at least 75 percent of delegates entitled to attend the relevant meeting of State Conference voting in favour.
719. A meeting of State Conference can only consider a proposed change to these Rules if:
- (a) it was submitted pursuant to Rule 720; and

- (b) it would not result in any part of these Rules becoming inconsistent with any part of the ALP National Constitution if the proposed change was made to these Rules.
720. To be considered by a meeting of State Conference, a proposed change to these Rules must be submitted in writing to the State Secretary by:
- (a) an Affiliated Union or Constituent Unit no later than 5:00pm on the Friday eight weeks prior to the meeting of State Conference.
 - (b) an Affiliated Union or Constituent Unit no later than 5:00pm on the Friday two weeks prior to the meeting of State Conference, provided that it concerns the same subject matter as a proposed rule change already submitted for consideration by the State Conference under Rule 720(a) above; or
 - (c) the Rules Revision Committee by no later than 4:00pm on the Thursday prior to the meeting of State Conference, provided that:
 - (i) it concerns the same subject matter as a proposed rule change already submitted for consideration by the State Conference under Rule 720(a) above; and
 - (ii) there was a consensus of the voting members of the Rules Revision Committee in support of its submission.
721. The State Secretary must make accessible to all Affiliated Unions, Constituent Units and State Conference delegates:
- (a) no later than seven weeks before the next meeting of State Conference, all proposed Rule changes that were validly submitted by 5pm on the Friday eight weeks prior to the meeting of State Conference;
 - (b) no later than one week before the next meeting of State Conference, all proposed Rule changes that were validly submitted by 5pm on the Friday two weeks prior to the meeting of State Conference; and
 - (c) no later than 24 hours before the time set for the commencement of the next meeting of State Conference, all proposed Rule changes that were validly submitted by 4pm on the Thursday prior to the meeting of State Conference.
722. Any change to these Rules will take effect from the conclusion of the meeting of State Conference at which it is made, unless these Rules provide for a different date of operation.

Transitional Rules

723. Rule 66 will not apply until 1 July 2027.

724. By no later than 28 February 2027, the State Secretary must write to all Members who have not yet satisfied Rule 66. In this correspondence, the State Secretary must:
- (a) notify the member of Rules 66 and 723; and
 - (b) invite the member to either provide an email address and phone number that is not being used by another member or complete a declaration pursuant to Rule 66(b).
725. By no later than 28 April 2027, the State Secretary must cause an additional reminder to be sent to Members who have not yet satisfied Rule 66:
- (a) in the form of an email to all members who have provided an email address;
 - (b) in the form of a text message to all members who have provided a mobile phone number; and
 - (c) in the form of a phone call to all members who have provided a landline number but not a mobile phone number or an email address.
726. The delegates to the 2026 Annual State Conference will elect the 11 voting members of Policy and Conference Agenda Committee in lieu of the nine voting members of the Agenda Committee. All nominations for the election of the nine voting members of Agenda Committee by the delegates to the 2026 Annual State Conference will be treated as nominations for the election of the 11 voting members of the Policy and Conference Agenda Committee and the ballot papers issued for the election of the nine voting members of the Agenda Committee election will be treated as ballot papers for the election of the 11 voting members of the Policy and Conference Agenda Committee.
727. Rule 726 will take effect from the moment the resolution introducing the rule is passed by the 2026 Annual State Conference pursuant to the Standing Orders.
728. The delegates to the 2026 Annual State Conference will elect 18 voting members to the Administrative Committee (in addition to the Officers) in lieu of electing only 17 voting members (in addition to the Officers) to the Administrative Committee. All nominations for the election of the 17 voting members of Administrative Committee by the delegates to the 2026 Annual State Conference will be treated as nominations for the election of the 18 voting members of the Administrative Committee and the ballot papers issued for the election of the 17 voting members of the Administrative Committee election will be treated as ballot papers for the election of the 18 voting members of the Administrative Committee.
729. Rule 728 will take effect from the moment the resolution introducing the rule is passed by the 2026 Annual State Conference pursuant to the Standing Orders.

730. At least two months before next conducting a Remote Ballot, State Office must write to every member over the age of 65 by post to notify them of the changes made to the rules around Remote Ballots at the 2026 Annual State Conference.
731. Rules 733 to 735 will only apply to the Annual State Conference in 2027.
732. Where any part of Rules 733 to 735 is inconsistent with any other part of these Rules, the former will prevail and the latter will, to the extent of the inconsistency, not apply.
733. A general business motion can only be considered by the 2027 Annual State Conference if:
- (a) it is submitted in writing at least 20 working days before the State Conference; and
 - (b) it has a mover and a seconder.
734. At least 10 working days before the 2027 Annual State Conference, the Policy and Conference Agenda Committee must circulate all general business motions to all State Conference delegates.
735. An urgency resolution can only be considered by the 2027 Annual State Conference if:
- (a) it is submitted in writing by 9am on the Monday before the commencement of the scheduled State Conference;
 - (b) it has a mover and a seconder;
 - (c) it is deemed to be genuinely urgent by a consensus of the voting members of the Policy and Conference Agenda Committee; and
 - (d) it concerns a matter that has only arisen, or in which there has been a significant development, in the period since the submission deadline for general business motions.
736. Rule 190 will not take effect until the conclusion of the Annual State Conference in 2027.
737. The inaugural Victorian Indigenous Labor Network executive will be elected by a single Remote Ballot of all its member at the close of nominations for the election. This election must be held within 12 months of the 2026 Annual State Conference. Subsequent Victorian Indigenous Labor Network executives will be elected pursuant to Rule 326.

