

NXT Rules 1/2015

**NICK XENOPHON TEAM
INCORPORATED**

**NICK XENOPHON TEAM INCORPORATED
INCORPORATION NO. A41859**

**NXT RULES 1/2015 (ELECTION ADVISORY
COMMITTEES)**

Details

Date

Rules of:

Name	NICK XENOPHON TEAM INCORPORATED
Short form name	Association
Notice details	PO Box 3015 UNLEY SA 5061 Telephone: 08 8545 0400 Email: nx@nxt.org.au Website: www.nxt.org.au

Background

- A. These Rules are made by the Management Committee of the Association under and pursuant to clause 30 of the Constitution of the Association.
- B. These Rules are binding on the Association and all Members with effect from 27 April 2015.
- C. These Rules may be referred to as “*NXT Rules 1/2015 (Election Advisory Committees)*”.

Rules

1. Definitions and Interpretation

In these Rules:

- (a) **Associations Incorporation Act** means the *Associations Incorporation Act 1985* (South Australia) as amended.
- (b) **Campaign Co-ordinator** means the person(s) notified by the Association as holding that position in the Association.
- (c) **Chair** means the chairperson of an Election Advisory Committee under Rule 2.4.
- (d) **Constitution** means the constitution of the Association, as amended.
- (e) **EAC Member** at any time means a person who is a member of an Election Advisory Committee at that time.
- (f) **Member** means a person admitted as a Member in accordance with Clause 5.1 of the Constitution.
- (g) **Election Advisory Committee** means each committee described in Rule 2.1.
- (h) Words or expressions defined in the Constitution have the same meaning in these Rules.

2. Election Advisory Committees

2.1 Formation of Election Advisory Committees

Pursuant to the general powers of management of the Management Committee under clause 9 of the Constitution and the Associations Incorporation Act, the Management Committee establishes four committees as follows:

- (a) ***Election Advisory Committee (Victoria)*** – which shall advise the Management Committee in relation to promotion of candidates endorsed by NXT for election to the House of Representatives of the Parliament of the Commonwealth or the Australian Senate for the State of Victoria;
- (b) ***Election Advisory Committee (New South Wales)*** – which shall advise the Management Committee in relation to promotion of candidates endorsed by NXT for election to the House of Representatives of the Parliament of the Commonwealth or the Australian Senate for the State of New South Wales;
- (c) ***Election Advisory Committee (Queensland)*** – which shall advise the Management Committee in relation to promotion of candidates endorsed by NXT for election to the House of Representatives of the Parliament of the Commonwealth or the Australian Senate for the State of Queensland;
- (d) ***Election Advisory Committee (South Australia)*** – which shall advise the Management Committee in relation to promotion of candidates endorsed by NXT for election to the House of Representatives of the Parliament of the Commonwealth or the Australian Senate for the state of South Australia.

2.2 Membership of Election Advisory Committees

- (a) Membership of each Election Advisory Committee shall be determined by the Management Committee.

- (b) A person becomes a member of an Election Advisory Committee if:
 - (i) the person is a Member of the Association;
 - (ii) the Management Committee invites that person in writing to become a member of an Election Advisory Committee;
 - (iii) the person accepts that invitation in writing within the period stipulated by the Management Committee; and
 - (iv) the person signs and delivers a copy of these Rules to the Association as an acknowledgment that he or she accepts and agrees to be bound by these Rules.
- (c) A person ceases to be a member of an Election Advisory Committee if:
 - (i) the person ceases to be a Member of the Association; or
 - (ii) the person resigns as a member of the Election Advisory Committee by notice in writing to the Association; or
 - (iii) the Management Committee resolves that the person should cease to be a member of the Election Advisory Committee and notifies the person in writing of that resolution.
- (d) EAC Members may at any time nominate other persons to become members of any Election Advisory Committee by written notice to the Campaign Co-ordinator. Appointment of any nominated person to an Election Advisory Committee is subject to compliance with Rule 2.2(b).

2.3 Objectives of Election Advisory Committees

The objective of each Election Advisory Committee is to promote the Objects of the Association and to support endorsed candidates of the Association for election to the House of Representatives of the Parliament of the Commonwealth or the Australian Senate, including fund raising, policy development and public awareness.

2.4 Meetings of Election Advisory Committees

- (a) The Management Committee will appoint an EAC Member of each Election Advisory Committee to chair meetings and to co-ordinate the activities of the EAC Members of that Committee.
- (b) The Chair must convene a meeting of that Election Advisory Committee at least once every three months, and must give all EAC Members of that Committee reasonable notice of each meeting (not less than 7 days).
- (c) EAC Members shall use reasonable endeavours to attend meetings of their Election Advisory Committee (it being acknowledged by the Association that EAC Members are unpaid volunteers with other commitments and that EAC Members may not be able to attend all Election Advisory Committee meetings).
- (d) The Chair (or a willing EAC Member nominated by the Chair) will keep minutes of each meeting of the Election Advisory Committee.
- (e) The Chair must ensure that a copy of the minutes of each meeting of the Election Advisory Committee is given to the Campaign Co-ordinator within seven days after each meeting of the Committee.
- (f) If the Chair is unable to attend or to chair a meeting of the Election Advisory Committee, the Chair may nominate another EAC Member to act as chair of that meeting only.

- (g) The Management Committee may at any time by notice in writing remove a person, and appoint another EAC Member, as Chair of an Election Advisory Committee.

