



# **CONSTITUTION 2023**

Adopted 24 June 2023

## **1 NAME**

- 1.1. The name of the organisation shall be the Women's Rights Party.
- 1.2. The Women's Rights Party shall be an unincorporated society operating as a political party for the purposes of the Electoral Act 1993.

## **2 PRINCIPLES**

The Women's Rights Party is a party of women and men who believe in democracy, equality, and the biological reality that sex is binary and, therefore, human beings cannot change their sex. Hence, women are adult humans of the female sex.

The Party honours the women of Aotearoa NZ, who won the right to vote in 1893, the first self-governing nation in the World to legislate women's suffrage.

The Women's Rights Party has formed 130 years later out of a concern for the erosion of the rights of women and girls.

We combine this history with the imperative to create a society in which women are autonomous, and all women, men and children can live in harmony with each other to protect the future for our children and their children.

### **The Women's Rights Party principles are:**

To win and protect women's rights, including:

- 2.1 The right to speak freely.
- 2.2 The right to peaceful assembly, association, and movement.
- 2.3 The right to safe single-sex spaces for women and girls.
- 2.4 The right to be free from violence in all its forms.
- 2.5 The right to equitable reward and recognition for women's contributions to society and work, whether paid or unpaid.
- 2.6 The right to have control of our own bodies, including reproductive autonomy.
- 2.7 The right to protect and safeguard our children.
- 2.8 The right for motherhood to be recognised as exclusively female.
- 2.9 The right to fair play in sports.
- 2.10 The right to evidenced-based education and healthcare with informed consent.
- 2.11 The right to use clear and plain language when referring to women in the media, academia, in healthcare, at work and at home.

## **3. OBJECTIVES**

### **The objectives of the Women's Rights Party are:**

- 3.1 To organise and advocate for women's and girls' sex-based rights.

- 3.2 To contest Parliamentary and local body elections as an independent Party of women candidates.
- 3.3 To win seats in Parliament and on local authorities to enable us to progress and further protect women's rights.
- 3.4 To unite women and our allies, allowing different ideas and perspectives to be discussed within the Party in an environment of tolerance and respect.
- 3.5 To build links in solidarity with all those advocating for justice and equality for women and girls in Aotearoa NZ and internationally.
- 3.6 To influence cross party policy to promote and uphold the rights and status of women and girls.
- 3.7 To promote the legitimate reasons to distinguish between the sexes including, but not limited to, the recognition of biological reality.
- 3.8 To ensure policies and laws that distinguish between the sexes forbid unfair discrimination against similarly-situated males and females, but these policies and laws may distinguish between the sexes where such distinctions are substantially related to important societal objectives such as fairness, dignity, safety, and/or privacy.
- 3.9 To monitor and ensure all Government Departments, Crown Agencies and Non-Governmental Organisations that collect vital statistics for the purpose of complying with anti-discrimination laws, or for the purpose of gathering accurate public health, crime, economic or other data, shall identify each individual who is part of the collected data set as either male or female at birth.

#### **4 DEFINITIONS**

- 4.1 A person's "sex" refers to a person's biological sex (either male or female).
- 4.2 "Sex" is a prohibited ground of discrimination in the Human Rights Act 1993, including in pregnancy and childbirth.
- 4.3 "Women" and "girls" refer to human females, and the words "men" and "boys" refer to human males.
- 4.4 "Human female" denotes the sex with a reproductive system typically organised to bear offspring or produce eggs, distinguished biologically by the production of gametes (ova) that can be fertilised by male gametes, and includes females whose reproductive system may be disordered in some way and those females who choose not to reproduce.
- 4.5 "Mother" means female parent and "father" means male parent.
- 4.6 "Sexual orientation" is a person's sexual attraction to the same sex, opposite sex, or both.

## **5 CONSENSUS DECISION-MAKING**

The Party will use consensus decision-making wherever possible, with a culture of respectful conflict resolution. Consensus means making decisions by the agreement of participants, with dissenters and abstainers agreeing to accept the decision. Participants are invited to choose one of five options:

- 5.1 Support wholeheartedly
- 5.2 Support with reservations
- 5.3 Abstain
- 5.4 Disagree but not block consensus
- 5.5 Disagree and block consensus

Consensus is achieved if nobody blocks consensus. If consensus is not achieved after reasonable attempts, a vote can be taken. A motion shall be carried with a 66% majority of the votes cast by those eligible to vote. Those who do not agree with the vote may have their dissent recorded.

