

Principles and proposal for reform of the NSW Liberal Party

The Constitution of the NSW Liberal Party contains six times as many words as the Constitution of the Commonwealth of Australia. It is almost incapable of being sensibly interpreted and it is necessary for it to be stripped back and reformed, based upon clear principles. This proposal sets out a starting point for further discussion and consideration. It won't be perfect, but it's a start.

This proposal seeks to streamline our internal decision making structures. Its aim is to make the Party easier to run, capable of being more agile to the needs of modern political life and better reflecting an organisation the size that it is today. It also aims at growing the membership and reducing the barriers to participation in the Party by members.

Our Party's governance must reflect the values which we stand for – as Liberals, we stand for representative democracy, where we elect people to represent us, as opposed to some Rousseau-like 'direct democracy' structure. We must support our elected representatives with a lean structure aimed at winning parliamentary elections, and spend less time squabbling over the spoils of internal party ballots. Our present structure worked in an age of mass-membership political parties, but the reality of life in the 2020s is that, proportionately, fewer and fewer Australians are actively involved in political parties. Maintaining a structure that reprises the glories of old discourages participation in the political process – while the electorate has evolved, our Party and its arcane processes, rules and procedures have not.

Similarly, as important as policy debates within the Party are, we must totally reject any move which gives the membership power over the parliamentary party rooms to set and determine policy. That approach, the Labor and Greens approach, was precisely eschewed in Menzies' vision – let us not become the 3,600 hundred faceless people giving diktats to our elected representatives.

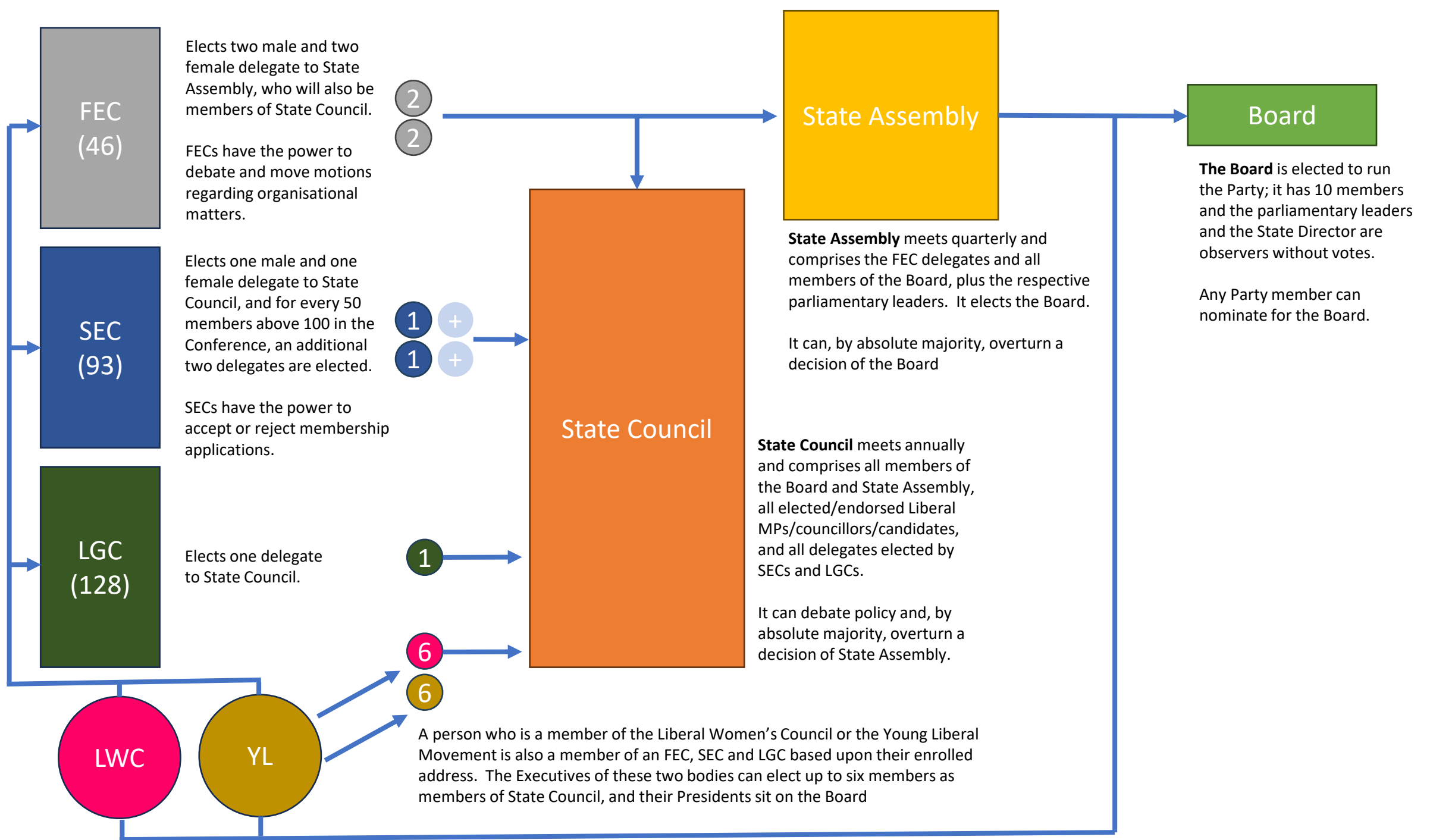
An overview:

