

Constitution and Rules of the

Libertarianz Party

Second Printing - Auckland, April, 1998

1. Name

The name of the Party shall be the "Libertarianz" *.

*a neologism which combines "Libertarians" with the common abbreviation for "New Zealand", to convey the meaning: "Libertarians of New Zealand". The final "nz" may be set in a contrasting typeface, as in the Party logo, in order to emphasise its intentional use and to assist the reader.

2. Principles and Objectives

Individual Sovereignty Each individual is the owner of his own life and has the right to live it as he sees fit, subject only to the requirement to respect the right of others to do the same.

Personal Freedom and Responsibility Just as each person is free to make his own choices in life, so too must he take responsibility for the choices he makes.

Private Property Each person has the right to create and/or lawfully acquire intellectual and physical property and to control its use.

Voluntary Association All interaction among adult human beings, in all spheres of life, should be voluntary.

Non-initiation of Force The only acts that may properly be banned in a free society are those which involve the *initiation* of force — or its derivative, fraud — by one party against another.

Common Law The only laws justifiable in a free society are those which protect people and their property from the initiation of force, and which uphold voluntary contractual agreements among citizens.

Limited Government The only legitimate function of government is to uphold the above principles.

Capitalism The only economic system consistent with these principles is unfettered free market capitalism.

Party Objective To bring these principles into law by putting Libertarianz MPs in Parliament — not by bribing voters or misrepresenting our positions, but by promoting our policies vigorously, openly and honestly.

3. Membership

(a) Any person eligible to vote in New Zealand may become a member of The Libertarianz by sending an application for membership to the Party Secretary, accompanied by the appropriate membership fee, in a manner approved by the Party Executive.

(b) The Party Executive may set or vary the amount and frequency of the membership fee from time to time as it may deem appropriate. It may also establish or abolish any special categories of membership (e.g., Youth, Senior, Life, Honorary, etc.) and set or vary the amount and frequency of any such special membership fee from time to time as it may deem appropriate.

(c) The Party Executive shall have the power to censure, or to bar from Party office, or to expel from the Party, any member whom the Executive believes to have acted in a manner detrimental to the best interests of the Party. Any member so disciplined may appeal such a decision to the Executive whereupon he shall be entitled to a formal hearing held in accordance with the principles of natural justice.

4. Administration

(a) The Party is administered by an Executive of no fewer than twelve people including the Party's Officers.

(b) The Party Political Leader and the Deputy Leader are always ex officio members of the Executive.

(c) Members of the Executive The Executive was first established by an open invitation to founder members. Any prospective new Member of the Executive must first be nominated by an existing Executive Member, and then be approved by a majority vote of the existing Executive and finally, must be ratified in office by a majority vote of the next subsequent Annual General Meeting.

(d) Officers The Executive may, from time to time, elect from among its members a President, Vice-President, Secretary, Treasurer, Campaign Manager, Press Secretary, and/or establish any other office which the Executive may deem to be required for, or beneficial to, the administration of the Party. Because of legal requirements both within the Party and without, the offices of the Party President and of the Party Secretary shall never remain vacant; any of the other Party offices may be combined, or remain unoccupied, as circumstances may dictate and as the Executive may determine.

(e) Resolution of Disputes In the case of any dispute arising among members concerning Party business, the Executive shall be the final arbiter. In the case of any dispute arising among members of the Executive, a triumvirate comprised of the

Leader, the Deputy Leader and the President shall be the final arbiter. In determining any matter by a ballot of the Executive, if the outcome of the vote is a tie, then the ballot will be deemed to be in support of the status quo.

(f) Special General Meetings The President must convene a Special General Meeting of the membership upon receipt of a written request signed by any four Members of the Executive or by no fewer than twenty-five financial members of the Party. Any matter, other than the basic Libertarian Principles of the Party, and specifically including a vote of no confidence in the Executive or any Officer of the Party, may be considered by the Special General Meeting, which must be held no sooner than three days, nor later than thirty days, from the date when the Party President receives such a duly signed request.

(g) Other Matters All other powers, rights and privileges not specifically delegated or assigned elsewhere in this document are reserved to the Party Executive.

5. Electorate Organisation

(a) Action Teams The Executive will promote and encourage the establishment of Action Teams in each Electorate.

(b) Any member who is eligible to vote in any given Electorate may choose to voluntarily join that Electorate's Action Team.

(c) Action Teams are autonomous bodies, free to determine their own structure and implement their own plans to advance the Party's cause, subject only to the constraints of Article 3 (c).

(d) Where no functioning Electorate Action Team exists, the Executive may appoint one or more volunteers from within that Electorate as Team Leader(s) charged with the responsibility of establishing an Electorate Action Team.

6. Selection of Candidates for Parliament by Electorate

(a) The Executive at a time to be determined, shall circulate the membership calling for nominations for Parliamentary candidates to stand in each Electorate.