## **6 MEMBERSHIP**

- 6.1 Any person of at least 15 years of age may make an application to join the Women's Rights Party.
- 6.2 Any person may be approved for membership by the Women's Rights Party Council (hereafter referred to as "the Council") who:
  - 6.2.1 Agrees with the Principles, Objectives and Rules of the Women's Rights Party Constitution.
  - 6.2.2 Acts within the Women's Rights Party Constitution.
  - 6.2.4 Abides by decisions made in accordance with the Women's Rights Party Constitution.
  - 6.2.5 Pays the appropriate annual membership fee.
  - 6.2.6 Is not a member of another political party contesting the Election, or any other organisation, deemed by the Council to be incompatible with the Women's Rights Party.
- 6.3 New members shall be advised in writing by the National Secretary of the acceptance of their membership.
- 6.4 On acceptance, financial members shall be entitled to attend and participate in Women's Rights Party local group meetings and Annual Conference, but only women members shall be entitled to stand for office-holders' positions at all levels of the Party.
- 6.5 Any woman who is a financial member of the Women's Rights Party shall be eligible for the candidate pool if nominated by four financial members of the Party and having signed the Candidates' Pledge. The Council may veto individual candidates.
- 6.6 Any financial member who is resident in the electorate and enrolled to vote shall be entitled to vote for candidates in local selections.

- 6.7 The financial term of Women's Rights Party members is 12 months. Where members are 15 months overdue, they shall be deemed to be un-financial and shall lose membership rights. Members paying regularly by direct credit shall automatically have their membership renewed.
- 6.8 The Council may decline a membership application that the Council believes does not meet the criteria outlined in 6.2. The applicant shall be advised in writing of the decision. The applicant may appeal that decision at the next Council meeting where the decision shall be final.
- 6.9 A member may resign from the Party by notifying the National Secretary in writing.

## **7 WOMEN'S RIGHTS PARTY COUNCIL**

### **7.1 Membership**

- 7.1.1 Co-leaders (2)
- 7.1.2 Regional Co-ordinators (8): Northland; Auckland; Counties Manukau; Waikato/ Bay of Plenty; Mid Central; Wellington; Canterbury/ West Coast/ Nelson; Southern
- 7.1.3 Co-ordinators of those networks approved by Council (up to 6)
- 7.1.3 Policy Convenors (2)
- 7.1.4 National Secretary
- 7.1.5 No MP may hold any position on the Council except as a Co-Leader.
- 7.1.6 The Council shall not exceed 20 members.

### **7.2 Election of Council members**

- 7.2.1 The Co-Leaders, Policy convenors shall be elected at the Annual Conference. The Regional Co-ordinators shall be elected at regional hui or appointed by Council if no regional hui is able to be held. Network Co-ordinators shall be elected at network hui.
- 7.2.2 If any extraordinary vacancy arises for the positions of Co-Leaders or Policy Convenors, then the Council shall fill the vacancy at its next meeting until the following Conference.
- 7.2.3 In the event of an extraordinary vacancy for the Regional Co-ordinator, the region shall convene an in-person or virtual hui to agree on a replacement until the next regional hui.
- 7.2.4 In the event of an extraordinary vacancy for the Network Co-ordinator, the network shall convene an in-person or virtual hui to agree on a replacement until the next network hui.

### **7.3 Authority of the Council**

The Conference is the supreme decision-making body of the Party. The Council acts on behalf of the members between Conferences.

- 7.3.1 Oversee the operation of the Party.