SCHEDULE A – VICTORIAN LABOR GENERAL CODE OF CONDUCT

1. The Victorian Code of Conduct

- 1.1.** The Victorian Branch has adopted this Code of Conduct (**Code**) by incorporating it into the Victorian Branch Rules.
- 1.2.** The Code sets out the expectations of the Australian Labor Party, Victorian Branch, known as the Victorian Branch under the Victorian Branch Rules and “Victorian Labor” for the purpose of the Code and Associated Policies. A reference to Victorian Labor in the Code and Associated Policies is also a reference to the Victorian Branch and vice versa.
- 1.3.** If a word or phrase is capitalised in the Code and Associated Policies, it should be interpreted according to the specific definition given within Rule 2 of the Victorian Branch Rules, unless specified to the contrary.
- 1.4.** Unless the contrary intention appears, the rules of interpretation set out in Rule 3 of the Victorian Branch Rules will apply to the Code and Associated Policies.
- 1.5.** The following policies sit alongside the Code:
 - 1.5.1.** The Policy on Sexual Harassment Prevention and Response (Schedule B);
 - 1.5.2.** The Policy on Harassment and Bullying Prevention and Response (Schedule C); and.
 - 1.5.3.** The Complaints Handling Policy (Schedule D).

(Associated Policies)

2. Principles and purpose

- 2.1.** 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.
- 2.2.** Victorian Labor is committed to providing a safe, inclusive and respectful environment in all Victorian Labor forums for members, officials, employees, contractors and volunteers. This extends to ensuring policies and procedures effectively protect complainants when allegations of misconduct are made.
- 2.3.** These principles apply to all those participating in the democratic processes of Victorian Labor.

- 2.4. In order to consistently meet the standards of behaviour demanded by these principles, the ALP has harmonised Codes of Conduct and Associated Policies across all levels and Branches of the ALP. In the case of Victorian Labor, the Victorian Branch Rules have been modified to incorporate the Code and Associated Policies.
- 2.5. In order to ensure people involved with Victorian Labor are aware of, understand and adhere to the Code and the Associated Policies, the State Secretary will promote this Code and the Associated Policies across the organisation.

3. Application

- 3.1. The Code and Associated Policies apply to the conduct of all Victorian Labor members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are familiar with and are, subject to Rules 4 to 6 of the Victorian Branch Rules, bound by the Code and the Associated Policies. The Code and Associated Policies also apply to any person who attends a Victorian Labor gathering or event.
- 3.2. The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by Victorian Labor, election campaigns, and meetings and conferences which individuals covered by the Code and Associated Policies attend as a result of party-related duties or their involvement with Victorian Labor.

4. Interaction with other Codes, Policies and Procedures

- 4.1. Victorian Labor reserves the right to develop complaints handling policies for individual workplaces or gatherings, where appropriate, that are consistent with the principles outlined in the Code and Associated Policies. Such policies may apply concurrently with the Code and Associated Policies.
- 4.2. Victorian 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.
- 4.3. The ALP has a National Code of Conduct and Associated Policies which apply to national matters as outlined in the Complaints Handling Policy.
- 4.4. Members acknowledge and agree that any breach of the National Code of Conduct and Associated Policies will be dealt with in accordance with the National Complaints Handling Policy and may result in disciplinary action.

- 4.5.** The Code and Associated Policies are to be read with, and are subject to, Rules 4 to 6 of the Victorian Branch Rules. Nothing in the Code or Associated Policies gives rise to any kind of legally-binding right or obligation.

5. Standards of Conduct

- 5.1.** Victorian Labor expects all persons covered the Code and Associated Policies to abide by the following standards and principles:

- 5.1.1.** Every person should be treated with dignity, fairness and respect.
- 5.1.2.** Every Member must engage with other Members in a way which affords them dignity, fairness and respect.
- 5.1.3.** Every person should comply with all relevant laws and regulations that apply to any Victorian Labor activities.
- 5.1.4.** Every person should be able to participate in activities of Victorian Labor free from bullying, discrimination and harassment including sexual harassment, intimidation, and victimisation.
- 5.1.5.** 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.
- 5.1.6.** No person should behave or act in a way that harms the reputation of the Party or adversely impacts the health and safety of any person.

6. Misconduct under and breaches of the Code

- 6.1.** Misconduct under the Code includes, but is not limited to situations, where someone:

- 6.1.1.** breaches the law;
- 6.1.2.** falsifies documents;
- 6.1.3.** is involved in fraud, bribery or corruption;
- 6.1.4.** engages in unlawful or anti-social behaviour including abuse of legal or illegal drugs;
- 6.1.5.** is negligent or incompetent in the performance of duties;
- 6.1.6.** is abusive or uses obscene or threatening language to another person;

- 6.1.7.** is physically or verbally violent against any person;
- 6.1.8.** 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;
- 6.1.9.** sexually harasses another person, as defined in the Policy on Sexual Harassment Prevention and Response;
- 6.1.10.** sexually assaults another person;
- 6.1.11.** 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;
- 6.1.12.** breaches workplace policies or workplace health and safety laws;
- 6.1.13.** attends a Victorian Labor gathering or event or when purporting to conduct business on behalf of Victorian Labor or representing Victorian Labor is under the influence of drugs or alcohol which prevents the proper or safe performance of duties;
- 6.1.14.** has unauthorised possession or misuses the property (including information systems) of Victorian Labor;
- 6.1.15.** deliberately fails to declare to Victorian Labor a conflict of interest (and obtain consent where required) which may affect their performance or judgment as an office holder;
- 6.1.16.** behaves in a manner which brings the Victorian Branch into disrepute;
- 6.1.17.** misuses Victorian Labor's confidential information;
- 6.1.18.** fails to abide by the Code and Associated Policies or other internal Victorian Branch policies for member conduct;
- 6.1.19.** breaches the confidentiality requirements under the Code and Associated Policies; or
- 6.1.20.** victimises a person for making a complaint or participating in the complaints handling processes under the Code and Associated Policies.

