



ELECTRONIC MEETINGS *BY-LAWS*

Electronic Meetings By-Law
(Adopted by State Executive 7 March 2022 and 1 April 2022)

Preamble: The relevant Clauses of the LNP Constitution are Clauses U.31, U.36 and U.37 which are extracted below:

U.31 Members of State Executive may participate in meetings of State Executive by contemporaneous linking together in oral communication by telephone or other electronic means and where there is to be a vote on any motion by secret ballot shall be entitled to cast their vote by nominating a person present or the President as an amanuensis.

U.36 Despite any other provision in this Constitution:

(a) Members of a Branch, State Electorate Council or Federal Divisional Council or Regional Council/Conference, or State Executive may meet in person, by video conference, teleconference or similar means or by a combination of those forms, with circumstances and operations determined by By-Laws; and [emphasis added]

(b) This clause does not apply to a Selection Committee for the purposes of Clause T.

U.37 Where clause U.36 applies:

(a) The member or members of the Branch, State Electorate Council, Federal Divisional Council or Regional Council/Conference in attendance at the place appointed for the meeting; and

(b) The member or members absent from that place but who can hear and be heard as described in that clause are deemed to be assembled together at that meeting held at that place for the purposes of quorum.

Note: Because of Clause U.36(b) of the Constitution, this By-Law does not apply to the selection of candidates (preselections) pursuant to Clause T.

Definitions

In this By-Law a reference to meeting “**electronically**” means: to meet via video conference, teleconference or similar means or a combination of these forms.

By-law

Subject to any provisions in the LNP Constitution or any By-Laws made pursuant to that Constitution, for the purpose of Clauses U.36 and U.37 of the Constitution:

No secret ballot required

1. The circumstances where a Branch, State Electorate Council or Federal Divisional Council or Regional Council/Conference may meet solely electronically or may meet via a combination of in person and electronically are:
 - a. where there is to be no secret ballot and the Chair of the relevant Party Unit (or where there is no Chair of a Party Unit, the Regional Chair) determines that the meeting will proceed solely electronically or via a combination of in person and electronically, for example:
 - i. a General Meeting of a Party Unit where the only ballots to be held relate to policy motions;
 - ii. the filling of executive positions when there is only one nominee for a position, including at an AGM or where a casual vacancy on the Executive has arisen;
 - iii. delegate elections where there are the same number or fewer delegate nominees as delegate positions.
2. Where a Party Unit meeting is proceeding solely electronically or via a combination of in person and electronically in accordance with Clause 1(a) above, the operation of the meeting shall be as follows:
 - a. the method or program used to facilitate electronic attendance shall be at the discretion of the Chair (or where there is no Chair of a Party Unit, the Regional Chair) OR using any program provided by the Secretariat, with a preference for Members to use videoconferencing facilities with their cameras turned on rather than teleconference facilities;
 - b. the fact that the meeting will be held solely electronically or via a combination of in person and electronically must be communicated to the relevant Party Unit via the meeting notice, including instruction on how to attend electronically, or as soon as reasonably practicable after the meeting notice is sent out.

Secret Ballot Required

3. For the purpose of clauses 4 – 5 below, a reference to “**extenuating circumstances**” means:
 - a. where public health directions issued by the State or Commonwealth Government would make it illegal for the entire Party Unit meeting to proceed, for example during a lockdown;
 - b. where a natural disaster, for example a flood, fire or cyclone would make meeting in person or solely in person unsafe or impractical.
4. The circumstances where a Branch, State Electorate Council or Federal Divisional Council or Regional Council/Conference may meet solely electronically are:
 - a. where a secret optional preferential ballot is required pursuant to Clause U.21 of the Constitution, for example, a contested AGM, a casual vacancy on the Executive or a casual vacancy among a list of delegates where there is more than one nominee for the position or where there are more delegate nominees than delegate positions to fill:
 - i. the Chair of a Branch, State Electorate Council or Federal Divisional Council or Regional Council/Conference; or
 - ii. where there is no Chair of a Party Unit, the Regional Chair;
 - iii. prior to the date the meeting is notified, may make a request in writing to the State Director for the relevant Party Unit meeting to be held solely electronically on the basis of extenuating circumstances (as defined in Clause 3 above);
 - iv. in such a case, the State Director will promptly consider the request and the extenuating circumstances and advise the requesting Chair or the requesting Regional Chair, whether it is granted.