- 7.3.2 Set membership fees and approve the national Budget.
- 7.3.3 Confirm constitutional decisions and approve urgent Policy changes and statements.
- 7.3.4 Approve Election policy platform and campaign.
- 7.3.5 Approve the formation of networks and annually review such networks.
- 7.3.6 Approve affiliations with other groups that align with the principles and objectives of the Party.
- 7.3.7 Suspend membership of individuals and Party organisations in accordance with the rules of the Constitution.
- 7.3.8 Approve candidates into the candidate pool and provide the initial ranking of candidates on the List to be voted by the members of the Party.
- 7.3.9 Determine how many and which electorate seats to contest in consultation with the local organisations, and participate in the selection of candidates to stand in those seats.
- 7.3.10 Appoint an auditor for purposes of the Electoral Act.

## **8 AFFILIATED GROUPS / NETWORKS**

- 8.1 The Council may approve the formation of networks within the Party which the Council considers will further the objectives of the Party as a result of the co-ordination and organisation of such networks. Networks of members share common interests whose place of residence does not determine their membership.
- 8.2 Approved networks will elect a co-ordinator to represent the network on the Council and to be accountable to the Council for the activities of the network.
- 8.3 The Council may approve affiliation with external groups which the Council considers align with the objectives of the Party.
- 8.4 The Council shall annually review each affiliated group or network. Where the Council believes an affiliated group or network is unable to further the objectives of the Party, the Council may make such decisions as necessary up to and including disassociating with the affiliated group or disbanding the network.

## **9 LOCAL ORGANISATION**

- 9.1 Local groups may form in a locality and will elect a Convenor who will liaise with the Regional Co-ordinator.
- 9.2 The role of local groups is to organise activities in their geographical area and to encourage membership engagement, including in policy development, candidate selection and political action.
- 9.3 Local groups shall give all financial members of the local group at least seven days written or electronic notice of meetings, including the

Annual General Meeting, candidate selection meeting, or delegate selection meeting for Conference.

- 9.4 Local groups may have rules about speaking rights to ensure that women can speak. Members of the Council may attend and address local group meetings.
- 9.5 Where there is more than one local group in an electorate, each group will be represented on an electorate committee to be formed to make any decisions required to be made on an electorate boundary basis.
- 9.6 Local groups shall regularly forward membership applications and fees to the National Secretary, along with changes to current membership details.
- 9.7 Local groups shall maintain an accurate record of finances and meet their legal financial responsibilities.
- 9.8 Local groups have the right to attend and participate in the following Women's Rights Party meetings:
  - 9.8.1 Regional Hui
  - 9.8.2 Annual Conference

Delegate representation shall be determined by the Council based on the number of financial members as of 31 December or 30 June, dependent on the timing of the Conference.

## **10 REGIONAL HUI / REGIONAL CO-ORDINATOR**

- 10.1 The Regional Co-ordinator is elected at the regional hui or appointed by the Council if no regional hui is able to be held.
- 10.2 In the event of an extraordinary vacancy for the Regional Co-ordinator, the region shall convene an in-person or virtual hui to agree on a replacement until the next regional hui.
- 10.3 The Regional Co-ordinator shall form an organising group to convene the annual Regional Hui based on regional boundaries in 7.1.2.
- 10.4 Other regional hui may be convened to organise regional activities. All members of the region must be given at least seven days' notice of any regional hui.
- 10.5 The Regional Co-ordinator is responsible for:
  - 10.3.1 Reporting to Council on the activities of local groups in the region.
  - 10.3.2 Reporting to Council on regionally based political, educational and organisational activity.
  - 10.3.4 Forming an organising group to convene Regional Hui.
  - 10.3.5 Activities related to increasing membership numbers.

## **11 ANNUAL CONFERENCE**

- 11.1 Authority of Conference:

- 11.1.1 The Conference is the supreme decision-making body of the Party. Conference decisions will be forwarded to the Council for action.
- 11.1.2 Discuss and agree on policy, including policy remits submitted through local groups, regional hui, and policy convenors.
- 11.1.3 Discuss and agree on constitutional changes.
- 11.1.4 Approve Council reports.
- 11.1.5 Elect two Co-Leaders and two Policy convenors.
- 11.1.7 Any other matter as approved by the Council.
- 11.2 The Annual Conference is to be held nationally once in each calendar year. It may be face-to-face or virtually.
  - 11.2.1 The Conference agenda and remits must be circulated no later than six weeks prior, with provisions for items of special business as approved by the Council.
  - 11.2.2 Nominations for the positions of Co-Leaders and Policy convenors shall be closed and circulated to all constituent bodies six weeks prior to the Conference, unless the Council agrees to an extension of the nomination deadline.
  - 11.2.3 The Council has the right to set numbers attending the Conference using a set ratio of delegates in relation to local membership.
  - 11.2.4 Conference shall adopt speaking rules in such a manner to ensure that women have preferential rights to speak.