7. Sexual Harassment

- 7.1. Victorian Labor strives to be an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent sexual harassment. Victorian Labor recognises that sexual harassment is a form of gendered violence.
- 7.2. Victorian Labor recognises sexual harassment can constitute serious misconduct. Further details about what conduct is considered sexual harassment and how Victorian Labor handles allegations of sexual harassment are outlined in the Policy on Sexual Harassment Prevention and Response (Schedule B).

8. Bullying and Harassment

- 8.1. Victorian Labor takes a strong stance against bullying and harassment, including harassment on the ground of sex, of any person by any individual covered by the Code.
- 8.2. Victorian Labor recognises that bullying and harassment can constitute serious misconduct. Further details about what conduct is considered bullying and harassment and how Victorian Labor handles this are outlined in the Policy on Bullying and Harassment Prevention and Response (Schedule C).

9. Procedure for complaints

- 9.1. Victorian Labor takes seriously complaints involving alleged breaches of the Code and Associated Policies.
- 9.2. Pathways to make, handle and resolve complaints, either formally or informally, are outlined in the Complaints Handling Policy. Complaints under the Code are intended to, and will, be handled under a separate process to disciplinary offences under the Rules.
- 9.3. Victorian Labor encourages complainants to report criminal conduct to the police or other relevant authorities.
- 9.4. When dealing with allegations of misconduct, Victorian Labor will endeavour to:
 - 9.4.1. act promptly;
 - 9.4.2. undertake a transparent process having regard to procedural fairness; and.
 - 9.4.3. maintain confidentiality.

SCHEDULE B – VICTORIAN LABOR POLICY ON SEXUAL HARASSMENT PREVENTION AND RESPONSE

VICTORIAN LABOR POLICY ON SEXUAL HARASSMENT PREVENTION AND RESPONSE

1. Application

- 1.1.** The Code of Conduct (**Code**) sets out the expectations of the Australian Labor Party, Victorian Branch, known as the Victorian Branch under the Victorian Branch Rules and “Victorian Labor” for the purpose of the Code and Associated Policies. A reference to Victorian Labor in the Code and Associated Policies is also a reference to the Victorian Branch and vice versa.
- 1.2.** If a word or phrase is capitalised in the Code and Associated Policies, it should be interpreted according to the specific definition given within Rule 2 of the Victorian Branch Rules, unless specified to the contrary.
- 1.3.** Unless the contrary intention appears, the rules of interpretation set out in Rule 3 of the Victorian Branch Rules will apply to the Code and Associated Policies.
- 1.4.** The following policies sit alongside the Code:
 - 1.4.1.** The Policy on Sexual Harassment Prevention and Response (Schedule B);
 - 1.4.2.** The Policy on Harassment and Bullying Prevention and Response (Schedule C); and.
 - 1.4.3.** The Complaints Handling Policy (Schedule D).

(Associated Policies)
- 1.5.** The Code set out the expectations of Victorian Labor for all people involved with the Victorian Branch, including local branch members.
- 1.6.** The Code and Associated Policies apply to the conduct of all Victorian Labor Members, MPs, Party Officials, employees, contractors and volunteers, who each agree they are familiar with and bound by the Code and the Associated Policies. The Code and Associated Policies also apply to any person who attends a Victorian Labor gathering or event.
- 1.7.** The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by Victorian Labor, election campaigns, and meetings and conferences which individuals covered by the Code

of and Associated Policies attend as a result of party-related duties or their involvement with Victorian Labor.

2. Principles

- 2.1.** Victorian Labor strives to be an organisation, and a community, that is safe for everyone. It is imperative that Victorian Labor 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 Federal 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 Victorian 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, Victorian 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, Victorian Labor will respond promptly, confidentially and safely.

3. Awareness and training

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

- 3.2. Victorian Labor will ensure that everyone involved with the Party is aware of this Policy and the expectations of the Victorian Labor regarding sexual harassment.
- 3.3. Victorian Labor recognises that it has a duty to provide adequate training to MPs, and Party Officials and to extend training opportunities to other members of Victorian Labor as time and resources permit.
- 3.4. Training is mandatory upon induction for MPs and Party Officials, 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, 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 Victorian Branch 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. Victorian Labor encourages and values safe active bystander intervention by Members 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 (Schedule D).
- 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 for handling and resolving complaints is outlined in the Complaints Handling Policy.

7. Support

- 7.1. A Member who alleges sexual harassment by another Member, or a person who alleges that sexual harassment took place at a gathering or event under the auspices of Victorian Labor, is entitled to a respectful and prompt response from Victorian 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 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 Victorian Labor should only occur with the consent of the complainant and subject to mandatory reporting obligations.