- Gender parity of elected roles is introduced
- State Executive is rebranded as the Board, and it's size is reduced to 12 members
- A new State Assembly is established
- The size of State Council is reduced
- Branches are abolished in favour of Federal, state and local government conferences
- Preselections will take place according to a members' enrolled electoral address at the time of the close of rolls for the preselection
- New provisions are established for an urgent preselection to occur, giving local members greater say in who is selected
- The Leader's votes in a preselection are given an additional weighting
- Community plebiscite preselections can be conducted

A political party incapable of governing its own affairs is unlikely to be politically successful. If we are to become a Party capable of fighting and winning elections we must reform our internal structures. The success of the Teal movement, beyond the deep financial resources of their founder, lies in their less rigid structures – true community movements, just like mass political parties like the Liberal Party used to be.

This proposal sets out a high-level approach to the way a restructure could occur. Everyone will need to compromise something in order to create a stronger Party capable of fighting and winning elections against our political opponents.

All members are concurrently a member of an FEC, SEC and LGC based on their enrolled address



Board

The Division will be governed by a Board, consisting of:

- The President
- One male and one female vice president (the ranking Vice President will be of the opposite gender to the President)
- The President of the Young Liberals
- The President of the Women's Council
- The Treasurer
- One male and one female urban representative
- One male and one female regional representative

The Federal and State parliamentary leaders (or their representative) may be a participating observer in Board meetings but will not have the power to vote.

There will be a State Director, appointed by the Board. They will attend and participate in Board meetings but will not have the power to vote.

The Board will:

- have all the powers necessary to run the Division, unless otherwise specified
- be elected by the State Assembly; all Party members are eligible to seek election to the Board
- determine which electorates and local government areas the Party contests
- meet at least monthly, or as often as required

State Assembly

The State Assembly will consist of:

- The Board (the President will be Chair of the State Assembly, and will have a casting vote)
- Federal and State Leader (or their representative)
- Two male and two female delegates elected by each Federal electorate conference

The State Assembly will:

- meet quarterly, or as often as required, either in person or by hybrid means
 - only members resident more than 150km from the Sydney CBD may be entitled to vote remotely
- have the power to fill (through election) casual vacancies of the Board
- on the advice of the Board, establish a preselection timetable not later than 18 months after a Federal and 30 months after a State election, which may set out proposed arrangements for the preselection of candidates at the forthcoming election. State Assembly will be responsible for holding the Board to account for the conduct of preselections in accordance with this timetable.
- Establish
 - a campaign committee (chaired by the President)
 - a membership committee (chaired by a member of the Board)
 - prospective candidate committee (chaired by a member of the Board)
 - fundraising committee (chaired by the Treasurer)
 - disputes panel (chaired by the ranking Vice President)such committees will:
 - each comprise up to 10 members (five male and five female) of State Assembly
 - the chairs will have a casting vote
 - in the case of the Disputes Panel, to conduct their affairs confidentially
 - be accountable to State Assembly.
- elect representatives to the Federal Council (who can be any member of the Party who nominates for a position).
- have the power to:
 - hear appeals on membership decisions from Conferences,
 - decide membership applications referred to it by Conferences
 - determine membership applications which have failed to be considered by a Conference.
- Any other matters not otherwise listed as responsibilities of the Board or State Council

Preselection:

- Only members of State Assembly are eligible to be selected to participate in a preselection for the Federal parliament.