## **12 CAUCUS**

- 12.1 The Parliamentary Caucus shall determine the management of parliamentary work and activities to advance the Women's Rights Party Objectives in accordance with Council decisions and policies as set by Conference.
- 12.2 The members of the Parliamentary Caucus shall include:
  - 12.2.1 The Party Co-Leaders who shall convene and chair Caucus meetings.
  - 12.2.2 The Party Members of Parliament.
  - 12.2.3 The National Secretary.
  - 12.2.4 Two representatives elected by the Council.
  - 12.2.5 One Policy representative.

## **13 POLICY PROCESS**

- 13.1 Policy development will be led by two Policy Convenors who shall be elected to the Council by the Annual Conference.



- 13.2 Policy Convenors will form groups of financial members with special interest and expertise on specific topics to formulate Policy within the Party. Members may also contribute to policy development by proposing remits through their local groups.
- 13.3 New policies or changes to existing policy must be approved by Annual Conference following discussion by members in local groups and networks, and at regional hui. Any new policies or policy changes for consideration at Conference must have been circulated at least six weeks prior.

## **14 CANDIDATE SELECTION**

### **14.1 Electorate Selection process**

- 14.1.1 All nominees for electorate seats shall be nominated into the candidate pool by four financial members and approved by the Council.
- 14.1.2 Nominees into the candidate pool shall state the electorate for which they intend to stand.
- 14.1.3 Dates for any selection meetings shall be set by Council in consultation with local groups and electorate committees.
- 14.1.4 In the event of an approved electorate contest for which there is only one Women's Rights candidate from the candidate pool, the local members present at the confirmation meeting shall endorse or reject the sole nominee by consensus.
- 14.1.5 In the event of a contested selection for which there are two or more Women's Rights candidates from the candidate pool, each financial Party member who is resident in the electorate and enrolled to vote (the "eligible members"), shall be advised no later than seven days prior to the selection meeting.
- 14.1.6 Each eligible member present shall discuss the attributes of the candidates and their consensus shall be communicated to the selection panel, which must take the decision of the members into account.
- 14.1.7 The eligible members will also elect a local representative on the selection panel.
- 14.1.8 A member of the Council will be appointed by the Council to chair the selection meeting and to represent the Party on the selection panel.
- 14.1.9 If the local representative and the Council representative cannot agree on the successful candidate, the member's decision becomes the determinant. If no decision can be made, then the matter is referred back to the Council which shall make a decision within five days as to how to proceed.
- 14.1.10 The successful candidate shall automatically be eligible for the Party list.

## **14.2 List Selection Process**

- 14.2.1 All candidates elected into the candidate pool are eligible to stand for the Party List.
- 14.2.2 The names and biographies of nominees for the Party List will be circulated to local groups by the National Secretary six weeks before the Annual Conference.
- 14.2.3 Each region will hold a regional hui within 30 days of the distribution of List nominees to ensure that financial members in the region have a reasonable opportunity to participate in forming an indicative List ranking.
- 14.2.4 List candidates will have the opportunity to speak and to answer questions.
- 14.2.5 Eligible members will assign the candidates to each List position starting at position number one, by consensus or, failing that, by a majority vote until one candidate attains the support of 66% of the members in an exhaustive voting process. The lowest polling candidate is deleted and the vote is taken again out of the remaining nominees.
- 14.2.6 The process continues until all candidates have been ranked.
- 14.2.7 The Regional List rankings will be put forward to the Council meeting immediately prior to the Annual Conference and a suggested List, based on these rankings and taking into account national strategic considerations, will be proposed to Annual Conference.
- 14.2.8 The final List will be determined by the delegates in attendance at Annual Conference by consensus or, failing that, by the exhaustive voting process outlined in 14.2.5 and 14.2.6.
- 14.2.8 The decisions of the Conference are final and will be submitted by the National Secretary to the Electoral Commission before the notified deadline.

