THE CHARTER & CONSTITUTION

OF THE AUSTRALIAN GREENS

November 2026



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Charter

Basis of The Charter

We live at a crucial time in history. Never before have we had so many answers to the problems that have dogged our developing world.

Solutions now exist that could greatly decrease the poverty, hunger and ill health of our fellow humans and we now have technologies to reduce and repair much of the ecological damage on our planet wrought by our industrial and agricultural activities. Clean air, clean water and ecological sustainability are possible. Yet this is not being done.

World wide, conservative governments lack the political will to make the necessary adjustments that will bring an end to the conflict, pollution, poor health and social inequity that characterises our time. The Greens have evolved in this climate to show a new way forward.

A Green response to the ecological crisis proceeds on the basis of a respect for all life, human and non-human. We recognise the mutual interdependence between humanity and the rest of nature and we seek to move down an ecologically sustainable path. We seek to eradicate poverty, oppression and discrimination and to build a society that is underpinned by the values of participatory democracy, social justice, and respect for cultural and ecological diversity. We aim to transform the political, social and economic structures that oppress people and to develop a rich, participatory cultural life that enables the flourishing of a new democratic movement for progressive change.

We believe that contesting elections is a necessary step towards the building of an ecologically sustainable and socially just society, but that it is by no means the only step. We recognise and seek to facilitate grassroots movements and community initiatives that work towards ecological responsibility, social justice, affirmative action on behalf of groups who are discriminated against, First Nations' sovereign rights, peace, and international development.

We seek to avoid parochialism and to cultivate a global, ecological consciousness and long-range perspective in order to safeguard the interests of both existing and future generations and non-human species. We believe Australia should play an active role in building a more co-operative and ecologically sustainable world that is capable of addressing the glaring disparities in energy and resource consumption and quality of life between the rich and poor. We aim to extend recognition and assistance to progressive social movements in Australia and other countries and to international institutions that are working towards these ends.

Reflecting an awareness of the interrelatedness of all ecological, social and economic processes, the general principles of The Greens are:

Ecology

- to ensure that human activity respects the integrity of ecosystems and does not impair biodiversity and the ecological resilience of life-supporting systems;
- to encourage the development of a consciousness that respects the value of all life.

Democracy

- to increase opportunities for public participation in political, social and economic decision making;
- to break down inequalities of wealth and power which inhibit participatory democracy.

Social Justice

- to eradicate poverty by developing initiatives that address the causes as well as the symptoms of poverty;
- to provide affirmative action to eliminate discrimination based on gender, age, race, ethnicity, class, religion, disability, sexuality or membership of a minority group;
- to introduce measures that redress the imbalance between rich and poor.

Peace

- to adopt and promote nonviolent resolution of conflict;
- to develop an independent, non aligned foreign policy;
- to develop a self-reliant, defensive, non-nuclear defence policy;

An Ecologically Sustainable Economy

- to develop economic policies which will ensure greater resource and energy efficiency as well as development and use of environmentally sustainable technologies;
- to reduce dependence on non-renewable resources and ensure sustainable use of renewable resources;
- to adopt more comprehensive social, environmental and technology assessment practices;
- to facilitate socially and ecologically responsible investment.

Meaningful Work

- to encourage, develop and assist work that is safe, fairly paid, socially useful, personally fulfilling and not harmful to the environment;
- to encourage and facilitate more flexible work arrangements, and on-going education.

Culture

- to respect and protect ethnic, religious and racial diversity;
- to recognise the cultural requirements of First Nations peoples;
- to assist in ensuring the achievements of First Nations sovereign rights and self-determination.

Information

- to facilitate a free flow of information between citizens and all tiers of government;
- to ensure that Australians have the benefit of a locally responsible, diverse, democratically controlled, independent mass media.

Global Responsibility

- To promote equity between nations and peoples by:
  - facilitating fair trading relationships;
  - providing for increased development assistance and concerted international action to abolish unsustainable international debt;
  - providing increased green technology transfer and skills to developing countries;
  - opposing human rights abuses and political oppression;
  - ensuring that Australia plays an active role in promoting peace and ecological sustainability.

Long-range Future Focus

- to avoid action which might risk long-term or irreversible damage to the environment;
- to safeguard the planet's ecological resources on behalf of future generations

Constitution of the Australian Greens

Preamble

This Constitution sets out an organisational structure that is a confederation of state and territory parties (Member Bodies). This Constitution sets out the role and powers of The Greens. This Constitution seeks to maximise opportunities for productive co-operation between Individual Members and Member Bodies.

This Constitution requires all Member Bodies of The Greens to agree to:

a) abide by The Charter of The Greens;

b) abide by this Constitution and the decisions of the National Organisation;

c) participate fully and equitably in developing national policies and campaigns;

d) use similar decision making procedures, membership criteria and other procedures;

e) support affirmative action and practise participatory, democratic and accountable internal decision making processes; and

f) share the costs of national and international organisation through the payment of levies;

This Constitution further requires that the Member Bodies of The Greens and their Constituent Groups have explicit autonomy to make decisions relating to their own affairs provided that these decisions remain compatible with the Charter, and the policies of The Greens.

Definitions

Constituent Groups: Those groups (such as local branches or groups) which comprise each Member Body; and any constituent group established by this constitution.

Individual Member: A natural person, who has been accepted as a member of the Australian Greens.

Member Body: One of The Greens' state or territory political parties (comprised of their various Constituent Groups).

National Organisation: The Greens as it meets either as National Council or National Conference or when it makes a decision by National Ballot or by its defined policy making processes.