3. Positive Obligations

3.1 Support Endorsed Candidates

EAC Members must support endorsed candidates of the Association for election to the House of Representatives of the Parliament of the Commonwealth of Australia or the Australian Senate for the State of that Committee.

3.2 National and State Policy

- (a) Each Election Advisory Committee should contribute to development of the Association's policies at a national and State level.
- (b) The Association will appoint an EAC Member of each Election Advisory Committee to manage and co-ordinate contributions to policy development by that Committee.
- (c) Policy development must be consistent with the Objects of the Association.
- (d) Use, publication, broadcasting and dissemination of material and information relating to policy development, including contributions by Election Advisory Committees and EAC Members, is at the sole and absolute discretion of the Management Committee.
- (e) EAC Members must not use, publish, broadcast or disseminate material or information relating to policies of the Association unless that material or information has been approved in writing by the Campaign Co-ordinator.
- (f) EAC Members must not misrepresent the Objects and policies of the Association to any person or mislead any person about the Objects and policies of the Association.

3.3 Fundraising Activities

- (a) EAC Members should organise and conduct fundraising activities for endorsed candidates in their State.
- (b) Fundraising activities must be lawful, inoffensive, appropriate and in keeping with the Objects of the Association.
- (c) All proposed fundraising activities must be notified in writing to the Campaign Co-ordinator at least 2 business days in advance of the activity taking place, including the anticipated costs of the fundraising activity.
- (d) EAC Members must not conduct a fundraising activity if the Campaign Co-ordinator notifies their Election Advisory Committee that the activity should not take place.
- (e) Each Election Advisory Committee must pay the net proceeds of each fundraising activity (after deducting anticipated costs notified to the Campaign Co-ordinator) and any other payments, benefits or rewards paid to or received by an Election Advisory Committee or EAC Member, directly to the Association. The Association will:
 - (i) allocate 75% of such amounts exclusively for the Objects of the Association in the State of that Election Advisory Committee; and
 - (ii) apply 25% of such amounts to administration and operating costs of the Association generally.
- (f) EAC Members must not benefit personally from fundraising activities, other than to the extent to which they may benefit indirectly as an endorsed candidate, or as otherwise approved by the Campaign Co-ordinator (for example, an EAC Member cannot charge a

fee to the Association for goods or services supplied by the EAC Member for a fundraising event unless approved by the Campaign Co-ordinator).

- (g) All proceeds from fundraising activities, and any other payments, benefits or rewards paid to or received by an Election Advisory Committee or EAC Member, must be paid and accounted for in accordance with Rule 3.3(e). Under no circumstances can any such proceeds, payments, benefits or rewards be paid or given to, or retained by, an endorsed candidate or an EAC Member.

3.4 Encourage Supporting Members

- (a) EAC Members shall inform persons expressing an interest in the Association of the opportunity to become a Supporting Member of the Association and encourage such persons to consider applying for membership as a Supporting Member if that person expresses an interest in supporting the Association.
- (b) EAC Members shall meet with, assist and encourage Supporting Members to participate in activities that promote the Objects of the Association.

3.5 Marketing and Promotional Material

- (a) Each Election Advisory Committee should contribute to marketing and promotional ideas and materials that promote the Objects of the Association in its State.
- (b) EAC Members must not create, use, publish, broadcast or disseminate marketing or promotional material unless that material has been approved in writing by the Campaign Co-ordinator.
- (c) Election Advisory Committees may contribute short articles, updates and other material to the Campaign Co-ordinator for inclusion in publications of the Association (including newsletters, website material and press releases by the Association or its Parliamentary Members). Use, publication, broadcasting and dissemination of all material is at the absolute discretion of the Campaign Co-ordinator.

4. Public Statements and Authority

4.1 Public Statements

In accordance with clause 5.10 of the Constitution, each EAC Member undertakes that he or she must not make public statements (including press releases and other formal and informal statements to the media) for or on behalf of the Association, or representing Objects or policies of the Association, unless that EAC Member is expressly authorised in writing by the Convener (or by the Campaign Co-ordinator on behalf of the Convener) to make such statements.

4.2 Authority

An EAC Member has no authority, actual or ostensible, to bind or act on behalf of a Parliamentary Member or the Association, or to represent to any person (including a media representative) that he or she has such authority.

5. General

5.1 No Employment Relationship

Nothing in these Rules is intended to create or record an employment relationship between the Association and any EAC Member. Each EAC Member acknowledges, as a condition of appointment, that he or she is not an employee of the Association and is not entitled to any salary, wages, fees or other remuneration for services provided as an EAC Member.

5.2 Observe Constitution and Rules

EAC Members must observe the Constitution and the rules from time to time communicated to Members in accordance with clause 30 of the Constitution.

5.3 Amendment

These Rules may be amended, added to or revoked by the Management Committee in accordance with the Constitution and the Associations Incorporation Act.

5.4 Severance

Any provision of these Rules that is void, illegal or unenforceable will be severed from these Rules and shall not affect the validity and continued operation of the remaining provisions of these Rules.

Signing page

SIGNED by the Management Committee:

Signed by:
NICK XENOPHON:

Signed by:
STIRLING GRIFF:

_____ ←

_____ ←

SIGNED by the person named below who accepts and agrees to be bound by these Rules:

_____ ←
Signature

_____ ←
Name

in the presence of:

_____ ←
Signature of witness

_____ ←
Name of witness