

Rules - ALCP Aotearoa Legalise Cannabis Party, Inc.

ADOPTED BY A MEETING OF MEMBERS HELD AT CROSSWAYS, MT VICTORIA, WELLINGTON  
ON 23 MARCH 1996 - Phil Saxby, John Creser

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### **1.1 NAME**

The name of the society shall be the Aotearoa Legalise Cannabis Party incorporated hereinafter called the ALCP

1.2 Objects of the ALCP are to;

- a) Achieve the legalisation of cannabis for recreational, spiritual, medicinal and industrial purposes.
- b) Defend and protect the liberty of adult citizens to choose, when that choice causes no harm to other people or the planet.
- c) To promote a wider understanding of the environmental, economic, and social harm caused by prohibition policies.
- d) To promote the ecological and financial advantages of hemp cultivation modeled on policies adopted by the U.K. and Canada.
- e) To support the principles of partnership embodied in the Treaty of Waitangi.
- f) To elect competent men and women to Parliament to achieve the above objectives.

## **2 MEMBERSHIP**

### **2.1 Individual membership**

Any person upon the payment of the tri-annual membership subscription (as determined in Rule 3.3.6 ) to a branch of the ALCP will be deemed to be a member of the ALCP.

### **2.2 Duration of membership**

Membership shall be deemed to continue until financial membership expires or until the ALCP or member terminates the membership in writing.

### **2.3 Confidentiality of Membership**

Membership shall be confidential to the ALCP unless the member gives permission in writing for the membership to be disclosed.

## **3 THE ALCP CONFERENCE**

### **3.1 The Conference as governing body**

The ALCP Conference shall be the governing body of the ALCP. The Conference will comprise delegates from approved branches, members of the Steering Committee and individual members of the Party.

### **3.2 Representation**

a) Branches shall be entitled to delegates as follows;

Member only 1 vote

Branch with less than 50 members 5 votes

Branch with 50-51 members 10 votes

For every 50 members over 100, additional 2 votes

Member of Management Committee 1 vote b) For the purposes of representation of or holding any election after 30 June in any year the Branch entitlement to representation shall be determined by the number of financial members at 30 June that year.

c) For the purpose of representation or holding any election before 30 June in any year the Branch entitlement shall be determined by the number of financial members as of 31 December in the

preceding year.

### 3.3 Powers of the ALCP Conference

3.3.1 Administrative Powers, the Conference shall be empowered to:

- a) Provide and maintain a Headquarters and such other places of business as are needed to further its objects.
- b) Receive membership subscriptions, donations and property for use in furthering its objects.
- c) Purchase, lease or hire property.
- d) Publish, print, sell and distribute literature in any form suitable for the promotion of its objects.
- e) Engage in such business enterprise as may be intended to promote its objects
- f) Employ staff and officers and fix their pay and conditions of employment.
- g) Operate such Bank and Investment accounts as are needed to provide proper control of ALCP funds.
- h) Provide educational services insofar as they promote the objects of the ALCP.
- i) By formal resolution borrow funds to advance its purpose.
- j) Do such things as may legally and properly assist the administration of the ALCP.

### 3.3.2 Constitutional Powers

The Conference may add to, repeal or otherwise amend the Rules of the ALCP subject to the provisions of Rule 3.4.7

### 3.3.3 Power to Formulate Policy

The Conference shall determine the policy of the ALCP subject to the provisions of Rule 3.4.7 and of Rule 7.4

### 3.3.4 Powers relating to the Election of the Management Committee

- a) The Conference will appoint a returning officer who shall organise the election of the Management Committee as set out in Rule 4.3
- b) The Conference shall require Branches to supply membership lists updated quarterly which together with any notified subsequent membership changes shall be the membership roll for the purposes of representation under Rule 3.2 and of voting under Rule 4.3 and 6.2

### 3.3.5 Power Relating to Membership

- a) The ALCP Conference shall have the power by notice in writing to dismiss, suspend or expel Branches, officers or individual members on reasonable grounds as it sees fit

### 3.3.6 Power to Set Subscriptions

- a) The ALCP Conference shall set out the annual membership subscription for each category of member.
- b) Unless otherwise decided by the Conference 50% of the membership subscriptions received by the Branches shall be payable to the Conference.
- c) The Conference may set such other levies as from time to time may reasonably be required to assist the ALCP to realise its objectives.