SCHEDULE C – VICTORIAN 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, Victorian Branch, known as the Victorian Branch under the Victorian Branch Rules and “Victorian Labor” for the purpose of the Code and Associated Policies. A reference to Victorian Labor in the Code and Associated Policies is also a reference to the Victorian Branch and vice versa.
 - 1.2.** If a word or phrase is capitalised in the Code and Associated Policies, it should be interpreted according to the specific definition given within Rule 2 of the Victorian Branch Rules, unless specified to the contrary.
 - 1.3.** Unless the contrary intention appears, the rules of interpretation set out in Rule 3 of the Victorian Branch Rules will apply to the Code and Associated Policies.
 - 1.4.** The following policies sit alongside the Code:
 - 1.4.1.** The Policy on Sexual Harassment Prevention and Response (Schedule B);
 - 1.4.2.** The Policy on Harassment and Bullying Prevention and Response (Schedule C); and.
 - 1.4.3.** The Complaints Handling Policy (Schedule D
- (Associated Policies)**
- 1.5.** The Code set out the expectations of Victorian Labor for all people involved with the Victorian Branch, including local branch members.
 - 1.6.** The Code and Associated Policies apply to the conduct of all Victorian Labor Members, MPs, Party Officials, employees, contractors and volunteers, who each agree they are familiar with and bound by the Code and the Associated Policies. The Code and Associated Policies also apply to any person who attends a Victorian Labor gathering or event.
 - 1.7.** The Code and Associated Policies apply to workplaces, after hours work, campaign events, social functions convened by Victorian Labor, election campaigns, and meetings and conferences which individuals covered by the Code of and Associated Policies attend as a result of party-related duties or their involvement with Victorian Labor.

2. Principles

- 2.1. Victorian 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 definitions, response and prevention approach adopted by the ALP in response to these issues is largely consistent across all levels and Branches 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 a society free of harassment and to 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 Victorian Labor.
- 2.4. International Labour Organisation Convention 190 – Violence and Harassment in the World of Work (the 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, Victorian 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. Victorian Labor 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. Victorian 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. repeatedly making demeaning jokes or belittling remarks about a person;
 - 4.2.2. threats, intimidation, stand-over tactics and coercion;
 - 4.2.3. verbal abuse or degrading language or gestures aimed at an individual;
 - 4.2.4. yelling or screaming at an individual;
 - 4.2.5. spreading rumours or misinformation about a person;
 - 4.2.6. excluding, isolating or marginalising a person from activities;
 - 4.2.7. abuse of supervisory or managerial authority such as sabotaging a person's work or deliberately inconveniencing them; and
 - 4.2.8. unjustified threats of disciplinary procedures.
- 4.3. Bullying is not:
 - 4.3.1. differences of opinion;
 - 4.3.2. non-aggressive conflicts;
 - 4.3.3. interpersonal problems in working relationships;
 - 4.3.4. reasonable performance management;
 - 4.3.5. operational changes or restructuring;
 - 4.3.6. lawful termination of employment or position;
 - 4.3.7. robust intellectual or political debate;
 - 4.3.8. engagement in democratic processes within the Victorian Branch undertaken in good faith and reasonably; or
 - 4.3.9. 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 Victorian Branch 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:
 - 5.1.13.1.** 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

- 5.1.13.2.** 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 an unreasonable requirement that is likely to disadvantage someone with a protected attribute more than a person without a protected attribute; or
- 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, descent or national extraction, nationality, social origin, immigration status, age, medical 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, and 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.

- 6.3.** This clause 6 will not apply to vetting of candidates or pre-selection of candidates. By way of example, the affirmative action rules, or steps taken to improve cultural or socio-economic diversity in pre-selected candidates, will not amount to discrimination under this Policy.

7. Active bystander intervention

- 7.1.** Victorian Labor encourages and values safe active bystander intervention by 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 Victorian Complaints Handling Policy (Schedule D).
- 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 Victorian Complaints Handling Policy.

9. Support

- 9.1.** A Member who alleges bullying, harassment or discrimination by another Member, and any person who alleges that bullying or harassment took place at a Victorian Labor gathering or event, is entitled to a respectful and prompt response from Victorian Labor.
- 9.2.** Part of the resolution process is ensuring that a complainant has been adequately supported by appropriately training 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.

SCHEDULE D – VICTORIAN LABOR GENERAL CODE OF CONDUCT COMPLAINTS HANDLING POLICY

1. Application

- 1.1.** This Complaints Handling Policy applies to complaints arising under the Code of Conduct (**the Code**) (Schedule A) and the following Associated Policies:
 - 1.1.1.** The Policy on Sexual Harassment Prevention and Response (Schedule B); and
 - 1.1.2.** The Policy on Harassment and Bullying Prevention and Response (Schedule C).
- 1.2.** This Complaints Handling Policy does not apply to Disciplinary Offences set out in the Victorian Branch Rules.
- 1.3.** If a word or phrase is capitalised in the Code and Associated Policies, it should be interpreted according to the specific definition given within Rule 2 of the Victorian Branch Rules, unless specified to the contrary.
- 1.4.** Unless the contrary intention appears, the rules of interpretation set out in Rule 3 of the Victorian Branch Rules will apply to the Code and Associated Policies.

