

# **CONSTITUTION AND RULES OF THE FREEDOMS NEW ZEALAND PARTY**

**DATE: 14<sup>TH</sup> OCTOBER 2022**

**Issued by authority of Jennifer Marshall, the Party Secretary of the Freedoms New Zealand party**

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## 1. DEFINITIONS

1.1 In these rules:

**“Party”** means Freedoms New Zealand party.

**“Party Secretary”** means the person appointed as the Party Secretary of the Party by the Umbrella Party Council.

**“Founding Component Parties”** means the New Nation Party and Vision New Zealand, political parties registered (or in the process of being registered) under New Zealand electoral law.

**“Component Parties”** means any political parties that have entered into a Memorandum of Understanding with the Umbrella Party Council, and can include registered and unregistered political parties under New Zealand electoral law.

**“Umbrella Party Council”** means the joint party council of Freedoms New Zealand registered with the Electoral Commission.

**“Party List”** means the list of candidates selected by the Umbrella Party Council to contest the party vote for Freedoms New Zealand at a general election.

**“Founders”** means The Freedoms & Rights Coalition, the founders of the Party and a not-for-profit unincorporated society

**“New Nation Party”** means the New Nation Party, a political party in the process of becoming registered under New Zealand electoral law.

**“Vision New Zealand”** means Vision New Zealand, a political party registered under New Zealand electoral law.

1.2 In these rules any reference to “written” communication includes communications made digitally.

## 2. NAME

2.1 Freedoms New Zealand is a not-for-profit unincorporated society established under these rules to undertake political activity and contest elections.

2.2 The official name of the Party is “Freedoms New Zealand”.

2.3 The short name of the Party is “Freedoms NZ”.

2.4 The logo of the Party will be agreed by the Founders.

### **3. FORMATION**

- 3.1 Freedoms New Zealand is a political party formed by The Freedoms & Rights Coalition, New Nation Party and Vision New Zealand.
- 3.2 The component parties of the Party are:
  - 3.2.1 New Nation Party,
  - 3.2.2 Vision New Zealand, and
  - 3.2.3 Any other subsequent registered or unregistered party that shall enter into an agreement with the Umbrella Party Council and has been declared to the Electoral Commission.

### **4. MEMBERSHIP**

- 4.1 Membership of the Party is open to financial members of the component parties and non-financial or financial supporters of The Freedoms & Rights Coalition.
- 4.2 Every individual who is a financial member of a component party or non-financial or financial supporter of the Freedoms and Rights Coalition may join the Party by paying a fee of at least \$1.00 for one year membership.
- 4.3 Membership of the component parties will be dealt with under the rules of the component parties.
- 4.4 A person can be a member of the Party without being a member of one of the component parties.
- 4.5 An applicant denied membership shall have the right of appeal to the Umbrella Party Council.

### **5. PARTY COUNCIL**

#### ***Structure***

- 5.1 There will be an Umbrella Party Council for the Party.
- 5.2 The component parties will each appoint a representative to the Umbrella Party Council.
- 5.3 The Umbrella Party Council is responsible for making decisions for the Party.

***Membership of the Umbrella Party Council***

- 5.4 The Umbrella Party Council shall consist of:
- 5.4.1 The Leader of The Freedoms & Rights Coalition,
  - 5.4.2 The Leader of the New Nation Party,
  - 5.4.3 The Leader of Vision New Zealand,
  - 5.4.4 A representative from the business community, appointed by the Umbrella Party Council,
  - 5.4.5 A representative from the wider community, appointed by the Umbrella Party Council,
  - 5.4.6 The Leader of each subsequent component party that joins the umbrella party,
  - 5.4.7 The Party Secretary, who will be appointed by The Freedoms & Rights Coalition.

***Founding Leadership***

- 5.5 Brian Tamaki, as leader of The Freedoms & Rights Coalition at the time of the formation of the Party, will be the founding President of the Party
- 5.6 The Founding Leader of the Party will be as agreed by the Umbrella Party Council.

***Decisions of the Umbrella Party Council***

- 5.7 Each member of the Umbrella Party Council will have one vote.
- 5.8 Decisions can be made by consensus or by simple majority vote. There is no casting vote.
- 5.9 The Umbrella Party Council can create *ex officio* Umbrella Party Council positions which do not carry voting rights and may employ or contract individuals or firms as is necessary or expedient in carrying out its functions, or the functions of the Party Secretary.

***Vacancy***

- 5.10 Where a position on the Umbrella Party Council becomes vacant, the component party or organization responsible for selecting that person will appoint a replacement.

### ***Powers of the Umbrella Party Council***

- 5.11 The Umbrella Party Council shall administer the affairs of the Party and shall pursue the objectives and protect the interests of the Party and its Members and without limiting the scope of its powers shall have authority to exercise any other lawful powers not inconsistent with these rules.