### 3.3.7 Power to Convene Special Branch Meetings

The Conference may on 30 days notice, stating the date, time and place for the meeting, convene a special general meeting of any branch.

### 3.3.8 Power to Require and Approve Reports

- a) The Conference shall approve such budgets, financial and other reports as are specified by law or may otherwise be required by resolution of the Conference.
- b) The Conference shall at each annual meeting consider amend as required and approve an annual budget for the following year.

### 3.3.9 Power to Rule in Disputes

In the case of any dispute over the meaning or interpretation of these rules, the decision of the

Conference will be final.

#### 3.3.10 Power to Delegate Authority

The Conference may by specific resolution delegate all or part of its powers to the ALCP Management Committee except the Constitutional power provide in Rule 3.3.2 and this power of delegation.

### 3.4 Meeting of the ALCP Conference

#### 3.4.1 Frequency

The Management Committee shall in each year convene an Annual General meeting of the Conference and shall convene Special General meetings for specific purposes when called upon in writing by not less than 4 Branches to do so, and may itself convene Special General Meetings for specific purposes from time to time.

#### 3.4.2 Notice

#### 3.4.3 Agenda and Chair

a) The General Secretary for the time being of the Management Committee shall prepare the agenda and circulate it prior to the commencement of the meeting.

b) The President of the Management Committee for the time being shall Conference Meetings but may delegate this authority as the need arises.

#### 3.4.4 Quorum

The quorum for an ALCP Conference meeting shall be 15 persons entitled to vote, shall include delegates from at least 4 ALCP Branches, and comprise more than 50% of those attending the meeting and entitled to vote.

#### 3.4.5 Voting

a) Voting, other than on resolutions in respect of rules or policy shall be by a show of hands unless any two persons present and entitled to vote call for a card vote.

b) Voting on resolutions in respect of rules or policy shall be by card vote.

c) Voting shall be by simple majority of valid votes cast.

d) The numerical results of card votes shall be recorded in the minutes.

e) In the case of a tied vote the chair shall have the casting vote.

#### 3.4.6 Meeting Procedure

a) Each Conference meeting shall adopt the Conference standing orders.

b) The standing orders may be amended by resolution at the start of the meeting but shall remain unchanged thereafter for the duration of the meeting.

c) The standing orders may, on a procedural motion supported by 3/4 of those present and entitled to vote, be temporarily suspended during the meeting.

d) All decisions of the ALCP shall be minuted and the minutes adopted at the next meeting.

#### 3.4.7 Remits

a) Motions altering or rescinding these Rules must be in the form of resolutions formally endorsed by a Branch or the Management Committee and circulated to all Branches and the Management Committee not less than 30 days prior to the General Meeting.

b) Motions altering to or rescinding policy must be in the form of resolutions (remits) circulated to those attending before the relevant item on the agenda is introduced.

#### 3.4.8 Observers

Any member and any guest of a member of the ALCP is entitled to attend any ALCP meeting as a non-voting observer at the sole discretion of the meeting.

### 3.5 Officers

The Officers of the Conference shall be the President and General Secretary and other such officers as are elected by the Conference from time to time.

## **4 THE MANAGEMENT COMMITTEE**

### **4.1 Standing Committee of Conference**

The Management Committee shall be a standing committee of the Conference, responsible for the management of the Party when the Conference is not assembled.