Decisions of State Assembly, unless otherwise specified, will be made by simple majority of members present and voting.

State Assembly will have the power, on absolute majority vote, to overturn a decision of the Board

State Council

There will be a State Council, whose membership will consist of:

- The Board (the President will be Chair of the State Council, and will have a casting vote)
- All elected/endorsed Liberal members/candidates
- One male and one female representative for each Federal Electorate Conference (who are the State Assembly delegates)
- One male and one female representative for each State Electorate Conference (who are not the State Assembly delegates)
- One additional male and one additional female member for every SEC whose membership exceeds 100 members, and an additional male and female delegate for every 50 members thereafter
 - If a Conference has <90 members, it would be eligible for two delegates, being its standing entitlement only
 - If a Conference has 175 members, it would be eligible for six delegates – the standing entitlement, plus two for 100 members and a further two for the next 50 members
 - if a Conference has 350 members, it would be eligible for 14 delegates to State Council, being two as a standing entitlement, plus two for the first 100 members, and two for every subsequent 50 members
- One delegate from each Local Government Conference
- The Young Liberal Executive (limit of six members)
- Liberal Women's Council Executive (limit of six members)

The State Council will:

- Meet at least once per year
- Establish a Constitution committee
- Establish policy committees on relevant policy matters;
 - committees will report their work and be accountable to the State Council;
 - Committees can submit policy proposals/motions for debate
 - all party members are eligible to participate in the work of committees, however State Council has the power of veto over any policy proposals that originate in these committees
- Have the power to debate matters of policy but not set policy of the Liberal Party; the ability to set policy will remain the sole responsibility of the parliamentary members
- Have the power to amend the Party's Constitution, subject to an absolute majority

Preselection:

- Only those state councillors who have been elected by their SEC are eligible to participate in selection committee meetings for the state parliament.
- Members of State Assembly are ineligible to be selected to participate in a preselection for the state parliament.

Decisions of State Council, unless otherwise specified, will be made by simple majority of members present and voting.

The State Council will have the power, on absolute majority vote, to overturn a decision of the State Assembly.

Conferences

There will be a Federal, State and Local Government Electorate Conference established for each Federal and state electorate, and local government area.

- Branches' authority will be abolished, however a Branch may continue to meet for social or discussion purposes
- Members will be allocated to each of an FEC, SEC and LGC based on their electoral enrolment address
 - There will be no grandfathering
 - In the event of an electoral redistribution, the State Assembly will nominate a date on which the new membership boundaries will take effect for the purposes of Party affairs
- Each Conference will elect a President, male and female Vice President, Secretary and Treasurer, as well as three additional executive members to consist the Conference Executive; at least three of these executive members are to be male and at least three are to be female
 - No person will be the President of more than one electorate conference, however they may concurrently serve in other positions in other electorate conferences
- Each State electorate conference will also elect one male and one female delegate (and any additional delegates so necessary) for State Council; no person may be a State council delegate from multiple Conferences
 - There is no minimum membership requirement period before eligibility for any party office
- Members who have been a continuous financial member for at least 12 months will have the opportunity to participate in pre-selection of candidates in the area in which they are resident according to the electoral roll
- **Approval of membership applications will be the function of SECs**
 - Applications will require a vote to not accept, and reasons tabled for the application to be denied
 - State Assembly will have the power to veto the decision to deny a membership application
- Conferences must meet at least quarterly
- Policy matters handled by Conferences:
 - FEC: Policy matters of a Federal nature, Party organisational matters
 - SEC: Policy matters of a State nature
 - LGC: Policy matters at a local government level

