

Arts Party NSW

Supporting the arts, creativity and innovation in New South Wales

Constitution of the Arts Party NSW

Contact The Arts Party:

PO Box 114, Kingsford
NSW, Australia, 2032
0404 116 310

Definitions

Introduction to the Constitution

Central principles and objectives

The future

Wealth creation

Education

Culture - past, present and future

Equality and Openness

General

Name

State Branch

Head office

Objectives

Organisation of the party

Composition of the Party

Constitution and Rules

Membership

Powers

State Executive

Election of Officers

Decision Making

Mechanism for changing this constitution

Candidate selection

1. Definitions

ARTS PARTY NSW: the New South Wales branch of the Arts Party established in clause 4 of this Constitution and clause 9 of The Arts Party Constitution.

APNSW: an abbreviation for the Arts Party NSW.

ECNSW: an abbreviation for the Electoral Commission NSW.

MEMBERS: are "natural persons" who are financial members of The Arts Party of Australia. Members do not include organisations, corporations or unincorporated associations.

NATIONAL EXECUTIVE: the National Executive of The Arts Party as established by the Constitution of the Arts Party.

NATURAL PERSONS: a single individual as opposed to a group or organisation.

PLEBISCITE: a preferential postal ballot in which the candidates who receive the lowest votes are eliminated in turn and their preference votes reallocated until one candidate receives an absolute majority. All references to use of a Plebiscite must otherwise be in accordance with this Constitution and any relevant By-laws.

POLITICAL PARTY: any organisation, or corporate body registered, deregistered, or seeking registration, as a political party with the Australian Electoral Commissions or State Electoral Commissions or both.

STATE: Where 'state' is mentioned without being a part of the phrase 'state and territory' it should be read as 'state and territory' unless otherwise specified.

STATE EXECUTIVE: the State Executive Committee of the Arts Party NSW.

TAP: An abbreviation for the Federal Arts Party. See "THE ARTS PARTY" below.

THE ARTS PARTY: the Federal party registered as The Arts Party under the *Commonwealth Electoral Act 1918 (Cth)* and constituted by The Arts Party Constitution.

THE ARTS PARTY CONSTITUTION: the Constitution of The Arts Party as registered with the Australian Electoral Commission as of the publishing of this document.

2. Introduction to the Constitution

2.1. Why The Arts Party?

The Arts are the most accessible forms of human creativity, for both creators and consumers. As such, they form an integral part of our society. The Arts create a language that cuts across social, economic, cultural, racial and economic barriers, and helps people from different sides of these divisions come together and share their humanity in a way that would otherwise not be possible.

Considering the value that artistic pursuits and our creative industries bring to our society, they are surprisingly underrepresented in both Australian federal and New South Wales state politics.

The Arts Party exists to address this imbalance. As a state branch of the Arts Party, the Arts Party NSW exists to address this imbalance in the State of New South Wales.

2.2. Central principles and objectives

The Arts Party NSW was formed to help promote and encourage art, culture and creativity for all the people of New South Wales - to get a better deal for New South Wales artists, audiences and creative industries within the state.

The core principles that guide the development of our policies and our response to the decisions that will need to be made in government, are the desire to:

- * Advocate for the Arts
- * Encourage Creativity
- * Build Community
- * Invest in Knowledge

2.3. The future

The future of New South Wales, and the future of Australia will be decided by the quality of our ideas and how prepared we are to make them real.

All forms of art and creative activity, including music, the performing arts, film, television, radio, advertising, games and interactive content, writing, publishing, architecture, design, and the visual arts, have the potential to create economic wealth, cultural depth and jobs. All forms of the arts enrich the lives of those who are practitioners of the arts, those who are consumers of the arts and the lives of all the residents of New South Wales, as well as all Australians.

As a state branch of The Arts Party, the Arts Party NSW aims to maximise the opportunities for self-expression that the arts bring to practitioners by designing and promoting policies that encourage the growth of the artistic industries within New

South Wales.