### **4.2 Composition of the Management Committee**

The Management Committee shall comprise the officers of the Conference, the Leader and Deputy Leader of the Party, and one representative from each of the following regions:

- a) South Island
- b) Wellington-Wanganui/Manawatu-Wairarapa/Hawkes Bay/Gisborne
- c) Taranaki-Waikato-Bay of Plenty/Taupo
- d) Northland-Auckland

### **4.3 Election of the Management Committee**

The Management Committee shall be elected each year as follows:

- a) The election of officers of the Conference shall take place at the Annual Meeting of the Conference by the method of preferential ballot.
- b) The election of each regional representative shall take place before the Annual Meeting of the Conference by postal vote of branches using the method of preferential ballot.
- c) The term of the Management Committee shall expire at the conclusion of the Annual meeting in the following year.
- d) The Returning Officer shall conduct the elections, and any by-election, with the assistance of a Deputy Returning Officer he or she may choose to appoint.
- e) The General Secretary shall send a notice calling for nominations to all branches at least one month before the Annual Meeting and not later than 30 June in any year.
- f) Nominations must be signed by the Convener and the Secretary of the Branch.
- g) The Returning Officer may decline to accept a nomination if the nominee does not consent in writing to the nomination.
- h) The Returning Officer shall supply to the Secretary of the Branch the ballot papers for the branch, with instructions on the voting procedure and the date by which ballots must be returned.
- i) Each candidate for election may appoint a scrutineer to be present at the counting of the votes.

### **4.4 Powers of the Management Committee**

The Management Committee shall have the powers:

- a) to co-opt a maximum of two non-voting advisors as it sees fit;
- b) to fill any vacancy on the Management Committee by appointment, subject to confirmation at the next meeting of the Conference;
- c) to hold a by-election for any regional representative position where a vacancy exists;
- d) to act on behalf of the Party notwithstanding any vacancies on the Management Committee.

### **4.5 Duties of the Management Committee**

The Management Committee shall:

- a) appoint an auditor to audit the annual financial statement of the Party;
- b) appoint a solicitor to act as necessary to secure the interests of the Party and to institute and defend legal proceedings.

### **4.6 Power to Act**

- a) The Management Committee shall, between meetings of the Conference, assume such of the powers of the Conference as have been delegated to it.
- b) The Management Committee shall at all times have full authority to act to further the objects of the

Party subject to the limits of the authority delegated to it by the Conference.

c) The Management Committee shall not further delegate those powers delegated to it by the Conference other than those specified in Rule 3.3.1 and Rule 3.3.8.

#### 4.7 Meetings of the Management Committee

a) Convening meetings: Meetings of the Management Committee may be convened by the President or by the Secretary.

b) Notice of Meetings: There shall be at least two clear days notice of a meeting given to all voting members of the Management Committee, and the notice shall state the date, time and venue of the meeting.

c) Minutes: All decisions of the Management Committee shall be minuted and the minutes presented at the next meeting.

d) Expenditure of Funds: No Party funds shall be expended by the Management Committee or its members except by resolution of a Management Committee meeting.

## 5 BRANCHES

### 5.1 Formation of Branches

a) Any twelve financial members of the ALCP may form a branch with the approval of the Management Committee.

b) A branch may be formed by a meeting of members, providing that a record of the meeting shows that:

1. a resolution to form the branch was carried; and
2. at least six members were present; and
3. a Branch Convener was elected; and
4. a Branch Secretary or Secretary/Treasurer was elected.

c) After the first meeting of the Branch, the Branch Secretary shall promptly forward to the General Secretary the following information:

1. the names and addresses of all members present;
2. the proposed name of the new branch
3. the proposed boundaries within which the branch will operate, or the name(s) of the Parliamentary electorate(s) in which the branch intends to operate.
4. the names of the office-holders of the Branch.
5. a record of the resolutions passed at the first meeting of the Branch.

d) On receiving an application under Rule 5(1)(c), the General Secretary shall refer the application to the next meeting of the management committee for its approval.

e) On the approval of a new Branch by the Management Committee, the General Secretary shall refer within three weeks advise the Branch Secretary of the following:

1. the decision of the Management Committee to approve the formation of (the) branch;
2. the names and addresses of all members of the Party resident within the proposed boundaries of the new Branch.

f) On the decision not to approve a new Branch by the Management Committee, the General Secretary shall advise the Branch Secretary within three weeks of the reasons for the decision.