## **15 GRIEVANCE PROCEDURES**

- 15.1 Disciplinary action may be brought against any member who:
  - 15.1.1 Refuses to comply with the Constitution.
  - 15.1.2 Improperly deals with any funds of the Women's Rights Party.
  - 15.1.4 Wilfully undermines the Women's Rights Party's objectives.
  - 15.1.5 Has been found to be guilty of a harassment complaint against them through the Women's Rights Party Harassment Procedures.
  - 15.1.6 In any other way wilfully brings the Women's Rights Party or its members into public disrepute.
  - 15.1.7 Nothing in the disciplinary procedures should prevent members from holding minority views within the Party as long as they abide by the decisions of the Party.

- 15.2 A complaint against a member for any of the above reasons shall first be communicated in writing to the National Secretary who shall, in the first instance, try to resolve the matter with the individuals concerned.
- 15.3 If this procedure is inappropriate, or has not resolved the matter, the National Secretary shall refer the complaint to the Council, which shall establish a grievance committee of three members.
- 15.4 Any grievance committee established shall, throughout an enquiry, observe the principles of natural justice, and in particular:
  - 15.4.1 Must make available promptly to the parties involved full details of the nature of the enquiry and of allegations made; and
  - 15.4.2 Must give any party against whom allegations are made notice of at least 14 days of a hearing. Any member being interviewed by the grievance committee shall be entitled to have a representative of their choosing present.
- 15.5 The Grievance Committee shall communicate its findings and reasons for them in writing to the parties. Where appropriate, the Grievance Committee may recommend a remedy, or in the case of serious matters, may recommend penalties, which may include censure, suspension or expulsion from the Women's Rights Party.
- 15.6 Any party to the proceedings may, within seven days of being notified of such resolution, appeal to the Council against the Grievance Committee's decision. The decision of the Council (or the Grievance Committee if not appealed) shall be final and binding on all members.

## **16 DISSOLUTION CLAUSE**

- 16.1 The Council may resolve that the Women's Rights Party be dissolved as from the date to be named in the resolution, and may also by such resolution direct the method of disposing of the assets and property of the Women's Rights Party after the Party's contractual obligations are met and the Party is dissolved. The distribution of any remaining assets of the Party must be for causes that align with the Party's purposes.
- 16.2 Upon the resolution being confirmed at a subsequent Special Conference called for the purpose and held not earlier than 30 days after the date on which the first resolution was passed, the Women's Rights Party shall be dissolved. A notice of the resolution and its confirmation shall be sent to the Electoral Commission and the Commissioner of Inland Revenue.

## **APPENDIX 1 FINANCE AND CONTRACTING RULES**

### **1. Application**

These Rules apply to—

- (a) The Women's Rights Party Council, Regional Councils, local groups, networks and other organisations established by or under the auspices

of any part of the Women's Rights Party; and (b) the campaign funds of any candidate selected to contest any election on behalf of the Women's Rights Party:

## 2. Guidelines

- 2.1 Treasurers, Women's Rights Party officers and Party Organisations are required to follow the guidelines on finance and financial reporting as approved and issued by the Council from time to time. Any organisations may only manage Party funds or incur liabilities on behalf of the Women's Rights Party if, before the commencement of each financial year, or before managing Women's Rights Party funds or incurring liabilities, they have the express authorisation of the Council.
- 2.2 Such authorisation may be withdrawn by the Council where an organisation fails to meet its requirements as set out in the financial guidelines.

## 3. Express authority required to bind the Women's Rights Party

- 3.1 Each person or constituent body to whom this Schedule applies has the authority to enter into contracts in the name of the Women's Rights Party, provided that:
  - (a) the contract is for the purpose of a Women's Rights Party activity; and
  - (b) the cost to the Women's Rights Party of the contract is no more than that organisation has available in its bank account at the time it enters into the contract.
- 3.2 Except where prior Council approval has been obtained if any person or constituent organisation enters into a contract in the name of the Women's Rights Party whose cost is more than the amount available in its bank account at the time the contract is executed, that person or organisation is treated as unfinancial and is not permitted to take part in the affairs of the Women's Rights Party unless:
  - (a) the Council decides otherwise; and
  - (b) that person or organisation has fulfilled any conditions the Council imposes (including repayment of any relevant amount).