As a state branch of The Arts Party, the Arts Party NSW aims to enrich the lives of those people who wish to enjoy NSW's artistic output, by designing and fighting for policies that encourage growth in New-South-Wales-made content, and policies that encourage quality and excellence in all artistic and creative works, produced by residents of New South Wales for all Australians.

2.4. Self-fulfillment and personal enrichment

The Arts Party NSW aims to maximise the opportunities for self-expression that art and creativity bring to practitioners by designing and promoting policies that encourage the growth of the artistic and creative industries within Australia.

The Arts Party aims to enrich the lives of those people who wish to enjoy Australian artistic output, by designing and fighting for policies that encourage growth in Australian-made content, and policies that encourage quality and excellence in all artistic and creative works, produced by Australians for Australians.

2.5. Wealth creation

As a state branch of the Arts Party, the Arts Party NSW aims to improve the lives of all residents of New South Wales by generating wealth through the expansion of the artistic and creative industries. It aims to increase the quality of life of all residents of New South Wales by supporting greater access to better New South Wales and Australian entertainment and broader access to high-quality New South Wales and Australian artistic product.

Both NSW's, and Australia's ability to compete in industry, in business and in commerce is contained in our ability to come up with innovative solutions, and implement them in creative ways. Finding and implementing creative solutions doesn't happen accidentally.

2.6. Education

An accessible New South Wales education system that encourages broad thinking, creative approaches to problem solving and fosters the ability of all students to access those parts of them that will help discover and develop the best ideas, is essential in both NSW's and Australia's pursuit to stay profitable, competitive and innovative in a globalised market. The New South Wales State Arts Party aims to develop the opportunity for these outcomes to be realised in schools, universities, tafes and all other training institutions across New South Wales.

The Arts Party NSW aims to encourage lifelong learning for every Australian; a way to help all Australians think smarter today and prepare for the the fast changing world of tomorrow.

2.7. Culture - past, present and future

The Arts Party NSW wishes to illuminate and highlight the central role that Arts and culture plays in giving every Australian a sense of identity. Stretching from the first indigenous people of Australia, through to those becoming the newest Australians everyday - access to, appreciation of and involvement in the Arts and our many cultures enriches the lives of every Australian.

2.8. Equality and Openness

As a state branch of the Arts Party, the Arts Party NSW exists to find, foster and encourage the open, inclusive and innovative culture that the arts tend to generate. We believe this is an integral part of NSW's ability to grow and compete in the modern world, and maintain NSW's position in Australia, and across the world, as one of the most prosperous, enjoyable and exciting places to live.

3. General

3.1. Name

- 3.1.1. The name of the party shall be the Arts Party NSW.
- 3.1.2. The abbreviation shall be APNSW.

3.2. State Branch

- 3.2.1. The APNSW is a branch of The Arts Party, alongside other state and territory branches of The Arts Party.
- 3.2.2. The party membership shall consist of:
 - 3.2.2.1. State members accepted into membership as accorded with the rules outlined below
 - 3.2.2.2. Members of the The Arts Party who reside in New South Wales and are registered to vote.

3.3. Head office

The Head Office of the Arts Party NSW (hereafter known as APNSW) shall be a place determined by the State Executive.

3.4. Objectives

The fundamental objectives of the APNSW are the objectives of The Arts Party as outlined in the The Arts Party Constitution. In order to do this, they shall seek:

- 3.4.1. the election or appointment to public office in the New South Wales Parliament, people who are committed to the Arts Party NSW's constitution, principles, policies and objectives.
- 3.4.2. the election or appointment to position of councilor in NSW's Local Councils people who are committed to the Arts Party NSW's constitution, principles, policies and objectives.
- 3.4.3. to be a registered political party pursuant to the *Parliamentary Electorates and Elections Act (1912) (NSW)* and the *Election Funding and Disclosures Act (1981) (NSW)* and the *Local Government Act (1993) (NSW)*.
- 3.4.4. to encourage other political parties in New South Wales to adopt policies and principles outlined in this constitution and in other documents released by the Arts Party NSW and The Arts Party.
- 3.4.5. to promote and assist other associations and organisations and persons in working for the objectives of the Arts Party NSW.
- 3.4.6. to promote the development of and participate and communicate with the artistic and creative industries both in New South Wales, Australia and globally.
- 3.4.7. to establish policies that will help the government and non-government sectors in New South Wales to plan and support a more efficient and