(b) Nominations shall be submitted to the Party Secretary on a form approved by the Executive for this purpose [cf. FORM 9, Second Schedule, Electoral Act] and shall be signed by no fewer than two financial members of the Party, excluding the nominee himself and any member of his immediate family, and who live in the Electorate concerned.

(c) All nominations must be received, accepted and approved by the Executive before any candidate selection may proceed.

(d) For any given Electorate, if only one nomination is received, accepted and approved by the Executive, then the candidate so nominated shall be deemed to have been selected by the Party to stand as the Party's candidate in that Electorate.

(e) For any given Electorate, if two or more nominations are received, accepted and approved by the Executive, then the candidates so nominated shall be asked to participate in a Selection Meeting which shall be open to all financial members eligible to vote in the Electorate concerned. At the conclusion of such a Selection Meeting, a secret STV ballot of all Party members present and eligible to vote in that Electorate shall be conducted by the Party Executive or its duly appointed representative. The winner of this secret STV ballot shall be deemed to have been selected by the Party to stand as the Party's candidate in that Electorate.

7. Selection and Ranking of Candidates for the Party List

(a) The Executive at a time to be determined, shall circulate the membership calling for nominations for Parliamentary candidates for inclusion on the Party List [*i.e.*, FORM 4, Second Schedule, Electoral Act].

(b) Nominations shall be submitted to the Party Secretary on a form approved by the Executive for this purpose [cf. FORM 9, Second Schedule, Electoral Act] and shall be signed by no fewer than three financial members of the Party, excluding the nominee himself and any member of his immediate family.

(c) All nominations must be received, accepted and approved by the Executive before any candidate may be selected for inclusion on the Party List.

(d) Where one or more Electorate Selection Meetings are necessary under Section 6(e) above, the candidate(s) so chosen by all such Selection Meetings must be determined before any candidate may be selected for inclusion on the Party List.

(e) When all nominations have been received, accepted and approved by the Executive and when all of the proposed Electorate candidates have been duly selected, the Executive shall meet and assign an ordinal ranking on the Party List for each Parliamentary candidate, with regard only to the candidate's perceived abilities and specifically without any reference to the candidate's gender, religion, race or ethnicity. The Party Leader shall be ranked No. 1, the Deputy Leader No. 2, and so on, until all of the approved candidates have been accorded a place and an ordinal ranking on the Party List.

(f) If the number of approved List candidates should exceed the number of List places available, then the Executive may act on behalf of the membership to select which of the approved candidates shall be included on the Party List; which shall be invited to stand in an Electorate for which no candidate has been selected and which nominations must be regretfully declined with the Party's thanks.

8. Annual General Meeting

(a) Each year, the President shall convene an Annual General Meeting of the Party at a time to be determined by the Executive. Except in extraordinary circumstances, the Annual General Meeting shall be held no sooner than 10 months nor later than 14 months, following the last Annual General Meeting.

(b) The Annual General Meeting shall be open to all financial members of the Party.

(c) Any matter which does not alter the Party's basic Libertarian Principles may be considered at the Annual General Meeting.

9. Party Logo & Colours

(a) The Party's identifying logo consists of the word "Libertarianz" in upper and lower case sans serif type, with the final "nz" in bold italic. Beneath this word, the phrase "MORE FREEDOM LESS GOVERNMENT" appears in sans serif caps, reversed out of a background of two panels. In the colour version, "Libertaria" appears in Blue, with the final "nz" in Aqua; the phrase "more freedom" is reversed out of an aqua panel on the left; the phrase "less government" is reversed out of a blue panel on the right.

(b) The Party Colours are Ocean Blue [Pantone Matching System (PMS) No. 288] and Aqua Green [Pantone Matching System (PMS) No. 320].

10. Financial Year

The Party's financial year is the same as the calendar year: 1st January through 31st December.

11. Parliamentary Rules

(a) The Party Leader may be selected at any time by a secret STV ballot of all the Party's sitting Members of Parliament, including also any Members-elect who may not as yet have taken the Oath of Office and assumed their Seats.

(b) Any newly-elected Party Leader shall have the right to appoint, or to re-appoint, the Party's Deputy Leader.

(c) If the Party has no elected Members of Parliament, the Executive may elect a new Party Leader at any time. If there is only one nominee for the position of Party Leader, the Executive may either elect to declare the sole nominee the Party's Leader, or it may elect to leave the Leadership vacant and call for further nominations. If two or more people are nominated for the Leadership, the Executive will conduct a secret STV ballot of the members of the Executive to determine the Leader. The Executive may also decide, at its discretion, to conduct a secret STV ballot of all financial members to determine the Leadership.

12. Amendments

(a) This document may only be amended by a two-thirds majority vote of the financial members attending an Annual General Meeting.

(b) No amendment to this document may be debated or considered which, in the opinion of the presiding chairman of the AGM, would have the effect of altering or amending the basic Libertarian Principles of the Party.

Appendices

Record of AMENDMENTS

6 December 1997 - Annual General Meeting - "to delete the definite article 'The' from the official party name". Title, Article 1 and footnote to Article 1 so amended.