## 4. Guidelines and content

- 4.1 The financial guidelines shall set out the criteria and process used by the Council to grant authorisation.
- 4.2 All organisations without such an authorisation must enter into an arrangement with an authorised organisation for the purposes of meeting their financial reporting and operating requirements as set out in the financial guidelines.

## 5. Deposit and accounting of funds

The funds of the persons and organisations referred to in clause 1 above must be deposited in an account owned and maintained by the Women's Rights Party in the name of that organisation.

**6. Making of payments**

Payments must be made on the instruction of the persons authorised by an appropriate minute in the records of the Party organisation concerned.

**7. Current accounts**

Only sufficient funds to meet the running expenses of the organisation concerned must be retained in current accounts.

**8. Financial year**

The Financial Year of the Party and all its constituent bodies commences on 1 January in each year and terminates on 31 December in that same year.

**9. Duties at end of financial year**

At the end of each financial year the Secretary-Treasurer of each organisation must prepare a Statement of Receipts and Payments and Balance Sheet on the prescribed form supplied by the Council.

**10. Duties of Local Groups**

Each Women's Rights Party local group must, as soon as practicable after the end of the financial year, forward to the Council:

- (a) A Statement of Receipts and Payments and Balance Sheet accepted by the Annual Meeting; and
- (b) A copy of the financial statements under its jurisdiction.

**11. Duties of other bodies**

Each Women's Rights Party Regional Council must, as soon as practicable after the end of the financial year, forward a copy of the financial statements accepted by the Annual Meeting to the Council.

**12. Authorisation of persons canvassing for funds**

Where necessary, persons canvassing for funds for the Party must be provided with a written authorisation.

**13. Restrictions on canvassing**

No Party organisation may canvas for funds outside its own area unless authorised by the Council, or co-ordinated by the local group.

#### **14. Restrictions on fundraising**

No Party organisation shall initiate a fundraising lottery, raffle or other activity which has a major first prize of five hundred dollars (\$500) or more without the permission of the Council.

#### **15. Restrictions on grants or loans**

Grants or loans to any organisation not affiliated with the Women's Rights Party must not be made without the prior consent of the Council.

#### **16. Restrictions on borrowing money**

A person or organisation listed in clause 1 may only borrow money with the prior agreement of Council, which may set any conditions it sees fit.

#### **17. Controls on financial appeals**

All financial appeals for national or international objectives shall be controlled by the Council.

#### **18. Restrictions on deriving personal benefits**

18.1 No member may derive any pecuniary gain from the property or operations of the Women's Rights Party except for services rendered or supplies made.

18.2 No member of the Women's Rights Party or any person associated with a member may participate in or materially influence any decision made by the Party in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.

18.3 Any such income paid must be reasonable and relative to that which would be paid in an arms-length transaction (being the open market value).

18.4 No Women's Rights Party organisation or entity may engage in any operations that would lead to any member deriving pecuniary gains, except as provided in clause 18.1.

18.5 The provisions and effect of this clause and clause 21(a) cannot be removed from this document, and will be included and implied into any document replacing this Women's Rights Party Constitution.

#### **19. Winding up of Women's Rights Party**

In the event of the Women's Rights Party being wound-up:

(a) no member of the Women's Rights Party is personally entitled to participate or benefit in any way in the distribution of any assets of the Women's Rights Party both real and personal; and

(b) Women's Rights Party Council, at its discretion, must distribute any remaining assets to either:

- (i) another political party with similar aims and objectives; or
- (ii) a charity.

## 20. Auditing Women's Rights Party organisations

- 20.1 As soon as practicable after the end of the financial year and before 30 September of each year, the National Secretary must arrange for the Party's financial accounts to be audited.
- 20.2 The auditor's report on the annual financial statement of the Women's Rights Party must be circulated to all constituent bodies six weeks prior to the Annual Conference.