### 5.2 Rules

The Rules of the Aotearoa Legalise Cannabis Party shall apply to each Branch.

### 5.3 Powers of the Branch

A Branch shall have the powers:

a) to receive membership subscriptions, donations and property for use in furthering the objects of the

Party;

- b) to purchase, lease or hire property of a value in excess of \$500, subject to the prior written approval of the Management Committee;
- c) to publish, print, sell and distribute printed materials;
- d) to operate such bank and investment accounts as are needed to provide proper financial management of Party funds;
- e) by formal resolution to borrow funds in excess of \$500, subject to the prior written approval of the Management Committee;
- f) to approve such financial reports as are required by law or may be required by the Management Committee;
- g) to delegate any or its powers to the Branch Committee of the Branch;
- h) to do such other things as may legally, prudently and properly assist the administration of the Branch.

#### 5.4 Constitution and Policy

A Branch shall have the power by resolution of the Branch in general meeting to propose amendments to the Rules of the Party and to the Policy of the Party, subject to Rule 3.5.7 of these Rules.

#### 5.5 Branch Committee

- a) a Branch shall elect a management committee, called the Branch Committee, of not less than three persons including the officers of the Branch.
- b) The election shall take place each year at the Annual General Meeting of the Branch.
- c) The officers of the Branch shall be the Convener and the Secretary or Secretary/ Treasurer, providing that the Annual General Meeting may elect other officers.
- d) Vacancies on the Branch Committee may be filled by appointment by the Branch Committee.

#### 5.6 Meetings

- a) The Branch Committee shall in each year convene an Annual General Meeting of the Branch before 30 April, except that in its first year the foundation meeting will be deemed to be an Annual General Meeting and may be held later than 30 April.
- b) Branch general meetings shall be called at such other times as to allow proper notice to be given to the Conference or Management Committee of any matter the Branch wishes to place before any meeting of the Conference or Management Committee.
- c) Branch general meetings may be convened by the Branch Committee at any time it sees fit, providing that a minimum of 7 days notice shall be given.
- d) The Branch Convener shall chair any general meeting and shall make an agenda available at least 3 days before the meeting; providing that in the absence of the Convener the Secretary shall take the place of the Convener.
- e) The quorum for a Branch meeting shall be 5 members.
- f) The Secretary shall keep a record of the meeting and shall record all resolutions in full together with the voting figures and the names of the mover and seconder of any resolution.

## 6 CANDIDATES

### 6.1 Calling for Nominations

- a) On the resolution of the Management Committee, the General Secretary shall forthwith open nominations for any Parliamentary electorate and for the list of candidates to be presented by the Party at a General Election.
- b) The General Secretary shall forward nomination papers to the Secretary of each approved branch of the ALCP, and shall advise the closing date for the nominations.
- c) The General Secretary shall accept any nomination received by the due date providing that the person

being nominated:

1. is a member of the ALCP;
2. agrees in writing to be nominated as a candidate;
3. specifies one region only for the purpose of selection under Rule 6.2 of these Rules;
4. has signed the following pledge:

"I, ..... , pledge myself to support and promote the policy of the Aotearoa Legalise Cannabis Party and to loyally support the candidates selected by the Aotearoa Legalise Cannabis Party. If elected, I pledge to abide by the decisions of the Aotearoa Legalise Cannabis Party Conference and to work loyally with other Members of the Party to achieve its objectives".

#### 6.2 Selection of List Candidates by Region

- a) The General Secretary shall arrange for the conducting of a ballot of branches in each region as defined in Rule 4.2, using the Single Transferable Vote, to determine the five most preferred candidates in each region.
- b) The ballots to be used for the selection of list candidates shall:
  1. be numbered with consecutive numbers
  2. be marked to show the number of votes held by the Branch
  3. include instructions on the method of voting
  4. list the candidates in alphabetical order
  5. be valid only if signed by the Branch Secretary
- c) The Management Committee shall where practicable facilitate and promote efforts by candidates to contact members of the Party before the selection ballot.