5. Where a Party Unit meeting is proceeding solely electronically in accordance with Clause 4(a) above, the operation of the meeting shall be as follows:
 - a. the meeting shall proceed solely electronically (with no in person attendance) using videoconferencing facilities with cameras turned on rather than teleconference facilities;
 - b. any secret optional preferential ballot shall be conducted:
 - i. in accordance with the relevant provisions of the LNP Constitution and the Standing Orders By-Law;
 - ii. using solely an electronic voting program as approved and notified to the Chair of the relevant Party Unit by the State Director, no in person voting will be available;
 - iii. by the staff the Secretariat, with a member of staff of the Secretariat as the returning officer; and
 - iv. either at the start of the meeting, or at a set time notified to the Secretariat.
 - c. the fact that the meeting will be held solely electronically must be communicated to the relevant Party Unit (including instruction on how to attend and vote electronically) via the meeting notice.

Guidelines for holding electronic meetings

For meetings conducted pursuant to Clause 1 and 2 of the Electronic Meetings By-law (**the By-Law**) (where no secret ballot is required), the following procedures must be used for meetings held electronically or via a combination of in person and electronic attendance:

1. In accordance with Clause 2(a) of the By-law, the electronic meeting platform to be used, is at the discretion of the Chair (or where there is no Chair of a Party Unit, the Regional Chair) OR is a platform provided by the Secretariat, with a preference for Members to use videoconferencing with their cameras turned on rather than teleconference.
2. The electronic meeting platform must have a 'lobby' function where participants are able to be admitted by the Chair or Secretary only. Non-Members are not permitted to listen to or observe the meeting, without the express permission of the Chair of the meeting and the assent of the Members at the meeting by resolution.
3. The electronic attendee's name used on the electronic meeting platform must be the same name as that listed in the LNP membership list.
4. The electronic meeting platform must have the ability for the Chair or Secretary to 'mute' or 'expel' any person from a meeting.
5. Pursuant to Clause D.23(f) of the LNP Constitution, any electronic meetings must not be recorded without approval by way of meeting resolution. The minutes of the meeting as taken by the Party Unit Secretary will be the only official record of the meeting, in accordance with the LNP Constitution.
6. All meeting notices for electronic meetings held pursuant to the By-law and emails attaching a link to the electronic meeting must include the Electronic Meeting Conditions clause below.

THE CLAUSE BELOW IS TO BE INSERTED INTO THE MEETING NOTICE FOR ALL ELECTRONIC MEETINGS HELD PURSUANT TO CLAUSE 1 AND 2 OF THE ELECTRONIC MEETINGS BY-LAW OR ANY EMAIL WHICH INCLUDES A LINK TO THE ELECTRONIC MEETING

ELECTRONIC MEETING CONDITIONS

In accordance with the LNP Constitution and the LNP Code of Ethics, by participating in electronic meetings you agree to:

1. observe the confidentiality of the meeting, including not permitting non-Members to listen to or observe the meeting (without the express permission of the Chair of the meeting and the assent of the Members at the meeting by resolution);
2. ensure that any confidential information disclosed during a meeting will remain confidential; and

3. not record or share the link to the meeting to non-Members.

Failing to comply with the Electronic Meeting Conditions above, could result in a contravention of clause M.11 of the LNP Constitution. If you are found to be in breach of your obligations under the LNP Constitution, you may be subject to disciplinary action pursuant to the LNP Constitution.