2. Complaint response jurisdiction

- 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 ALP federally.
- 2.2.** A complaint in relation to the Victorian Branch should be handled by the Victorian Branch.
- 2.3.** Victorian 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.** The Victorian Branch reserves the right to develop complaints handling policies for individual workplaces where appropriate, which must be consistent with the principles outlined in the Code and Associated Policies.
- 2.5.** The following table sets out the relevant pathways for complaints to be actioned. However, the Party recognises that many members are involved in the ALP in a variety of ways and encourages anyone who may wish to make a complaint to

Speak to a Respect Contact Officer listed at clause 6 of this Complaints Handling Policy for further guidance.

3. Pathways

Coverage	Relevant jurisdiction	Relevant policies
ALP members, Parliamentarians, officials (paid and unpaid), staff, contractors, volunteers and any person who attends a National ALP gathering or event	National Secretariat Office	National Code of Conduct ALP National Policy on Sexual Harassment Prevention and 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	Please refer to policies promulgated within individual workplaces
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: (a) Code of Conduct; (b) Policy on Sexual Harassment Prevention and Response; (c) Policy on Bullying and Harassment Prevention and Response; and (d) this Complaints Handling Policy (e.g. this Complaints

Coverage	Relevant jurisdiction	Relevant policies
		Handling Policy).
ALP members, Parliamentarians, officials (paid and unpaid), staff, contractors, volunteers and any person who attends a jurisdictional (State-based) gathering and event	Relevant State or Territory Branch	The relevant State or Territory Branch rules, procedures and processes which incorporate: (a) the relevant Branch's Code of Conduct; (b) the relevant Branch's Policy on Sexual Harassment Prevention and Response; (c) the relevant Branch's Policy on Bullying and Harassment Prevention and Response; and (d) the relevant Branch's Complaints Handling (e.g. 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
State or Territory Branch organisational staff and paid officials	Relevant State or Territory Branch	Relevant State or Territory Branch employment agreements, and the following rules, procedures and processes: (a) State or Territory Branch Rules (e.g. the Victorian Branch Rules); (b) the relevant Branch's Code of Conduct (e.g. the Code in Schedule A); (c) Sexual Harassment Prevention and Response; (d) Policy on Bullying and Harassment Prevention and Response; and (e) the relevant Complaints Handling (e.g. this Complaints Handling Policy).

- 3.1.** 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 State or Territory Branch's Complaints Handling Policy.

3.2. Complaints under this Policy can be made to:

3.2.1. A Respect Contact Officer;

3.2.2. A Complaint Manager or

3.2.3. The State Secretary.

3.3. It is recommended that complaints are made, in the first instance, to a Respect Contact Officer or a Complaint Manager.

4. Key support principles in complaint handling

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

4.2. 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.

4.3. 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.

4.4. In order to respect the privacy of complainants and the principles of natural justice, Victorian 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 that it may say that this Policy is being complied with.

5. Respect Contact Officer

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

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

- 5.2.1. taking all complaints seriously;
- 5.2.2. listening without interrupting;
- 5.2.3. letting the person express how they feel and respecting the words they use in reference to the incident or incidents;
- 5.2.4. acknowledging if the person is in distress and may have difficulties in expressing themselves;
- 5.2.5. respecting the decisions of a complainant; and
- 5.2.6. providing 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 Respect Contact Officer is to:

- 5.3.1. receive complaints;
- 5.3.2. act promptly;
- 5.3.3. 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;
- 5.3.4. initiate immediate action where there is imminent danger/ immediate risk;
- 5.3.5. refer complaints to an appropriate Complaint Manager, as provided by the Pathways set out in clause 2.5 and the table at clause 3 of this Policy;
- 5.3.6. refer complaints to another Respect Contact Officer if they have a conflict of interest;
- 5.3.7. 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;
- 5.3.8. ensure appropriate details of the complaint are recorded in the complaint report form; and
- 5.3.9. record appropriate details of all complaints as required by ALP's record keeping and reporting requirements.

- 5.4.** The table below at clause 6 provides details of Respect Contact Officers for Victorian Labor and an indication of whether a Respect Contact Officer is connected to the National Office or a Branch. A complainant may wish to contact a National Office Respect Contact Officer instead of a Branch Respect Contact Officer. If a National Office Respect Contact Officer does assist a complainant, the Pathways set out above remain applicable.

6. Respect Contact Officer contact details

- 6.1.** Respect Contact Officers will be appointed by the Administrative Committee.
- 6.2.** The State Secretary must ensure that the contact details for the Respect Contact Officers is made accessible to Members on the Victorian Branch website.

7. Complaint Manager

- 7.1.** Complaint Managers are appointed from within Victorian Labor by the Administrative Committee. They receive complaints, including referrals from Respect Contact Officers or the State Secretary, and then act and provide guidance to ensure that the complaint is handled in accordance with this Policy.
- 7.2.** 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:
- 7.2.1.** taking all complaints seriously;
 - 7.2.2.** listening without interrupting;
 - 7.2.3.** letting the person express how they feel and respecting the words they use in reference to the incident or incidents;
 - 7.2.4.** acknowledging if the person is in distress and may have difficulties in expressing themselves;
 - 7.2.5.** respecting the decisions of a complainant; and
 - 7.2.6.** provide information to complainants on external support providers, being organisations that have the training and capacity to support the complainant.
- 7.3.** The role of a Complaint Manager is to:
- 7.3.1.** refer complaints to another Complaint Manager or an external provider if they have a conflict of interest;