- effective cultural infrastructure.
- 3.4.8. to encourage learning and education. To raise the academic achievement of New South Wales students. To encourage the residents of New South Wales and all Australians in developing higher order thinking skills through the application of critical and creative thinking in our schools, universities and tafe's. To use the opportunities afforded by modern technologies to propel the New South Wales educational system into the future. To prepare New South Wales students for the new world, requiring new, inventive and creative ways to solve problems.
- 3.4.9. to bring the inclusive, progressive and creative culture of the arts industries to all the residents of New South Wales, and all Australians.

4. Organisation of the party

4.1. Composition of the Party

- 4.1.1. The Arts Party NSW comprises individual members, as accepted by the State Executive.
- 4.1.2. The National Executive of The Arts Party reserves to right to veto or retrospectively reverse any decisions made regarding which individuals are accepted as members of the Arts Party NSW.

4.2. Constitution and Rules

- 4.2.1. This Constitution and all rules made under it bind all members of the Arts Party NSW.
- 4.2.2. All members must uphold the objectives of the Arts Party NSW and The Arts Party.
- 4.2.3. Any interpretation of the Constitution, rules, platform, pledge or policy decisions will be made by the State Executive.
- 4.2.4. The National Executive reserves the right to veto or retrospectively reverse any interpretation of the Constitution, rules, platform, pledge or policy that the State Executive makes.

5. Membership

- 5.1. All members of The Arts Party who are registered to vote at an address within New South Wales are members of the Arts Party NSW.
- 5.2. Membership to the the Arts Party NSW may be offered for free or at a lower annual membership fee than that of membership to The Arts Party.
- 5.2.1. All members of the APNSW will be accepted as members of The Arts Party.
- 5.2.2. Such "New South Wales Memberships" will endow no voting rights upon the member in any vote held for members of the The Arts Party.
- 5.3. Natural persons will be welcomed as Members provided that:

- 5.3.1. they have read and agreed to the Constitution of the Arts Party NSW and agreed to abide by its rules;
- 5.3.2. they pay an annual membership fee.
- 5.4. The current value of annual membership fees:
 - 5.4.1. shall be determined by the National Executive;
 - 5.4.2. may change from time to time;
 - 5.4.3. may be offered in packages that allow persons to purchase membership for periods of multiple years;
 - 5.4.4. will be specified on The Arts Party's official website;
 - 5.4.5. may be subject to special offers available to certain people at any time.
- 5.5. 25% of the membership fees collected for membership of the The Arts Party shall be distributed to the Arts Party NSW from any new memberships for members registered to vote in New South Wales.
- 5.6. Should a fee be charged for New South Wales Membership as described in 5.2 above, 50% of the fee charged for membership shall be distributed to The Arts Party.
- 5.7. A member of the party may resign by contacting The Arts Party Membership Office, using the method specified on the contact page of The Arts Party's official website.
- 5.8. A person may not become a member of The Arts Party NSW if they have, within the previous ten years, been convicted of a disqualifying electoral act, as defined in Section 76 of *The Electoral Act 1992*.
- 5.9. A member of the party will have their membership revoked should that member be been convicted of a disqualifying electoral act, as defined in Section 76 of *The Electoral Act 1992*.
- 5.10. Any member of the party not on the National Executive or the State Executive may have their membership revoked by The Arts Party at any time, should the National Executive agree by way of a majority vote or the State Executive agree by way of a majority vote that the member has failed to uphold any of the responsibilities of members, as outlined in this document, or that the member has brought or will bring the party into disrepute by continuing to be a member.
 - 5.10.1. Should a member have their membership revoked they will have a percentage of the last membership fee paid refunded to them. The percentage shall be calculated by the National Executive based on the amount of time the last paid membership had been purchased for, the percentage of that time already elapsed and any costs involved to the party in processing the member's membership and membership revocation.

