

Terms of Reference for Ballina MLA Reference Group

Background:

Under The Greens NSW Constitution a Member of the Legislative Assembly (MLA) is accountable primarily to the local groups with members within that seat. The local groups are the Byron Greens and the Ballina Greens (the local groups). The MLA also has accountability to the State Delegates Council and the Party Room under rules and /or procedures established by those bodies. The actions, activities and public statements of an MLA shall be consistent with the Charter, Constitutions, policies and decisions of The Greens NSW.¹

Purpose

The purpose of this document is to provide a clear accountability mechanism for the MLA for Ballina to the local groups and for supporting the MLA.

1: Reference Group Framework

- (a) The Ballina MLA Reference Group (BRG) shall be established to provide advice and/or direction to the Ballina MLA, consistent with the requirement that local groups and the MLA act in accordance with Greens NSW policy.
- (b) The BRG comprises the Ballina MLA plus three representatives from each of the local groups.
- (c) A quorum for a BRG meeting is 3 authorised representatives from the local groups including at least 1 from each local group.
- (d) The BRG Convenor shall check that the MLA will be available before giving notice of BRG meetings. The MLA shall use their best endeavours to attend all BRG meetings. If for some urgent reason the MLA cannot attend a BRG meeting the MLA shall immediately inform the BRG Convenor. The BRG Convenor shall decide whether to proceed with the notified meeting or adjourn to another date.
- (e) Employees of the MLA may not be members of the BRG.
- (f) Each local group is to be responsible for determining its own procedure to select its representatives.
- (g) The BRG shall elect its own Convenor annually from among its representatives.

- (h) BRG meetings shall be open to other members of the local groups to attend as observers with speaking rights.
- (i) The BRG shall meet for ordinary meetings at least quarterly.
- (j) The BRG Convenor shall give BRG members and local group Convenor 14 day's written notice of an ordinary meeting of the BRG
- (k) Any 3 members of the BRG may call a special meeting of the BRG on giving 4 day's written notice of the meeting including particulars of the matter to be discussed.
- (l) Quick decisions can be made by consensus of all members of the BRG by email or phone conference. Any objection by a BRG member to a decision being made in this manner would require the issue to go to an ordinary or special meeting of the BRG.
- (m) Ordinary and Special Meetings of the BRG can be held in person, by phone and/or by internet conference.
- (n) The usual decision making rules of The Greens NSW apply to the BRG.ⁱⁱ
- (o) The BRG Convenor shall list the items discussed and record decisions reached by the BRG within 7 days of each BRG meeting.

2: MLA's Responsibilities

- (a) The MLA and their staff who are members of the Greens NSW may attend and speak at any meeting of the BRG and the local groups.
- (b) The MLA shall attend meetings of each local group on a semi-regular basis, with a minimum of 3 general meetings attended per group each year.
- (c) A combined meeting of members from both local groups reflects 1 meeting per group for the purposed of (b) above.
- (d) The MLA shall provide a written report of their activities to the local group Convenors twice annually. The local group Convenor will circulate the report to members of their local group.

3: MLA's Tithe

- (a) The MLA shall pay a tithe of 12.5% of their annual salary into a '*Ballina Electorate Campaigns Fund*' account. This account shall be controlled jointly by both local groups.ⁱⁱⁱ

- (b) Funds originating from the MLA's tithe may only be spent on campaigns directly related to state issues, including the seat of Ballina election campaign.
- (c) Any expenditure of the tithe funds shall be agreed to by a meeting of the BRG, after receiving a detailed and costed proposal from a local group, a campaign committee or the MLA.
- (d) The local groups shall move to amend their constitutions to give effect to the tithing requirement at which point the tithing requirement in (a) above will take effect.

4: Membership Access

- (a) The MLA and their staff have a right to directly contact Greens members who reside in the seat of Ballina.
- (b) The MLA and delegated staff shall have ongoing access to the Greens NSW membership and supporters database for the seat of Ballina.
- (c) Staff members of the MLA who are given access to the database must be a member of The Greens NSW.
- (d) The MLA and any delegated staff member must abide by all security and privacy protocols relating to the Greens NSW database.

5: Review Procedure

- (a) The BRG shall review the process outlined in this document 6 months from date of ratification and then annually.

ⁱ This is as required by The Greens NSW Constitution clause 12.1

ⁱⁱ See The Greens NSW Constitution clause 7.6 "Decision-making of the Delegates Council shall be by way of consensus, or if consensus cannot be reached then a ratio of three or more votes in favour to one vote against shall be required to change the status quo. The way each delegate votes shall be recorded. Delegates' abstentions, although recorded, do not count as votes for or against. This is the usual decision-making process."

ⁱⁱⁱ See The Greens NSW Constitution clause 12.8 which provides that elected or appointed representatives to the Legislative Council or Senate shall give 12.5% tithe to The Greens NSW.