National Conference: The supreme governing body of The Greens.

National Council: The body responsible for managing the affairs of The Greens between meetings of National Conference.

Proscribed Parties: All Australian political parties other than The Greens and its Related Parties.

Related Parties: As defined in Part XI of the Commonwealth Electoral Act. Clause 123(2) of this Act states that "For the purposes of this Part, 2 political parties shall be taken to be related if:

a) one is a part of the other; or

b) both are parts of the same political party".

The First Nations Network: The Australian Greens First Nations Network, a Constituent Group of the Australian Greens comprising of First Nations Members from all of its Member Bodies subject to its Terms of Reference.

The Greens: The Australian Greens, the national body of Greens members.

The Party Room: The group of elected members of The Greens, current and in waiting, in the Federal Parliament.

Chapter 1 – Purpose and Structure

1. Name and Constitution

1.1 The name of the party is The Australian Greens (The Greens).

1.2 All other by-laws, rules, procedures and processes of The Greens are subject to this Constitution, with the exception of The Charter of The Greens.

2. Member Bodies and Constituent Group Constitutions

2.1 The Greens is a national confederation of Member Bodies. The composition of each Member Body's Constituent Groups is defined by the constitution of that Member Body. To facilitate smooth operations between the National Organisation and Member Bodies, all Member Body constitutions must remain compatible with this Constitution.

2.2 To ensure that this compatibility is achieved, a constitutional review panel will be elected. This panel will comprise one delegate from each Member Body and the First Nations Network. The panel will evaluate constitutional proposals and make recommendations to National Council and to the relevant Member Bodies.

2.3 Subject to 3.2, where a Member Body or constituent group's constitution is incompatible with this Constitution, to the extent of their inconsistency, this Constitution will prevail.

3. Relationships between Groups

3.1 The Greens will operate as a national organisation as a confederation of Member Bodies comprised of their Constituent Groups.

3.2 Member Bodies have the autonomy to make decisions relating to their own affairs according to their own constitutions provided that:

a) these decisions remain compatible with the Charter and the agreed policies of The Greens;

b) they take into consideration national and Member Body campaign priorities and election strategies.

3.3 Notwithstanding the provisions of 3.2, if a Member Body or one of its Constituent Groups promotes a policy that differs substantially from the national policies of The Greens, this difference must be made clear in any public statement.

4. The Charter of The Greens

4.1 The Charter is the document of agreement which defines the basic principles and aims of The Greens. As such, Individual Members and Constituent Groups of The Greens may not publicly forward ideas at variance with the Charter without calling into question their continued membership of The Greens.

4.2 To change the Charter an amendment must either be decided by the consensus of National Conference or be passed by National Ballot.

a) For the result of the ballot to be valid, ballots must be received from an absolute majority of Individual Members.

b) For the ballot to be passed it requires the support of at least three-quarters of the formal votes cast.

5. Objectives

The Greens' objectives are:

5.1 to foster a vision of the world characterised by the Four Pillars of the Greens, being:

a) peace and nonviolence,

b) social justice,

c) grassroots participatory democracy, and

d) ecological sustainability.

5.2 to seek the election or appointment to public office in Local Councils and State, Territory and Commonwealth Parliaments, people who are committed to The Greens' Charter, principles, policies and objectives;

5.3 to be a registered political party pursuant to the Commonwealth Electoral Act and to be the sole source of recognition of related parties of The Greens;

5.4 to encourage other political parties to adopt our policies and principles by electoral strategies and direction of voting preferences;

5.5 to promote and assist other associations and organisations (whether incorporated or not) and persons in working for the objectives of The Greens;

5.6 to promote the development of and participate and communicate with the Green political movement, both nationally and globally;

5.7 to make, publicise and strive to implement policies on national and global issues as described in The Charter;

5.8 to engage in education of ourselves and the rest of the community to raise awareness of the issues and concerns covered in The Charter;

5.9 to co-ordinate mutual support and joint actions on behalf of the members; and

5.10 to carry out such tasks as the Member Bodies may from time to time delegate to the National Organisation; this delegation may be revoked at any time.

Chapter 2 – Membership

6. Member Bodies

6.1 The Member Bodies of The Greens are:

- The ACT Greens Incorporated
- The Greens NSW
- The Northern Territory Greens
- The Queensland Greens Inc.
- The Greens South Australia
- The Tasmanian Greens
- The Australian Greens Victoria
- The Greens (WA)

6.2 Where a State or Territory has no Greens party as a Member Body, a State or Territory Green Party from the relevant State or Territory may join The Greens as a Member Body if there is a consensus of delegates to National Conference to approve their application.

6.3 It is the exclusive power of the National Organisation to extend related party status to other parties. No Member Body, or part thereof, is entitled to extend related party status to another party. If a Member Body contravenes this provision, it may be expelled.

7. Obligations of Member Bodies

7.1 Member Bodies agree to abide by this Constitution and to adopt The Charter of The Greens as their own Charter.

7.2 Subject to 3.2, Member Bodies agree to abide by the decisions of the National Organisation and the outcomes of National Ballots.

8. Withdrawal and Expulsion of Member Bodies

8.1 A Member Body may only withdraw from The Greens if it has passed a resolution in accordance with its own constitution.

8.2 After proof of payment of all outstanding debts and making appropriate arrangements for any ongoing obligations to The Greens, a Member Body may then withdraw by written notice to the National Secretary.

8.3 The National Secretary will bring this matter to the next meeting of National Council. The withdrawal will take effect 7 days after the close of this meeting.