6. Powers

- 6.1. The State Executive of the Arts Party NSW shall have the following

powers:

- 6.1.1. to purchase, take on, lease or in exchange, hire or otherwise acquire any real and personal estate which may be deemed necessary or convenient for any of the purposes of the Arts Party NSW;
- 6.1.2. to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Arts Party NSW in the form of donations, annual subscriptions or otherwise;
- 6.1.3. to invest any moneys of the Arts Party NSW not immediately required for any of its objectives, in such a manner as may be desired;
- 6.1.4. to enter into arrangements for joint working or cooperation with any Party, association, society or body of persons whether incorporated or not carrying on work or having objectives similar to the work and objectives of the Arts Party NSW;
- 6.1.5. to produce and publish and to distribute such books, newspapers, pamphlets, periodicals and other literature as may seem deemed appropriate to promote the objectives of the Arts Party NSW;
- 6.1.6. to receive and accept donations, subscriptions and endowments or money or of any form of property;
- 6.1.7. to improve, manage, develop, sell, exchange, lease or otherwise turn to account all or any of the property of the Arts Party NSW;
- 6.1.8. to engage and dismiss all paid officers and employees of the Arts Party NSW and fix their remuneration and terms of employment;
- 6.1.9. to grant and pay such pensions, salaries, gratuities or other sums in recognition of service to any person as may be approved by the State Executive of the Arts Party NSW;
- 6.1.10. to appoint a trustee or trustees personal or corporate to receive and hold any property on behalf of the Arts Party NSW and to allow any such property to remain outstanding in such trustee or trustees;
- 6.1.11. to do all such acts and things as may be conducive to the furtherance of any of the objectives of the Arts Party NSW;
- 6.2. The Arts Party NSW is formed to carry out the objectives set forth in the Constitution and not for the purpose of trading or securing pecuniary profit for the members;
- 6.3. The income and property of the Arts Party NSW shall be applied solely towards the promotion of the objectives of the Arts Party NSW as set forth in this Constitution. No portion of income or property shall be paid or transferred directly or indirectly by way of profit to the members of the Arts Party NSW. Provided always that nothing herein contained shall prevent

the payment in good faith of remuneration whether by way of salary or honoraria or otherwise in return for any service actually rendered to or on behalf of the Arts Party NSW, to any officers or employees of the Arts Party NSW or to any member thereof or other person.

- 6.4. If upon winding up or dissolution of the Arts Party NSW there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed amongst the members of the Arts Party NSW but shall be given or transferred to some charity, company, association, society or other body having objectives similar or in part similar to the objectives of the Arts Party NSW. Such company, association, society or other body shall be determined by the National Executive of the Arts Party at or before the time of dissolution.
- 6.5. The National Executive of The Arts Party reserves the right to veto or retrospectively reverse, by way of majority vote, any and all decisions taken under the below stated powers of the the Arts Party NSW.
- 6.6. The National Executive of The Arts Party may dissolve the State Executive of the The Arts Party NSW by way of majority vote.
 - 6.6.1. Upon dissolution of the State Executive of the Arts Party NSW the National Executive of The Arts Party may either institute a new State Executive for the State branch of the Party or deregister the state branch of the Party with the Electoral Commission NSW