- 7.3.2. confirm complaints fall under this Policy including the appropriate jurisdiction for the complaint to be actioned;
 - 7.3.3. provide advice to the complainant about the complaint handling process and options available to the complainant for resolving their complaint;
 - 7.3.4. provide written advice to the State Secretary on the complaint, the complaints handling process and this Policy;
 - 7.3.5. assist the State Secretary in carrying out complaints handling process requirements set out in this Policy;
 - 7.3.6. provide information to the respondent promptly, this may include advising the respondent that a complaint has been made with the consent of the complainant;
 - 7.3.7. ensure appropriate details of the complaint are recorded in the complaint report form;
 - 7.3.8. initiate immediate action where there is imminent danger/ immediate risk;
 - 7.3.9. record appropriate details of all complaints as required by Victorian Labor's record keeping and reporting requirements;
 - 7.3.10. 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
 - 7.3.11. act promptly.
- 7.4. In appointing Complaint Managers, Victorian Labor will endeavour to ensure Complaint Managers are appropriately experienced and qualified, including that they have received training in the Code and Associated Policies and trauma-informed care, and have the skills and experience to act confidentially and promptly.
- 7.5. The table below provides details of Complaint Managers for Victorian Labor. Where a Complaint Manager listed below cannot be appointed due to an actual or perceived conflict of interest, the State Secretary may refer the complaint to a Complaint Manager from another State or Territory Branch, the National Secretariat or an external provider to perform the duties of the Complaint Manager under this Policy. If a Complaint Manager from another State or Territory Branch is appointed, the Pathways set out above remain applicable.

8. Complaint Manager contact details

- 8.1.** The State Secretary must ensure that the contact details for the Complaint Manager is made accessible to Members on the Victorian Branch website.

9. State Secretary

- 9.1.** The State Secretary may receive complaints.
- 9.2.** The State 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 Policy.
- 9.3.** The role of the State Secretary is to:
- 9.3.1.** act promptly;
 - 9.3.2.** take all complaints seriously;
 - 9.3.3.** 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;
 - 9.3.4.** receive referrals from a Complaint Manager to action complaints in accordance with the requirements of this Policy;
 - 9.3.5.** action complaints in accordance with the requirements of this Policy;
 - 9.3.6.** initiate immediate action where there is imminent danger/ immediate risk;
 - 9.3.7.** refer matters to the Disputes Tribunal for decision making on disciplinary action where an investigation substantiates or partially substantiates a complaint;
 - 9.3.8.** in the State Secretary's discretion, determine the disciplinary action to be taken in less serious matters; and
 - 9.3.9.** record appropriate details of all complaints as required by ALP's record keeping and reporting requirements.

10. Conflicts of interest

- 10.1.** Where the State Secretary has a perceived, actual or potential conflict of interest in relation to a complaint, the President of Victorian Labor will facilitate the process with the same authority and responsibilities as the State Secretary.
- 10.2.** Where the State Secretary determines that both they and the President of Victorian Labor have a conflict of interest that cannot be appropriately managed, the State Secretary may ask the Complaint Manager to request that the President of the Disputes Tribunal appoint a suitably qualified person from the Victorian Branch to carry out the role and functions of the State Secretary set out in this Policy. Such person will have the powers and responsibilities given to the State Secretary under this Policy, including the power to impose a sanction in accordance with clause 15.1 of this Policy.

11. Less formal resolution options

- 11.1.** Different methods of resolution may be used to resolve complaints and potential complaints, depending on the nature of the allegations, the seriousness of the alleged behaviour, and the wishes of the complainant.
- 11.2.** 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.
- 11.3.** Less formal resolution options include:
 - 11.3.1.** 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
 - 11.3.2.** 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.
- 11.4.** 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.
- 11.5.** 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.
- 11.6.** Outcomes from less formal options include:
 - 11.6.1.** an acknowledgement of complaint;
 - 11.6.2.** an apology;

11.6.3. undertaking not to repeat behaviour;

11.6.4. undertaking to change behaviour;

11.6.5. agreement to undertake additional training; and

11.6.6. agreement regarding conduct in the future.

11.7. 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.

12. More formal resolution options

12.1. Where a complaint is not resolved by less formal resolution, the State Secretary may take more formal resolution options, with the consent of the complainant. In this instance, the Complaint Manager will provide advice to the State Secretary on next steps.

12.2. Having regard to the principles set out at clause 4 of this Policy, the following steps may be taken, as part of more formal action:

12.2.1. 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

12.2.2. an independent third party (**the Investigator**) may be appointed by the Complaint Manager, in consultation with the State Secretary, to investigate the complaint with the consent of the complainant.