8.4 If the National Organisation decides that a Member Body has:

a) infringed any provisions of the Constitution, by-laws or decisions of National Council, National Conference or a National Ballot; or

b) committed any act which, in the opinion of the National Organisation, is against the principles and aims of The Greens,

then the National Organisation shall send a written notice of grievance to the Secretary of the Member Body which explains the complaint and the expected remedy.

8.5 If, within 60 days, the Member Body has not remedied the grievance to the satisfaction of the National Organisation, then the National Organisation may hold a Special National Council to further consider the matter. The Member Body will be entitled to present written and oral arguments at this meeting. This meeting will be facilitated by a suitably skilled facilitator, with conflict resolution skills, who is acceptable to both the Member Body and the National Organisation.

8.6 If, after this Special National Council, there is still no resolution of the conflict, then National Council may, by consensus (excluding the conflicted Member Body) resolve to expel that Member Body.

8.7 The expulsion will take effect within 7 days of the resolution of the Special National Council or at a time specified in the resolution.

8.8 A Member Body which has been expelled will forfeit any right and claim upon The Greens and its property and funds. It will cease to be a related political party of The Greens and all other Member Bodies. It will remain liable for any outstanding debts to The Greens.

9. Individual Membership

9.1 A natural person will be a member of the registered political party "The Australian Greens" (an Individual Member) when they have membership in good standing of a Member Body and are not a member of a political party other than The Australian Greens and its related parties.

9.2 All decisions regarding the accepting, suspension or expulsion of Individual Members and appeals against these decisions will be at the discretion of the Member Body concerned and not the National Organisation.

9.3 Members who move from one state or territory to another will be accepted as members of the Member Body in the new state or territory, subject to the constitution of the new Member Body. Any membership fee already paid to the original Member Body should be considered valid for the new Member Body.

9.4 Member Body Secretaries will allow reasonable access to a copy of the Member Body's register of Individual Membership to the National Secretary.

9.5 The National Secretary shall be responsible for the maintenance of a register of Individual Members and make the register available for inspection, but not copying, by Individual Members at reasonable times.

9.6 Individual Membership details shall not be passed on to any outside organisations without the written permission of the member.

9.7 All Members are entitled to the following benefits:

a) to be eligible to be elected as Office Bearers to the National Organisation;

b) to participate in discussion, debate and decision-making in Australian Greens' meetings, according to the Constitutional agreements of The Greens, except where a by-law or working group mandate limits this entitlement;

c) access to The Charter and the Constitution of The Greens and any by-laws;

d) upon request, to receive a copy of the audited accounts of the previous year. The request is to be made in writing, will be subject to a reasonable charge to cover printing and postage, and will be provided in a reasonable time;

e) to receive and distribute communications about matters pertaining to the Greens with the entire membership through The Greens' communication channels within reason constrained by space, cost and time limitations, and subject to party approved communication processes and protocols;

f) to receive the recognised Members' bulletin of The Greens;

g) to participate in policy formation according to the Constitution;

h) to seek nomination for Public Office as a candidate for The Greens; and

i) at any reasonable time to inspect without charge the books, records and security of The Greens.

9.8 The National Council shall establish a dispute resolution by-law which may affect the Individual Member benefits set out in clause 9.7.

10. Non-discrimination

10.1 The Greens are committed to women, men and those with other gender identities having equal status within society and will practice gender equity and equal opportunity, including where appropriate affirmative action.

10.2 At no time will any member be discriminated against within The Greens due to gender, age, race, ethnicity, class, religion, disability, sexuality, marital status, or membership of a minority group.

Chapter 3 – National Organisation

11. National Conference

11.1 National Conference is the supreme governing body of The Greens and is empowered to do all acts, matters and things to advance the Charter and objectives of The Greens.

11.2 Unless otherwise decided by National Conference, there will be two National Conferences held each year, one of which will be the Annual National Conference

11.3 The Annual National Conference will also be the Annual General Meeting of The Greens and must take place not more than 5 months after the close of the financial year ending 30 June. It is open to all Individual Members as observers.

11.4 In addition to the powers of National Council, National Conference can:

a) recommend the adoption of policy on behalf of The Greens subject to constitutional provisions. Where there is a consensus of all the delegates to the conference, a policy will be adopted as official policy immediately.

b) agree by consensus to amendments to this Constitution or its by-laws.

c) adopt any campaign strategies.

11.5 At least 30 days notice of the date, place, time and agenda of National Conference will be given to members.

11.6 National Council will appoint a Returning Officer before the relevant National Conference to conduct the ballot for national Office Bearers and all other elected positions for which National Conference has jurisdiction;

11.7 The agenda of the Annual National Conference will include, but is not limited to, the following items of business:

a) presentation of the Annual Report by the Convenor;

b) presentation by the Treasurer of the audited financial statements for the previous year;

c) election of national Office Bearers and all other elected positions for which National Conference has jurisdiction;

d) discussion of any proposed amendments to the Constitution;

e) discussion of The Greens policy and campaign strategies; and

f) approval and amendment to The Greens' by-laws.

11.7 National Conference can by resolution or by-law, generally or specifically, reserve any matter to itself.

12. Special National Conferences

12.1 A Special National Conference can be called by:

a) a resolution passed by two Member Bodies;

b) a petition signed by 10% of Individual Members; or

c) a decision of National Council.

12.2 If a Special National Conference is called the Convenor will convene a Special National Conference. There will be at least 30 days' notice of the date, place and time of the Special National Conference and the resolutions proposed to be dealt with at the conference.

12.3 A Special National Conference is only empowered to decide on matters referred to it by the resolution, petition or decision of National Council.