7. State Executive

- 7.1. The State Executive shall consist of:
 - 7.1.1. The Registered Officer of the Arts Party NSW
 - 7.1.2. The Secretary of the Arts Party NSW
 - 7.1.3. At least one member of the National Executive of The Arts Party
 - 7.1.4. Any other persons that the State Executive deems appropriate by way of a majority vote
 - 7.1.4.1. Should the State Executive not be able to attain a clear majority of State Executive members who support the addition of a new member to the Executive, the proposed new member shall not receive a position on the State Executive
 - 7.1.5. Any member of the State Executive, except the Registered Officer of the Arts Party NSW and the Secretary of the Arts Party NSW, can be removed from the State Executive by a majority vote of all members of the State Executive
 - 7.1.5.1. Should the State Executive not be able to attain a clear majority of members who support the removal of a current member to the Executive, the proposed current member shall not have their position on the

State Executive revoked

- 7.1.6. Any member of the State Executive may leave by informing the State Executive in writing of their intention to do so, at a date in the future set by the member in question.
- 7.1.7. The Registered Officer of the Arts Party NSW can be removed from the State Executive by a vote involving all members of the State Executive except the Registered Officer.
 - 7.1.7.1. The outcome of this vote must be unanimous.
 - 7.1.7.2. The vote, once proposed by a member of the State Executive, will be held, monitored and reported on by the Secretary of the Arts Party NSW
 - 7.1.7.3. Should such a vote succeed, the Registered Officer will cease to be the Registered Officer, a member of the Arts Party NSW, a member of The Arts Party and a member of the State Executive.
- 7.1.8. The Registered Officer of the Arts Party NSW can be removed from the State Executive by a vote involving a majority of the members of the National Executive of The Arts Party
 - 7.1.8.1. Should the National Executive not be able to attain a clear majority of members who support the removal of a current member to the State Executive, the proposed current member shall not have their position on the State Executive revoked
- 7.1.9. The Secretary of the Arts Party NSW can be removed from the State Executive by a vote involving all members of the State Executive except the Secretary.
 - 7.1.9.1. The outcome of this vote must be unanimous.
 - 7.1.9.2. The vote, once proposed by a member of the State Executive, will be held, monitored and reported on by the Registered Officer of the Arts Party NSW
 - 7.1.9.3. Should such a vote succeed, the Secretary will cease to be the Secretary, a member of the Arts Party NSW, a member of The Arts Party and a member of the of State Executive.
- 7.1.10. The Secretary of the Arts Party NSW can be removed from the State Executive by a vote involving a majority of the members of the National Executive of The Arts Party
 - 7.1.10.1. Should the National Executive not be able to attain a clear majority of members who support the removal of a current member to the State Executive, the proposed current member shall not have their position on the State Executive revoked
- 7.1.11. Should the positions of Secretary or the Registered Officer of the

Arts Party NSW become vacant for any reason, the State Executive will select a new person from the State Executive or the National Executive to fulfil that role, as quickly as is practicable, and submit the appropriate paperwork to the ECNSW, as required

- 7.1.12. Should the position held by a member of the National Executive of The Arts Party become vacant, such that no member from the National Executive of The Arts Party currently sits on the State Executive, the State Executive will select a new person from the National Executive to fulfil that role, as quickly as is practicable
 - 7.1.12.1. In accordance with The Arts Party's policy of ensuring gender equality within the leadership of the party, The National Executive will be responsible for ensuring approximately 50% of the members of the National Executive being women.
- 7.1.13. The voting process for determining whether a majority decision can be reached shall be determined by the Registered Officer of the Arts Party NSW and the Secretary of the Arts Party NSW prior to each vote being held
- 7.1.14. The voting process for determining whether a majority decision can be reached shall be communicated to the rest of the State Executive by the Registered Officer of the Arts Party NSW or the Secretary of the Arts Party NSW prior to each vote being held
- 7.1.15. The final outcome of any vote by the State Executive shall be confirmed and communicated to all members of the State Executive in a joint statement by both the Registered Officer of the Arts Party NSW and the Secretary of the Arts Party NSW. Should such a vote be of high importance to all members, as determined by the State Executive, then the outcome of that vote shall also be communicated to all members of the Arts Party NSW in a joint statement by both the Registered Officer of the Arts Party NSW and the Secretary of the Arts Party NSW
- 7.1.16. Should the Registered Officer of the Arts Party NSW and the Secretary of the Arts Party NSW not be able to agree upon the outcome of any particular vote the vote shall be held invalid and another vote shall be undertaken