Preselection

- Any member of the party can nominate for preselection
 - However, any nominating candidate who has previously been an endorsed candidate for another political party will require the dispensation of the Board before submitting their nomination
- Only financial members with at least 12 months' continuous membership will be eligible to participate as a preselector, and only where their enrolled residential address is within the boundaries of the seat at the time of the close of rolls (which will be determined by the State Director)
- The Federal or State Leader (or representative) shall have one vote for every 50 eligible preselectors (except in Local Government selections)
- The State President (or their representative) shall be a selector at every preselection
- A sitting member of the Board is not eligible for preselection unless they resign their position before nomination, and they will not be eligible for re-appointment to the Board in the event their nomination is unsuccessful (for the duration of the term being served)

House of Representatives

- All local members resident in an electorate are eligible to register to participate in the preselection
- State Assembly:
 - 10 (five male/five female) will be randomly selected, and
 - Where there are more than 200 members of the FEC, for every 50 local members thereafter a further 10 State Assembly delegates (five male/five female) shall be selected
 - No more than 50 State Assembly delegates can be selected
- In the case of a tied vote, the Conference President will exercise a casting vote.
- To be successful, a candidate must secure 50% plus 1 vote of the total present and voting members; preferential balloting will be the method of selection
- Voting will only occur in person, except where the area of electorate concerned exceeds 10,000km² where the Board may endorse electronic voting
- Preselections will occur not later than 30 months after a Federal election except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Legislative Assembly

- All local members resident in an electorate are eligible to register to participate in the preselection
- The State President (or their representative) shall be a selector
- State Council:
 - 10 (five male/five female) will be randomly selected, and
 - Where there are more than 150 members of the SEC, for every 50 local members thereafter a further 10 State Council delegates (five male and five female who are not members of State Assembly) shall be selected
 - No more than 50 State Council delegates can be selected
- In the case of a tied vote, the Conference President will exercise a casting vote.
- To be successful, a candidate must secure 50% plus 1 vote of the total present and voting members; preferential balloting will be the method of selection
- Voting will only occur in person, except where the area of electorate concerned exceeds 6,000km² where the Board may endorse electronic voting

- Preselections will occur not later than 45 months after a State election except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Senate

- For a Senate preselection:
 - All State Assembly delegates
 - Two additional State Assembly delegates for every FEC whose membership exceeds 200, and for every 50 thereafter (to a maximum of 10 per FEC)
 - 100 State Council delegates will be chosen at random (50 men and 50 women)
- Voting can only take place in person except where a selector is resident more than 150km from the Sydney CBD, where electronic voting may be available
- In the event of a tied vote, the State President will have a casting vote
- Members will be preselected by full preferential voting system; the first candidate to receive 50% plus 1 of the votes cast will be the first endorsed candidate, ballots will then be redistributed to select (where necessary) the second and subsequent candidates who will be endorsed in the order in which they are subsequently deemed successful
- Preselections will occur Not later than 33 months after a Federal election except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Legislative Council – province-based selection

- For a Legislative Council preselection on a province-based selection:
 - 10 selectors from each SEC (5 male and 5 female) from within the province
 - 10 additional selectors from each SEC whose membership exceeds 200, and for every 50 thereafter (to a maximum of 50 per SEC)
 - 20 selectors from State Council (10 male and 10 female) who are not members of State Assembly
 - State President (or representative)
- In the event of a tied vote, the State President (or representative) will have a casting vote
- To be successful, a candidate must secure 50% plus 1 vote of the total present and voting members; preferential balloting will be the method of selection
- Preselections will occur not later than 46 months after a State election except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Legislative Council – at-large position

- For a Legislative Council preselection for an at-large position:
 - 150 members (75 male and 75 female) from State Council who are not members of State Assembly
 - State President
- The State Leader's (or representatives) will have one vote for every 50 selectors
- In the event of a tied vote, the State President (or representative) will have a casting vote
- Members will be preselected by full preferential voting system; the first candidate to receive 50% plus 1 of the votes cast will be the first endorsed candidate, ballots will then be redistributed to select (where necessary) the second and subsequent candidates who will be endorsed in the order in which they are subsequently deemed successful
- Preselections will occur not later than 46 months after a State election except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Preselection of candidates – Local government:

- All local members resident in an electorate are eligible to register to participate in the preselection
- The State President (or their representative) shall be a selector
- In the case of a tied vote, the Conference President will exercise a casting vote.
- Members will be preselected by full preferential voting system; the first candidate to receive 50% plus 1 of the votes cast will be the first endorsed candidate, ballots will then be redistributed to select (where necessary) the second and subsequent candidates who will be endorsed in the order in which they are subsequently deemed successful
- Voting will only occur in person, except where the area of council exceeds 6,000km² where the Board may endorse electronic voting
- Preselections will occur not later than three months before the next Local Government election, except where exceptional circumstances may exist – in these circumstances, the Board must establish a clear timeline and seek its endorsement by a simple majority of the State Assembly

Special preselection powers

The Board will have the power to intervene in a preselection.