13. Delegates to National Conference

13.1 Delegates to National Conference will be in accordance with the following formula:

a) Normally each Member Body will have one delegate for every 1% of the National Individual Membership, subject to each Member Body having a minimum of four delegates and a maximum of ten delegates to National Conferences.

b) If a Member Body has less than twenty Members, it will only be entitled to one delegate.

c) The Party Room will be entitled to send up to three of their members as delegates.

d) The First Nations Network will be entitled to send up to four of their First Nations members as delegates.

e) Each group of State elected representatives will be entitled to send one delegate who is a Member of that State's Parliament.

f) From each State, elected local government representatives will be entitled to send one delegate.

g) Unless they are delegates, National Office Bearers are not entitled to vote. They will have speaking rights and they are entitled to block consensus.

13.2 National Conference will be open to all members. It will be a decision of the delegates to National Conference whether non-delegated members may be permitted to speak.

13.3 With the approval of National Council, non-members may be invited to attend and in some cases address the conference.

13.4 Member Bodies will select their delegates according to their own constitutions.

13.5 The First Nations Network will select their delegates according to their Terms of Reference.

13.6 Subject to giving prior written notice to the National Secretary, Member Bodies may substitute delegates to a National Conference on a session by session basis.

13.7 Proxy votes will be permitted at National Conferences and must be presented in writing to the session Facilitator. Only Delegates may hold proxy votes.

14. National Council

14.1 National Council is, subject to any decision of National Conference, responsible for the management of the affairs of The Greens at a national level between meetings of National Conference.

14.2 National Council will comprise:

a) The National Convenor, the National Secretary and the National Treasurer, who shall each have one vote;

b) One member of each of the Member Bodies, plus an additional member from Member Bodies with more than 20% of the national membership (“National Councillors”), whose votes are determined by 14.3. A casual vacancy may be filled by decision of the relevant Member Body. It is expected that the National Councillors be appointed to terms of least one year. Member Bodies may nominate an alternate councillor, if their councillor is unable to attend a meeting. This matter may be further regulated in the by-laws;

c) Two Australian Greens Members of different genders who identify as First Nations people and have been elected by Australian Greens Members who identify as First Nations people. These two representatives will share one vote. A casual vacancy may be filled by decision of the First Nations Network. This matter may be further regulated in the Terms of Reference of the First Nations Network;

d) Two members appointed by and from the Party Room, who shall each have one vote (the “Party Room Representatives”). A casual vacancy may be filled by decision of Party Room. Party room may nominate alternates, only one of whom may not be a member of the Party Room and that person may not exercise a vote;

e) Any members appointed by a consensus of National Conference , not exceeding two (“General Members”), who will not exercise any vote.

14.3 The number of votes which are exercised by the National Councillors shall be twenty and the number of votes exercised by each of the National Councillors shall be determined in accordance with this clause.

14.3.1 The number of votes to be exercised by each Member Body shall be a whole number. In the case of a Member Body entitled to only one National Councillor, the number of votes exercised by that National Councillor shall be the number allocated to the Member Body under this clause. In the case of a Member Body entitled to two

National Councillors, the votes to which the Member Body is entitled under this clause shall be divided evenly, provided that where that number of votes is an odd number, the last remaining vote shall be allocated to one of the National Councillors, as advised by the Secretary of the relevant Member Body.

14.3.2 In respect of each of the Member Bodies, a number shall first be calculated as follows: (A + B) divided by 2, multiplied by 20.

14.3.3 Where A is that proportion of one constituted by dividing the membership of that Member Body by the total national party Individual Membership; and B is that proportion of one constituted by dividing the number of National Conference delegates to which that Member Body is entitled by the number of National Conference delegates to which all Member Bodies are entitled (in both cases excluding any member entitlement arising from state parliamentary or local government representatives).

14.3.4 When this calculation is complete, then any Member Body for which the number calculated is less that one shall then be allocated one vote, and despite what follows, shall not be allocated further votes; and any Member Body for which the number calculated is more than 5 will be allocated 5 votes and despite what follows, shall not be allocated further votes.

14.3.5 Each other Member Body shall then be allocated a number of votes equal to the highest whole number which is less than the number calculated in respect of that Member Body.

14.3.6 If twenty votes have not been allocated at this stage, any remaining votes shall then be allocated, with the first vote being allocated to that Member Body which has the highest remaining fraction (calculated by subtracting the number of votes already allocated to each Member Body from the number calculated above in respect of that body). The second vote (if any) remaining shall be allocated to the Member Body with the second highest remaining fraction, and so on until all twenty votes have been allocated.

14.3.7 The allocation of votes, and a determination as to whether a Member Body is entitled to one or two National Councillors, shall be done each year in advance of the Annual National Conference. The relevant membership numbers and the delegate entitlements to that upcoming Annual National Conference shall be used for the purposes of the allocation. The relevant membership numbers is the members counted for each Member Body taken as the highest number of financial members between 1 June and 30 September each year and reported by the respective Member Body to the National Secretary.

14.3.8 The allocations made shall apply, and remain unchanged, for the whole of the period between that upcoming Annual National Conference and the subsequent Annual National Conference.

14.4 Decisions of National Council shall be made in accordance with 30, except:

a) If a substantive (as opposed to procedural) proposal which does not have consensus is not so urgent that a decision cannot be deferred to the next meeting or a special meeting, that matter is to be deferred; and

b) Whenever a vote is to be taken, 14.5 will apply.