7.2. Election of Officers

- 7.2.1. At its inaugural meeting and at every annual meeting the National Executive will elect from its own members the National Executive:
 - 7.2.1.1. Chair - who shall be responsible for chairing, steering, running and recording the outcome of Arts Party NSW meetings and the decisions made therein

- 7.2.1.2. Secretary - who shall be responsible for the day to day administration and correspondence of the Arts Party NSW
- 7.2.1.3. Treasurer - who shall be responsible for managing the Arts Party NSW's finances and ensuring that the funds within the Arts Party NSW's control are used in accordance with the powers outlined above. The treasurer is also responsible for ensuring that the funds within the Arts Party NSW's control are used in the interests of achieving the Arts Party NSW's objectives, as outlined above
- 7.2.1.4. State Party Agent - who shall be responsible for lodging required disclosure returns with the AEC and to keep such records of such as is required by law for the legally required amount of time

8. Decision Making

8.1. Mechanism for changing this constitution

- 8.1.1. Any changes to the constitution of the Arts Party NSW can be proposed by any member of the State Executive of the Arts Party NSW
- 8.1.2. Any future version of this constitution shall be ratified by a majority vote of the State Executive of the Arts Party NSW on whether to accept the proposed new version of the constitution
- 8.1.3. Should an overall majority to accept or reject a new version of the constitution not be reached, then no change to the constitution will be accepted and the constitution will stay as is.
- 8.1.4. Any changes to this constitution can be vetoed or retrospectively reversed by the National Executive of The Arts Party

9. Candidate selection

- 9.1. The State Executive will be responsible for selecting potential public office candidates for New South Wales State and Local Council elections.
- 9.2. The State Executive will be responsible for ensuring that any preselection ballot held by the party adheres to principles of a free and democratic election.
- 9.3. The State Executive will be responsible encouraging the selection of women as potential public office candidates, and aiming towards at least 50% of the candidates for each appropriate election being women.
- 9.4. With a view to affording the widest possible choice of applicants for selection, the party may:
 - 9.4.1. call for applications by public advertisement or media

- announcement;
 - 9.4.2. invite individuals to submit their names; and
 - 9.4.3. take such other steps as may be considered appropriate to bring the name of any possible applicant for selection before the State Executive.
- 9.5. At an applicable time approximately 12 months prior to any State or Local Government election at which The Arts Party NSW wishes to stand members for election, a preselection ballot will be undertaken to determine those members who are interested in standing for election.
 - 9.5.1. An application will be sent to all members of The Arts Party NSW asking for those who wish to stand for election at the forthcoming poll to self-nominate by a specified date in the future.
 - 9.5.2. If more than one application is received in respect to a division within the election in question, the State Committee shall resolve by a majority of those present, whether to
 - 9.5.2.1. select the candidate itself; or
 - 9.5.2.2. select the candidate by a Plebiscite; or
 - 9.5.2.3. not endorse any candidate.
 - 9.5.3. If only one application is received in respect to the election in question, the State Committee shall determine which of the procedures contained in the preceding subclause (if any) shall be adopted in relation to the selection of a candidate.
 - 9.5.4. Upon closing of applications the State Executive may decide:
 - 9.5.4.1. that the time for closing of applications be extended;
 - or
 - 9.5.4.2. that no candidate will be endorsed.
- 9.6. The National Executive of The Arts Party will ratify the selections of public office candidates for New South Wales State, and Local Council elections in as many seats as practicable and in accordance with the above mentioned objectives and powers of the Arts Party NSW.
- 9.7. No candidate may stand for election as represented by The Arts Party NSW unless ratified by the National Executive of The Arts Party.
- 9.8. All proposed candidates must be members of the Arts Party NSW.