### ***Delegation***

- 5.12 The Umbrella Party Council may delegate its powers and functions to any person, and any such person may exercise or perform the delegated functions or powers. It shall be an express term and condition of any contract or agreement of delegation that the delegation is undertaken in accordance with these rules and consistent with the Party's objectives.
- 5.13 The Umbrella Party Council shall be able to revoke any delegation with immediate effect, and no such delegation will prevent the exercise of any power or the performance of any duty by the Umbrella Party Council.
- 5.14 The Umbrella Party Council shall establish The Accountability & Integrity Authority as a delegated authority of the Umbrella Party Council. The Accountability & Integrity Authority will be responsible for ensuring that all politicians and candidates within the Party uphold the code of conduct developed by the Umbrella Party Council in areas of character, unity, and integrity, protecting the reputation and aspirations of the Party.

## **6. COMMON SEAL**

- 6.1 The Umbrella Party Council shall adopt a common seal which shall be affixed in the presence of two members of the Umbrella Party Council.

## **7. SELECTION OF CANDIDATES FOR GENERAL ELECTIONS**

### ***Selecting the Party List***

- 7.1 The Party List will be formed by the Umbrella Party Council in accordance with the requirements of Electoral Law.

### ***Selecting Electorate Candidates***

- 7.2 Electorate candidates have the option to stand under one of the component party names and logos, or the Party name and logo, but will not stand in opposition to candidates from other component parties that form the Party.

- 7.3 The Umbrella Party Council will facilitate the process of selecting which electorates each component party will stand their candidates in. This process will also include candidates who choose to stand under the Party name and logo.

***Democratic participation***

- 7.4 The Umbrella Party Council will ensure that Party members have a role in selecting candidates, in accordance with the requirements of electoral law.

**8. Campaign Coordination Team**

- 8.1 There will be a Campaign Co-ordination Team to coordinate the party vote campaign, with each component party contributing their available resources, including funding, personnel and expertise to maximise the party vote for the Party and to assist with the election of candidates from component parties or the Party as agreed.

- 8.2 The Campaign Co-ordination Team shall consist of:

8.2.1 The Party Secretary (who shall be chair),

8.2.2 The Secretary of each component party and one other representative from each component party,

8.2.3 The Party Strategist, appointed by The Umbrella Council,

8.2.4 The President of the Party who shall be ex-officio,

8.2.5 The Party Leader who shall be ex-officio,

8.2.6 The Leaders of the component parties who shall be ex-officio.

**9. POLICY DEVELOPMENT**

- 9.1 The component parties will develop an agreed policy platform for the Party that all elected candidates from the component parties (either by way of the party list or via electorates) agree to vote for and implement to the best of their abilities in Parliament.

- 9.2 The Party may jointly appoint party spokespeople or co-spokespeople for the Party as agreed, who may speak on behalf of the Party and advocate for the agreed policy platform.

- 9.3 The component parties may develop and advocate their own policy platform but will consult with the other component parties during the process of policy development and prior to the public release of any new policy, with the aim of ensuring that component parties' policies are not directly contradictory to the other component parties' policies or the agreed policy platform.

- 9.4 Each component parties' MPs are free to vote in Parliament to support and to publicly promote their own party's policies providing the development and announcement of that policy has been consistent with this agreement and the rules of the Party.

## **10. FINANCE AND EXPENDITURE**

### ***Auditing and reporting***

- 10.1 The Party Secretary will appoint an auditor for the Party in accordance with the requirements of electoral law.
- 10.2 Any component party can request an audit of the Party finances, at their own expense.

## **11. LEGAL COMPLIANCE**

- 11.1 The Party, and the Umbrella Party Council shall abide by the laws of New Zealand in all aspects of the operation of the Party.

## **12. CHANGES TO THE PARTY RULES**

### ***Amendment***

- 12.1 Amendments to the rules may be proposed and voted on by the Umbrella Party Council, and may only be passed with a 75% majority vote.
- 12.2 Amendments to the rules may be proposed by a component party, which will initiate a proposal by the passing of a resolution by the initiating component party's Executive. The notice must state the reasons for the initiating party wanting to make the amendment.
- 12.3 The Umbrella Party Council will meet, discuss and vote on any proposed amendment from a component party, within 10 working days of receipt.

### ***Termination***

- 12.4 A component party may give one month written notice of their intention to withdraw as a component party. The notice must state the reasons for the party wanting to withdraw as a component party and must give an opportunity for the Umbrella Party Council to meet and for the other component parties to respond to the initiating party's notice at least two weeks before it takes effect. The notice may only be initiated by the passing of a resolution by a component party's Executive and must be confirmed by the same process after the Umbrella Party Council has met to discuss the notice. Any decision to withdraw as a component party will not take effect until six weeks after the next General Election polling day.



- 12.5 The component parties will meet together within five weeks of the General Election to review the Party and the ongoing agreement with component parties.
- 12.6 In the event that all component parties withdraw as component parties of the Party, then, the Secretary of the Party will, no later than the writ of the following general election, cancel the registration of the Party with the Electoral Commission, and the Party will be dissolved. Any property of the Party shall, upon effective dissolution, be transferred to such political parties or societies having objects similar to those of the Party within New Zealand.

### **13. POST-ELECTION**

#### ***Government Formation***

- 13.1 Within three days of a general election, the Umbrella Party Council will meet to discuss and plan negotiations for involvement and potential support for any new government and do so before any post-election meeting with or commitment to any other political party, leader or representative.
- 13.2 The Umbrella Party Council will also review the leadership positions of the Party to reflect the representation and leadership of the Party in Parliament, and to review the operation of the Party.