14.5 At National Council, a decision to go to a vote, and a vote on a substantive (rather than merely procedural) matter shall require a “two-thirds vote” to be carried in accordance with this clause. For the purposes of this clause, a two-thirds vote shall mean that both of the following conditions have been met:

a) At least two thirds of the votes cast (excluding abstentions) have been cast in favour; and

b) At least one vote of a National Councillor or Party Room Representative (as the case may be) has been cast in favour from each of two-thirds of those relevant groups in respect of which a National Councillor or Party Room Representative cast a vote. For the purpose of this clause, “relevant groups” means the Member Bodies and the Party Room.

c) For the purposes of 14.5(b) the First Nations vote is to be counted among the relevant groups.

14.6 As far as is practicable:

a) One office bearer of any Member Body (or if the Convenor of that Body decides, a State parliamentary representative) shall have the right to attend and speak during any part of a National Council meeting which is discussing either a proposal put to National Council by that Member Body or a disputed matter or proposal which specifically or exclusively affects the interests or affairs of that Body, rather than Member Bodies generally;

b) A member of the Party Room with specific portfolio responsibility for a matter which is to be discussed by National Council shall have the right to attend and speak during any part of the meeting which is discussing matters with primary and significant relevance to that portfolio area;

c) Except where decided by National Council in a particular case, the most senior employee of the Australian Greens responsible for the administration of the Party's affairs shall have a right to attend and speak; and

d) The Convenor of the body responsible for policy coordination shall have the right to attend and speak.

14.7 National Council may decide to hold any part of a meeting in closed session and must record its reasons for doing so.

14.8 National Council shall normally meet monthly and no less than ten times in each year either by available communication technology or in person. Of these monthly meetings at least four must be held in person. At least 21 days notice must be given of a National Council meeting.

14.9 An extraordinary meeting of National Council may be called by:

a) the National Convenor; or

b) the Federal Parliamentary Leader; or

c) the Convenor of a Member Body and at least one Member of National Council;

d) or any three Members of National Council.

Except in exceptional circumstances, at least 24 hours notice must be given for an extraordinary meeting and a reasonable attempt must be made by the National Secretary and National Convenor to contact all members.

14.10 A quorum for a National Council meeting will consist of a majority of the members of National Council, and must include two National Office Bearers (or their deputies in substitution), one Party Room Representative, and National Councillors from not less than five Member Bodies, and at least a majority of the votes exercisable. Alternate members count for the purposes of quorum. If the National Office Bearers or Party Room fail to attend two consecutive meetings, the subsequent meeting could proceed if the remaining requirements for quorum are met.

14.11 The National Secretary will keep minutes of National Council decisions. A copy of all decisions of National Council will be forwarded within 28 days to each Member Body Secretary and to delegates to National Conference.

14.12 The powers and functions of National Council are:

a) to implement decisions of National Conference;

b) to establish Working Groups;

c) to make national election campaign strategies and to establish any committees to implement them;

d) to employ such persons under such conditions as National Council may from time to time determine;

e) to authorise particular Members to sign cheques or operate accounts with financial institutions on behalf of The Greens;

f) to raise funds and incur debts in the name of The Greens;

g) to authorise Individual Members to raise funds and incur debts in the name of The Greens to a specified limit;

h) to administer the Party's affairs including adherence to any legal obligations of an administrative nature;

i) to support and facilitate good communication and a good working relationship within the Party and between the Party and the Party Room; and

j) to facilitate strategic and political discussions.

14.13 Decisions on the following matters can only be made by consensus

a) changes to Conference decisions;

b) interim policy.

15. Office Bearers

15.1 Office Bearers of The Greens will be the National Convenor, National Secretary, National Treasurer, International Secretary and National Policy Coordinator.

16. Working Groups

16.1 National Council may establish Working Groups and in so doing will determine their membership, terms of reference and duration.

16.2 Working Groups will at all times be accountable to National Council and are required to follow The Charter and policies of The Greens.

17. Spokespeople

17.1 The only people authorised to make public statements on behalf of The Greens are:

a) Spokespeople appointed by National Council;

b) Members of The Greens who are current members of the Federal Parliament;

c) Endorsed Candidates for Federal Parliamentary Elections; and

d) The National Convenor in relation to party matters.

17.2 A public statement includes any media statement, online comment, or published document made available to the public.

17.3 Appointments under 17.1(a) will be for a specified tenure or, if no term is specified by National Council, will be until the next National Conference.

18. Registered Officers and Party Agents of The Greens

18.1 National Council or National Conference will select a person or persons to act as the Registered Officer and Party Agent for the Australian Greens as defined in the Commonwealth Electoral Act.

18.2 Each Member Body may elect one or more of its members, according to its own constitution, who shall be appointed by the Registered Officer to serve as Deputy Registered Officers of the parent registration for that Member Body.

18.3 Each Member Body will have the power to determine the pre-selection of candidates from that State to be nominated to stand in a Federal election. Registered Officers or Deputy Registered Officers of related registered parties and Deputy Registered Officers of the parent registration may not nominate candidates to any Electoral Commission in a state other than their own.

18.4 The Registered Officer, at the direction of National Council, may arrange the pre-selection and nomination of candidates in states where no Member Body, Deputy Registered Officer or related registered party exists.

18.5 Deputy Registered Officers will be accountable to their respective Member Bodies to carry out all such duties as set out in Commonwealth legislation not able to be carried out by any Member Body Registered Officer, or Member Body Deputy Registered Officer.

19. Election of National Office Bearers

19.1 National Office Bearers and their deputies will be elected annually by a secret ballot of delegates to the Annual National Conference.