12.3. If an investigation is commenced, the Investigator will, in most cases, be provided with Terms of Reference authorised by the State Secretary to investigate the complaint. As part of the investigation process the following should occur:

12.3.1. the complainant may be asked to provide written details of the complaint or may be interviewed, with a support person or adviser if required;

12.3.2. relevant details of the complaint will be conveyed to the respondent;

12.3.3. the respondent will be given seven days to respond, or as otherwise reasonably determined by the Investigator;

- 12.3.4.** 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;
 - 12.3.5.** the complainant may be required to provide an affidavit or statutory declaration verifying on oath or affirmation the truthfulness of the complaint;
 - 12.3.6.** the respondent may be required to provide an affidavit or statutory declaration verifying on oath or affirmation the truthfulness of the response to the complaint;
 - 12.3.7.** if there is a dispute over facts, other relevant evidence may be gathered and witnesses may be interviewed;
 - 12.3.8.** a finding may be made as to whether the complaint is substantiated to the satisfaction of the Investigator on the balance of probabilities; and
 - 12.3.9.** a written report should be prepared, documenting the evidence and the findings.
- 12.4.** The Investigator's final report must be provided to the Complaint Manager and the State Secretary.
- 12.5.** Where a complaint is not substantiated, parties are to be advised and the matter will be closed within seven working days of receiving the Investigator's final report.
- 12.6.** If the complaint is substantiated, or partially substantiated, by the Investigator, within four working days of receiving the report, the State Secretary must advise the respondent and provide them with the investigator's report. The State Secretary will provide the respondent with seven working days to provide written submissions on sanctions or other disciplinary action, including any mitigating factors.
- 12.7.** Unless clause 12.9 applies, within four working days of receipt of submissions from the respondent or if no submissions are received in accordance with clause 12.6, the State Secretary will refer the matter to the President of the Disputes Tribunal to determine the sanction or disciplinary action. In this case, the State Secretary must provide the President of the Disputes Tribunal with a copy of the Investigator's report and any submissions received from the respondent.
- 12.8.** The President of the Disputes Tribunal may, for the purposes of determining the sanction or disciplinary action:
- 12.8.1.** determine the sanction themselves;

12.8.2. ask another member of the Disputes Tribunal to determine the sanction or disciplinary action; or

12.8.3. if necessary, and in the President's discretion, convene a panel of three members of the Disputes Tribunal to determine the sanction or disciplinary action.

12.9. Unless the Investigator's report substantiates misconduct of a serious nature (including but not limited to sexual harassment, assault, or physical violence), the State Secretary may determine the sanction. The State Secretary has no power under this Policy to suspend or expel a member.

12.10. All referrals to the Disputes Tribunal under this Policy will be made to the President of the Tribunal. If there is no President appointed, or they are absent, referrals can be made to any other member of the Tribunal.

13. Complaints involving criminal conduct

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

13.2. In accordance with the Code, criminal conduct may be reported to the police.

13.3. Any referral to the police or external agencies by Victorian 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.

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

14. Allegations of sexual harassment

14.1. Where an allegation of sexual assault is made, Victorian Labor should be active in its support of the complainant by providing appropriate details of external support providers.

14.2. 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.

14.3. 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.

14.4. 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.

14.5. 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.

15. Consequences and disciplinary action

15.1. A breach of the Code, depending on its nature and severity, may lead to disciplinary action being taken by the Disputes Tribunal or the State Secretary, which may include:

15.1.1. counselling;

15.1.2. requiring an apology;

15.1.3. conciliation/mediation conducted by an impartial third party;

15.1.4. training on expected standards of behaviour; and

15.1.5. a warning.

15.2. A breach of the Code may also lead to the following disciplinary action being imposed by the Disputes Tribunal.

15.2.1. termination of appointment, suspension or expulsion from the Victorian Branch in accordance with the process set out in this Policy and the Rules; or

15.2.2. where the respondent is an employee of the Victorian Branch, performance management, demotion or termination, subject to relevant workplace laws, agreements and policies.

15.3. 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.

16. Decisions by the State Secretary

- 16.1.** Where the respondent is an employee, any decision relating to their employment will be consistent with, and subject to, any applicable workplace laws, agreements and policies.
- 16.2.** A decision of the State Secretary under clause 12.9 of this Policy may be appealed to the Disputes Tribunal.

17. Decisions by the Disputes Tribunal

- 17.1.** Where a matter is referred by the Secretary to the Disputes Tribunal for decision making on appropriate sanction or other disciplinary action, one appointed member, selected on a rotational basis, will make a decision regarding an appropriate sanction or disciplinary action.
- 17.2.** The President of the Disputes Tribunal may, in their discretion, convene a panel of three members of the Disputes Tribunal to determine the sanction.
- 17.3.** The Disputes Tribunal member or panel must make a decision on the sanction or other disciplinary action based on the Investigator's report and any submissions received by the complainant and/or respondent on disciplinary action. Sanctions can include, but are not limited to, termination of appointment, suspension and expulsion from the Victorian Branch.
- 17.4.** The Disputes Tribunal member must advise the State Secretary and the Complaint Manager of the decision within seven working days of receipt of the referral.
- 17.5.** The complainant and respondent should be advised of the decision within four working days of receipt of the decision.
- 17.6.** A decision of a Disputes Tribunal member is subject to appeal under clause 18 of this Policy.

18. Appeals

- 18.1.** The respondent may lodge an appeal within seven working days of notification of the State Secretary's or Disputes Tribunal's decision.
- 18.2.** A request for an appeal can only be made on the ground that procedural fairness was denied.
- 18.3.** The request for an appeal, addressing the grounds for appeal, must be made to the Complaint Manager and the State Secretary.
- 18.4.** Within four working days of receipt of request and grounds for appeal, the Complaint Manager will refer the appeal to the President of the Disputes

Tribunal, who shall select three members of the Tribunal, on a rotational basis with no member being the original decision maker, to hear the appeal.

18.5. Where there are less than three Disputes Tribunal members available to hear an appeal, the President of the Disputes Tribunal will inform the Complaint Manager, who will refer the matter to a National Complaints Panel to hear the matter. The National Complaints Panel should, where possible, follow the procedure set out in this Complaints Handling Policy in considering any appeal.