#### 6.3 Approval of Party List

- a) The Party list shall be decided by the voting members of the Management Committee, taking into account the order in which each region elected its candidates.
- b) Except by resolution supported by two thirds of its voting members, the Management Committee shall not consider any candidates for the Party list other than the five candidates in each region selected by the procedure in Rule 6.2.

#### 6.4 Selection of Electorate Candidates

In each case where the Management Committee has opened nominations in a Parliamentary electorate, the Management Committee shall authorise a Branch or Branches to conduct a selection meeting, providing that in each case:

- a) the regional representative or an Office of the Conference shall chair the selection meeting;
- b) only financial members of the ALCP shall vote in any election to select the candidate;
- c) the voting shall be by preferential vote;
- d) other procedural matters may be specified by the Management Committee and shall be carried out by the Branch(es) or Branch Committee(s).

## 7 POLICY

### 7.1 Policy to be in accord with Objects

The policy of the ALCP shall be in accord with the objects of the ALCP (Rule 1.2 of these Rules).

### 7.2 Policy role of Conference

The policy of the ALCP shall be based on the resolutions of the Conference, and shall be revised and published as a manifesto no later than ten weeks of any Conference held in the third year of the Parliamentary term.

### 7.3 Policy Council

The Policy Council of the ALCP shall comprise the voting members of the Management Committee,



convened by the Leader of the Party.

#### 7.4 Powers of the Policy Council

The policy of the ALCP shall be the policy issued by the Policy Council, subject only to Rules 7.1 and 7.2 above.

### 8 ADMINISTRATION

#### 8.1 Financial year

The financial year shall begin on 1st April and end on 31st March.

#### 8.2 Common seal

The common seal of the Aotearoa Legalise Cannabis Party shall be held by the General Secretary and affixed in the presence of at least one other member of the Management Committee subject to ratification by the Management Committee at its next meeting.

#### 8.3 Winding up

In the event of the ALCP being wound up, its assets shall, subject to Section 7.4, be disposed of as decided by the Management Committee and according to the provisions of the Incorporated Societies Act 1908.

#### 8.4 Distribution of ALCP funds

At no time shall ALCP funds be distributed to members except in reimbursement of expenses properly authorised and incurred by them on behalf of the ALCP and duly ratified by the Branch Committee or the Management Committee as the case may be.

#### 8.5 Indemnity

a) Neither the ALCP, nor its Management Committee, nor its Branches or their Branch Committees will be responsible for any debts incurred by any individual member, or (in the case of the Conference or its Management Committee) Branch unless the appropriate authority was first obtained from the Management Committee or ALCP conference or Branch or Branch Committee as the case may be as provide in these Rules.

b) Where such debts are incurred without the appropriate authority the ALCP may seek indemnity or reimbursement from the member or (in the case of the Conference or its Management Committee) the Branch concerned.

#### 8.6 Money and Accounts

a) Money received shall be fully receipted as required by the Incorporated Societies Act 1908.

b) Money shall be banked to the appropriate ALCP bank account as soon as practicable following its receipt.

c) ALCP accounts shall be opened or closed on the resolution of the Branch Committee or the Management Committee as the case may be.

d) All payments shall be by cheque bearing the signature of the appropriate Treasurer or Secretary/Treasurer and at least one other duly authorised signatory.

e) Notwithstanding Section 8.6 (d), Branch Committees and the Management Committee may each operate a petty cash account subject to prior approval of appropriate procedures for operating the account.

#### 8.7 Deposit Accounts

Funds at any time surplus to requirements may be placed on interest-bearing call deposit with a New Zealand registered bank on the authority of the General Secretary or Branch Secretary, but shall not be invested in any other manner.