19.2 The vote will be by an optional preferential system. An option to “seek further nominations” will be included on the ballot paper.

19.3 The newly elected National Office Bearers will assume their duties at the close of the Annual National Conference at which they have been elected.

19.4 National Office Bearers who have been elected at Annual National Conferences for three consecutive terms in the same positions will not be eligible for re-election to that position at the next election, but will be eligible for subsequent elections. These restrictions on eligibility for elections to national office can be waived by consensus of National Conference.

19.5 Notwithstanding 19.3, in a year when a federal election is expected the change of National Office Bearer may be delayed until the election has been held. Such an arrangement must be made with the agreement of both the resigning officer and the elected one.

19.6 Candidates for National Office Bearers shall consent in writing or in person to stand for such office.

19.7 If a National Office Bearer is unable or refuses to act to fulfil their designated responsibilities, or, without apology or leave, fails to attend those meetings they have a duty to attend, or if the National Office Bearer resigns from the position in writing or ceases to be a member of the party, National Council may declare the position vacant and appoint an interim National Office Bearer for the period until the next National Conference.

19.8 That all National Office Bearer positions can be elected jointly as a job share. In such circumstances, their rights and duties, including any entitlements to vote or block consensus, are not exercised severally. Where there are jointly held positions, they will decide between themselves the allocation of duties.

19.9 National Office Bearers jointly sharing a position shall exercise their single vote by agreement and failing agreement shall not vote or block consensus.

19.10 Should any National Office Bearer position be filled by two people jointly as a job share and one of those ceases to hold office for any reason National Council shall, at its next meeting, appoint an interim replacement until the next National Conference. Until such an appointment is made the remaining joint office bearer shall hold the position individually.

19.11 The Deputy National Office Bearers have the same rights and duties as the National Office Bearers when deputising for them.

20. National Convenor

20.1 The duties of the National Convenor are to:

a) Perform the following tasks with regard to all National Council meetings and National Conferences:

i) In conjunction with the National Secretary, ensure that the appropriate notice of meeting, agenda and motions on notice are provided in within the required time.

ii) Ensure that a facilitator is appointed for each meeting.

iii) Ensure that the business of each meeting is properly addressed.

c) Present an Annual Report to the Annual National Conference.

d) Liaise with The Party Room and the Federal Parliamentary Leader.

e) Perform such other duties as the National Organisation may from time to time determine.

21. Deputy National Convenor

21.1 The duties of the Deputy National Convenor are to:

a) Whenever required and requested, assist in carrying out the duties of the National Convenor.

b) Substitute for the National Convenor at National Council meetings, and National Conferences if they cannot attend.

c) Perform such other duties as the National Organisation may from time to time determine.

22. National Secretary

22.1 The duties of the National Secretary are to:

a) In conjunction with the National Convenor, notify all members of all meetings of National Council and National Conferences within required timeframes.

b) Prepare the agenda for meetings, table correspondence and record the attendance of all persons present.

c) Ensure that minutes are kept of all meetings of National Council and that an update of the minutes is sent to all Member Body Secretaries within 28 days.

d) Maintain and update a draft agenda for the next National Council meeting and ensure that all Member Bodies are kept informed of this agenda.

e) Ensure that the Party Membership Register is maintained.

f) Ensure that secure custody, during the term of office, of all books, documents, records and registers of The Greens, except those which are the responsibility of the Treasurer is maintained.

g) Perform such other duties as the National Organisation may from time to time determine.

23. Deputy Secretary

23.1 The duties of the Deputy National Secretary are to:

a) Whenever required and requested, assist in carrying out the duties of the National Secretary.

b) Substitute for the National Secretary at National Council meetings and National Conferences if they cannot attend.

c) Perform such other duties as the National Organisation may from time to time determine.

24. National Treasurer

24.1 The duties of the National Treasurer are to:

a) Overseeing the receipt of all monies paid to the national organisation, ensuring timely issuing of receipts, and depositing funds into accounts as determined by the national organisation.

b) Authorising and monitoring all payments made on behalf of the Australian Greens, in line with approved budgets and governance processes.

c) Ensuring all payments are authorised in accordance with delegated authorities and that dual approval requirements are maintained.

d) Presenting financial reports, balance sheets, and statements to each National Council meeting, and submitting the audited annual accounts to the Annual National Conference.

e) Ensure the safe custody of all securities, contracts, and financial records of the organisation, and ensuring a complete and orderly transfer of records to the incoming Treasurer when a change of office occurs.

f) Overseeing bookkeeping and accounting functions, ensuring they are carried out by appropriately skilled staff or contractors, who remain accountable to the Treasurer.

g) Providing financial advice and support to State and Territory Parties, and working collaboratively on national fundraising, compliance, and campaign financing.

h) Ensuring compliance with the Australian Electoral Commission (AEC) and other relevant regulatory requirements, including timely submission of financial disclosures.

i) Leading financial planning and risk management for national election campaigns, including the development of multi-year budgets and strategies for sustainable funding.

j) Convening the Governance and Finance Committee, ensuring effective oversight of financial governance, risk management, compliance, and policy development.

k) Performing any other duties as determined by the national organisation.

25. Deputy National Treasurer

25.1 The duties of the Deputy National Treasurer are to:

a) Whenever required and requested, assist in carrying out the duties of the National Treasurer

b) Substitute for the National Treasurer at National Council meetings and National Conferences if they cannot attend.

c) Perform such other duties as the National Organisation may from time to time determine.