18.6. The Disputes Tribunal or National Complaints Panel (as applicable) will determine whether it will hear the appeal, and then whether it will hear the appeal on papers or by way of a hearing.

18.7. Any decision by:

18.7.1. the Disputes Tribunal to overturn the previous decision must be accompanied by written reasons and be agreed by two-thirds of the Disputes Tribunal hearing the appeal; and

18.7.2. the National Complaints Panel will be made in the discretion of that Panel in accordance with the National Complaints Policy.

18.8. Any sanction other than suspension is stayed during an appeals process. The respondent may have membership rights suspended until the appeal is finalised.

19. Conflicts of interest

19.1. Where a member of the Disputes Tribunal has a perceived, actual or potential conflict of interest on any matter they are allocated, they must decline to make a decision on the matter and communicate this to the President of the Disputes Tribunal, who will appoint a replacement. Where all members of the Disputes Tribunal have a perceived, actual or potential conflict of interest on any matter, the matter will be referred to a member of the National Complaints Panel who will facilitate the process with the same authority as the Disputes Tribunal.

19.2. Where a National Complaints Panel Member 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.

20. Reporting plan

20.1. Victorian Labor is committed to monitoring the effectiveness of the Code and Associated Policies.

- 20.2.** Victorian 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.
- 20.3.** Each year by 31 January, the State 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.

21. General

- 21.1.** 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.
- 21.2.** All parties to a complaints process must maintain confidentiality. A failure to maintain confidentiality may be a breach of the Code which may result in action being taken under this Policy.
- 21.3.** 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 the Victorian Branch and other State or Territory Branches to the extent reasonably necessary to properly administer and uphold the Code and Associated Policies as they relate to the Victorian Branch and other State or Territory Branches. Details of complaints that are not finalised due to a member resigning can also be shared for this purpose.
- 21.4.** Victimising a person for making a complaint under this Policy or participating in a complaint handling policy may be a breach of the Code which may result in action being taken under this Policy.
- 21.5.** 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.
- 21.6.** In the event that time or other circumstances do not permit the State Secretary to conduct the process for a complaint, the State Secretary may appoint another Victorian Labor official or independently qualified person to facilitate the process with the same authority and powers as the State Secretary.
- 21.7.** Victorian 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 State Secretary may if appropriate in the circumstances, provide a brief factual statement on the outcome.

- 21.8.** 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 State Secretary requests that a complaint is recommenced under this Policy.

External support providers
Deaf or hearing impaired persons: If you are deaf and/or find it hard hearing or speaking with people who use a phone, the National Relay Service (NRS) can help you call the service providers below. NRS Chat for all calls visit nrschat.nrscall.gov.au/ Emergency calls nrschat.nrscall.gov.au/ and click the Emergency Services button; or call 0423 677 767 and ask for Triple Zero (000) SMS Relay- All calls text 0423 677 767 Video Relay - All calls via Skype and contact NRS VIDEO RELAY SERVICE NRS Captions - All calls visit nrs Captions.nrscall.gov.au/ Voice Relay Standard and overseas calls dial 1300 555 727 1800 calls dial 1800 555 727
Do you speak a language other than English? If you need a language interpreter, call the Telephone Interpreter Service can assist you. Call them on 131 450 and ask them to connect you to the relevant number.
Sexual Assault & Domestic Violence National Help Line www.1800respect.org.au/ 1800 Respect (1800 737 732)
Sexual Assault Service Victoria https://www.sasvic.org.au/ ctus@sasvic.org.au Please note the Sexual Assault Service Victoria website provide contact numbers based on individual locations.
Sexual Assault Crisis – Victoria The Sexual Assault Crisis Line Victoria (SACL) is a state-wide, after-hours, confidential, telephone crisis counselling service for people who have experienced both past and recent sexual assault. It is the central after-hours coordination centre for all recent sexual assaults and provides immediate crisis responses throughout Victoria. SACL operates between p.m. weeknights through to am the next day and throughout weekends and public holidays. Crisis line 1800 806 292 (Freecall* Victoria, Australia) Admin: (03) 8345 3021 Email: SACLFeedback@thewomens.org.au
WIRE Free support, referrals & information on any issue for women, non-binary & gender diverse people in Victoria (including Family Violence) https://www.wire.org.au/ 1300 134 130 Support@wire.org.au

External support providers
Safe Steps Family Violence Response Centre: 24/7 Family and Domestic Violence Support for Victorians Phone: 1800 015 188 Email safesteps@safesteps.org.au
Switchboard Switchboard provides peer-driven support services for lesbian, gay, bisexual, transgender and gender diverse, intersex, queer and asexual (LGBTIQ+) people, their families, allies and communities. They have a range of different programs offering peer-to-peer support in areas including gender and sexuality, diverse relationships, suicide prevention, family violence support, anti-racism advocacy, and social inclusion for older LGBTI community. Rainbow Door is a free service of Switchboard. You can call, text or email for support. Phone: 1800 729 367 Text: 0480 017 246 Email: support@rainbowdoor.org.au
Victorian Pride Centre 79-81 Fitzroy Street St Kilda, VIC, 3182 P: (03) 9663 2474 contact@pridecentre.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/
ORYGEN Mental Health Support and Referral Service for young People 35 Poplar Rd, Parkville VIC 3052 Australia Phone: Main number: +61 3 9966 9100