- A decision to conduct a special preselection requires an absolute majority vote of the Board
 - On a motion to conduct a special preselection, the President does not have a casting vote – a tied vote is lost
- A minimum 36 hour nominations period must be observed
- In the case of the House of Representatives or Legislative Assembly selection, the selection panel will include:
 - The relevant conference executive
 - The Board
 - A random selection of:
 - In the case of a House of Representatives selection, 10 members (five male and five female) of State Assembly
 - In the case of the Legislative Assembly, 10 members (five male and five female) of State Council who are not members of State Assembly
 - The State or Federal Leader (or representatives) will have one vote for every 10 selectors
 - The President will have a casting vote
- In the case of the Senate or the Legislative Council, the selection panel will include:
 - In the case of the Senate, the Presidents of all FEC's
 - In the case of the Legislative Council, Presidents of all SEC's
 - The Board
 - A random selection of:
 - In the case of a Senate selection, 10 members (five male and five female) of State Assembly
 - In the case of the Legislative Council selection, 10 members (five male and five female) of State Council who are not members of State Assembly
 - The State or Federal Leader (or representatives) will have one vote for every 10 selectors
 - The President will have a casting vote
- In the case of a Local Government selection, the selection panel will include:
 - The relevant conference executive
 - The Board
 - The President will have a casting vote

Community preselection

Community plebiscite preselections may be conducted on a majority vote of the State Assembly (in the case of the House of Representatives) and State Council (in the case of the Legislative Assembly).

- The standard preselection process will be conducted by party members, in accordance with the methodology listed above
- Members will select two preferred candidates from those who nominate, who will proceed to a community preselection endorsement meeting
- Concurrently to the Party selecting the preferred candidates (using the process outlined above), the Party will call for interested community members to self-register to participate in a community preselection
 - All Party members resident in the Division or District will be automatically enrolled to participate
 - Only Australian citizens resident and enrolled in the electorate are eligible to register as community participants
- Following the selection of the two preferred candidates, a period of 28 days will elapse before an endorsement meeting is held to select the single preferred candidate

- Registered delegates and members will be required to physically attend a venue in order to participate in the preselection
- Electronic voting may be considered where more than 500 people register to participate
- Party members' votes will count for 50% of total votes cast, and registered community members' votes will count for the remaining 50%. A candidate will require 50% plus one of the total votes cast to be successful.
- A list of email addresses and telephone numbers of registered participants will be shared with the two candidates, who will be permitted to contact registered delegates electronically only
- Candidates will be permitted to make brief statements and take questions before a secret ballot is conducted and a winner announced
 - In the event of a tie, the Board will conduct a ballot to determine the successful candidate, and the President will have a casting vote should a tie continue

General preselection matters

- An individual selected at a selection committee meeting requires endorsement by the Board
 - A decision to overturn a selection requires an absolute majority vote of the Board, and the President will not have a casting vote in the event of a tie (a tied vote is lost)
 - Endorsement must take place within 14 days of the selection committee meeting
- A spending limit will be imposed on candidates seeking preselection, which will begin at \$7.50 per member of the Conference at the time the preselection is opened (as determined by the State Director) or, in the case of selections for the Senate and the Legislative Council, will be the number of eligible selectors as listed above
 - Increases may be determined by the Board and may not increase by more than 10% between electoral cycles except for in exceptional circumstances
- In the case of a community preselection, an additional \$2.50 per registered delegate will be available for the run-off endorsement meeting (the number of registered delegates and spending cap will be notified to candidates by the State Director). These funds can only be spent during the 28 day period prior to the community endorsement meeting.