26. National Policy Coordinator

26.1 The duties of the National Policy Coordinator are:

a) convening any national policy committee;

b) reporting to the National Council on the activities, work plans and discussions of any national policy committee;

c) facilitating and leading regular comprehensive review of the policy platform following a federal election; and

d) any other instructions or projects given to them from time to time by the National Organisation.

27. International Secretary

27.1 The duties of the International Secretary are:

a) representing the Australian Greens as a Councillor on the Council of the Asia Pacific Greens Federation;

b) liaising with the Global Greens and any Australian Greens member acting as a delegate or elected to the Global Greens or the Asia Pacific Greens Federation;

c) reporting to the National Organisation on the activities of the Asia Pacific Greens Federation, the Global Greens, other green party federations and other green parties; and

d) acting on any other instructions given to them from time to time by the National Organisation.

28. Deputy International Secretary

28.1 The duties of the Deputy International Secretary are to:

a) Whenever required and requested, assist in carrying out the duties of the International Secretary, including acting as the alternate Australian Greens Councillor on the Council of the Asia Pacific Greens Federation;

b) Substitute for the International Secretary at National Council meetings, and National Conferences if they cannot attend; and

c) Perform such other duties as the National Organisation may from time to time determine.

Chapter 4 – Procedures: Meetings and Decision Making

29. Decision Making in Meetings

29.1 Serious attempt will be made to make decisions by consensus at all meetings of The Greens. Sufficient time will be allowed for discussion of different views, including provision for non-decision making meetings.

29.2 Except where this Constitution stipulates that a decision can only be made by consensus, if after a reasonable period of time, disagreement persists over a particular proposal, and a decision cannot be deferred, a procedural motion may be put that a vote be taken. A procedural motion will be deemed carried by a two-thirds majority.

29.3 If a procedural motion is carried to vote on a proposal, a vote will be taken. To change the status quo a vote on the proposal requires a two-thirds majority.

29.4 Voting will be conducted by a show of hands except as otherwise provided for in this Constitution or the by-laws. Where a vote other than a secret ballot is held, the vote of all delegates will be recorded. A delegates' abstention will not count as a vote but will be recorded. In the case of contested elections, voting will be determined by secret ballot..

29.5 All meetings of The Greens and bodies established by The Greens are open to all members to attend, discuss and debate unless otherwise determined by the National Organisation. Non-members may attend at the discretion of the meeting. At delegated meetings the degree of participation of non-delegates can be constrained at the discretion of the meeting.

30. National Ballot

30.1 A National Ballot may be initiated by petition of 10% of Individual Members, or petition of three Member Bodies, or by a decision of the National Organisation.

a) The petition or decision will specify the wording and purpose of the proposal to be put to the membership.

30.2 The National Organisation will:

a) appoint a Returning Officer to conduct the National Ballot;

b) initiate the process for selecting the authors of the opposing arguments, as described in the by-laws;

c) determine a budget sufficient to cover costs that are necessary to conduct the National Ballot.

30.4 National Ballots will be conducted according to the by-laws.

30.5 For the results of a National Ballot to be valid, the Returning Officer must receive valid responses from at least 20% of the Individual Membership.

a) A National Ballot requires the support of at least two-thirds of the formal votes cast to be passed, except for a policy amendment which requires the support of at least three-quarters of the formal votes cast.

b) For an election type ballot, an optional preferential voting process is required.

31. Conflict Resolution

31.1 Where conflict emerges between members or in any group established by The Greens or between such groups or Member Bodies it will be the responsibility of those members, groups or Member Bodies to initiate conflict resolution procedures. If this fails to resolve the conflict, it may be necessary to bring the issue to the attention of an arbitrating body. These matters may be further regulated in the by-laws.

Chapter 5 – Candidates and Representatives

32. Endorsement

32.1 All candidates representing The Greens and seeking public office must be Individual Members of The Greens.

32.2 Each Member Body will select candidates for public office in Federal, State and local government elections for seats that its electorate area covers.

32.3 Where there is no relevant group, the Member Body may select candidates for such seats.

32.4 The Member Body, or its delegated selection committee, will select candidates for the Senate and for State Parliament.

32.5 The National Organisation may formulate guidelines to regulate the selection of candidates, but not to override a fair and democratic process.

33. Greens in Public Office

33.1 The actions of all Individual Members of The Greens in public office will be consistent with the Charter of The Greens.

33.2 An elected Member of Parliament will adhere to the policies of The Greens:

a) except where, in the opinion of the Member, their duty to the constituents is in conflict with The Greens' policy then the Member may vote according to their duty to their constituents; or

b) except where the view of the Member is in conflict with The Greens' policy, then the Member may vote according to their conscience.

33.3 When a Member recognises a conflict between either their conscience or their duty to their electorate and The Greens' policy, then the Member will provide a statement accounting for this position to their electorate, their Member Body and National Council.

33.4 When a Member votes against The Greens' policy, then they will at the earliest opportunity provide a statement to National Council and their Member Body providing the reason for their vote.

33.5 Notwithstanding any provision which may imply the contrary, 33.2, 33.3, and 33.4 will not apply to The Greens NSW.

34. The Party Room of the Federal Parliamentarians

34.1 All Greens Federal parliamentarians will be members of the Greens 'Federal Party Room' (subject to 32.3).

34.2 The Federal Party Room will follow in respect of decisions relating to expulsion the procedures set out in 29 and 31;

34.3 The Federal Party Room has the power to expel from the Party Room a parliamentarian whose actions are causing or are likely to cause severe damage to the party and may refer the matter to the relevant Member Body to consider whether the person should be expelled or suspended from the party.

34.4 The decision to expel a member can be appealed by any member of the Federal Party Room or the expelled member or National Council. Following an appeal National Council is required to review the decision about expulsion. Any appeal must be made within 7 days of the decision to expel and the review must be completed within 7 days.

34.5 If a parliamentarian has been expelled from The Party Room, the relevant Member Body should make a determination within 4 weeks as to whether the Member Body should commence expulsion proceedings according to their Constitution.

35. Direction of Preferences

35.1 Direction of preferences for elections for single Member electorates, or for local government elections, will be made by the relevant constituent group of the relevant Member Body. A dispute between constituent groups will be resolved by the Member Body.

35.2 Direction of preferences for multi-member electorates, such as the Senate and some state Houses, will be decided by the Regional Council of the relevant Member Body, the Member Body itself or its campaign committee.

35.3 The Member Body may delegate responsibility for allocation of preferences to National Council or a national campaign committee.

Chapter 6 – Policy

36. Formulation and Adoption of Policy

36.1 There will be policies of The Greens ('policies') developed and reviewed according to processes determined in the by-laws.

36.2 Policies will be adopted by consensus of National Conference.

a) If consensus cannot be achieved and there is urgency to make a decision, then a vote may be taken and 75% support for the change is required for its adoption.

b) If there is no time to wait for National Conference, then National Council may make an interim adoption of policy, valid only until the next National Conference.

36.3 Policies which concern only one Member Body or Constituent Group may be decided by that body or group provided the policies remain compatible with The Charter and the agreed policies of The Greens.

36.4 Policies and initiatives will be formulated and interpreted with the maximum possible participation of Individual Members.

36.5 A petition supported by not less than 10% per cent of Individual Members or supported by two Member Bodies proposing an amended policy, will cause a policy to be reviewed.

Chapter 7 – Formal Matters

37. Funding

37.1 Substantial funding of the Party and Parliamentary candidates will be open to public inspection. Substantial funding will be money, goods, or services (other than voluntary labour) that are, in total or by themselves, above a specified value in any one year. The value of this funding will be specified in the by- laws.

37.2 The funds of The Greens shall be derived from Member Body contributions, authorised donations, tithes from Federal Parliamentarians and such other sources as agreed to by the National Organisation.

38. Cost Sharing of National Organisation

38.1 The costs of facilitating the involvement of Member Bodies in the activities of the National Organisation and in collaborating on nationally coordinated initiatives may either be covered out of the budget of the National Organisation, or shared amongst the Member Bodies according to formulae as agreed from time to time at National Council.

39. Liability

39.1 The Member Bodies of The Greens are not partners and none of them will be liable in any way for the acts or defaults of any of the other Member Bodies.

39.2 Members will not be liable to contribute towards the payment of the debts and liabilities of The Greens or the costs, charges or expenses incurred in winding up of the party.

40. Indemnity

40.1 Members of The Greens who act on behalf of The Greens with any written authority of the national organisation, and who accept or incur any personal pecuniary liability, will be held indemnified against that personal liability in respect of such action.

41. Property

41.1 The property and income of The Greens will be applied solely towards promoting the principles and achieving the objectives of The Greens and no part of that property or income may be applied or otherwise distributed, directly or indirectly, except in good faith for that purpose.

42. Public Officer

42.1 The Annual National Conference will appoint a person who is resident in the Australian Capital Territory to be the Public Officer of The Greens. If the office is vacated, National Council will fill the vacancy at its next meeting.

42.2 The Public Officer will not be a member elected to Public Office, nor a National Office-bearer of The Greens nor the Auditor.

43. Auditor

43.1 Each year National Council will appoint an Auditor.

43.2 The Auditor will not be a member of The Greens.

43.3 The Auditor will be a qualified accountant.

43.4 The position of Auditor may be honorary or the meeting may determine the sum of an honorarium.

43.5 The Auditor will submit a written report to the National Treasurer for presentation at the Annual National Conference.

44. Constitutional Interpretation

44.1 National Council will interpret the Constitution should a dispute arise over the meaning of

any provision. National Conference may overturn an interpretation of National Council.

45. Constitutional Amendment and By-laws

45.1 Amendments to this Constitution may be adopted by consensus of National Conference.

a) If consensus is not achieved, the proposed amendment may then, by consensus or three-quarters majority of National Conference, be put to a Constitutional Ballot of Individual Members.

b) For the results of a Constitutional Ballot to be valid, ballots must be received from at least one-quarter of the Individual Membership.

c) For a proposed amendment to be passed, it requires the support of at least two-thirds of the formal votes cast.

45.2 Following a decision to amend this Constitution, National Council may, by consensus, approve strictly necessary consequential amendments and may do any act, matter or thing strictly necessary to give effect to or implement transition to the operation of those changes.

45.3 Subject to 3.2, National Council has the power to make or revoke by-laws that clarify arrangements contained within this Constitution.

46. Dissolution

46.1 The Greens may only be dissolved by:

a) a consensus decision of National Conference; or

b) when, by at least a 75% majority vote of a National Conference, a proposal is put to dissolve The Greens. This proposal must be put to a ballot of all members. The proposal will be passed if two-thirds or more of the votes cast favour the proposal, and the total number of votes cast is at least 25% of the full membership.

46.2 The dissolution of The Greens will be effective within 30 days after the result of the ballot, or on a day stipulated by the ballot.

46.3 If, when winding up The Greens, any property of The Greens remains after satisfaction of the debts and liabilities of The Greens and the costs, charges and expenses of winding up, the property of The Greens will be distributed to Member Bodies or otherwise, another organisation having similar aims and principles to The Greens.

End.