

CONSTITUTION

OF THE

Communist Party

OF

Australia



SECTION OF THE

Communist International

PRICE THREEPENCE

INTRODUCTION

This Constitution was drafted in 1938, discussed throughout the Party during that year, amended and adopted by the Congress in November, 1938.

The Preamble was written in language suited to the line of struggle against fascism and war prior to September, 1939. It remains basically correct, but some formulations would be changed to-day.

The Party rules were adopted in conditions of legality for the Party. In the conditions after the outbreak of war, and especially after the ban (June 16th, 1940), certain rules became harmful; to apply them (forms and cards) would have assisted the class enemy to destroy the Party.

Rule 7, Clause A, provides that a Congress shall be held at no more than three year intervals. According to rule, a Congress should have been held at the end of 1941. The rule could have been applied at the risk of the Party being beheaded by discovery of the Congress, and, in any event, much hard work and expense to organise. In view of the evident Party unity and confidence in the C.C. and the above difficulties, it was decided to consult all organisations with the result that every branch and leading committee in the Party, before the end of 1941, agreed that Congress be postponed for at least a year, that the C.C. would organise a Congress when conditions became favourable or should circumstances demand it.

Clauses which are not now fully applied or which have been modified in the light of experience and through the widest practical democratic procedure have appended in the present text an explanation of the change.

In the period since adoption, especially in recent months, under Rule 7, Clause F, the C.C. has elected several "committees or departments" (Organisation, T.U. Youth, etc.). The discussions about setting these up brought out the need to have it understood that the Central Executive is the Political Committee of the C.C.

Otherwise the Constitution stands, laying down the rights and obligations of members and the duties and authority of Party organisations.

CENTRAL COMMITTEE, C.P.A., 12/6/42.

CONSTITUTION

PREAMBLE

The Communist Party of Australia is a working-class political party carrying forward to-day the best traditions of Australian democracy, the struggle against convictism, for self-government, at Eureka, the fight for social reforms, against military conscription and for peace. Upholding the achievements of democracy and standing for the right of the majority to direct the destinies of our country, the Communist Party fights with all its strength to unite the masses to resist any and every effort, whether it comes from abroad or within, to impose upon the Australian people the arbitrary will of any selfish minority group, or party, or clique. It is devoted to the defence of the immediate interests of the workers, farmers, and middle class against capitalist exploitation. The Communist Party works tirelessly in the cause of world peace and for the defence of Australia against fascist invasion. It works for the preparation of the working class for its historic mission to unite and lead the Australian people to extend these democratic principles to their necessary and logical conclusion; by establishing common ownership of the national economy through a government of the toiling people; the abolition of class divisions in society by the ending of exploitation of man by man and nation by nation: i.e., by the establishment of Socialism, according to the scientific principles given us by the great teachers of mankind, Marx, Engels, Lenin and Stalin, expressed in the policy of the Communist International.

The Communist Party works toward the free co-operation of the Australian people with those of other lands—striving toward a world without oppression and war—a world brotherhood of man.

To this end the Communist Party of Australia lays down its basic rules in the following Constitution:—

RULE 1.

NAME.

The name of the organisation shall be the Communist Party of Australia.

RULE 2.

EMBLEM.

The emblem of the Party shall be the crossed hammer and sickle, representing the unity of the worker and farmer.

RULE 3.

MEMBERSHIP.

Clause A. Any person, regardless of race, sex, colour, religion or nationality, residing within Australia and who is loyal to the working-class movement, shall be eligible for membership.

Clause B. A Party member is one who accepts the Party programme, attends the regular meetings of the Party branch of which he or she is a member, who pays dues regularly and engages in some form of Party activity.

Clause C. An applicant for membership shall sign an application form and shall be nominated by a member of the Communist Party. Such application shall be dealt with without undue delay by the basic organisation of the Party (workshop or local branch) to which it is presented. The applicant shall be enrolled in the Party at the following branch meeting at which he should be in attendance. A majority vote of the membership of the branch present at a regular meeting shall admit an applicant to membership. Within two weeks after admission, the new member must be supplied with a dues card and obtain a copy of the Party Constitution.

NOTE.—Owing to conditions created by the ban, forms are not used and no dues card is issued. In other particulars the clause is observed.

Clause D. Party members two months in arrears in payment of dues cease to be members of the Party in good standing and must be informed thereof.

NOTE.—In the case of enlisted and labor corps members this clause is to be applied by notification as soon as possible and in conjunction with modification of Clause E.

Clause E. Members who are four months in arrears shall have their names removed from the Party rolls. Every member three months in arrears shall be officially informed of this provision, and a personal effort shall be made to bring such member into good standing. However, if a member who for these reasons has had his or her name removed from the rolls applies for re-admission within six months he or she may, on the approval of the next higher Party committee, be permitted to pay up arrears of dues and be granted continuity of membership.

NOTE.—This clause cannot be literally applied to members enlisted or called up and mobilised. Circumstances hindering communication may extend the period of non-payment beyond four months.

In such cases circumstances will determine whether the six months period should be extended and whether there is need to refer the case to the next Party organ before accepting payment and giving continuity.

RULE 4.

DUES.

Clause A. The initiation fee and dues payments shall be as follows. Those in receipt of an income of over £2/10/- per week, initiation fee 2/-, dues 6d. per week. All others, initiation fee 6d., dues 3d. per week.

NOTE.—Committees have been notified that certain members on war service will pay 6d. initiation fee and 3d. per week, even though the pay is somewhat above £2/10/- per week.

Clause B. All members shall pay an international levy of 6d. per quarter.

Clause C. No levy shall be struck by any Party organisation except by special permission of the General Committee; special levies may be struck by the Central Committee or National Congress.

RULE 5.

RIGHTS AND DUTIES OF MEMBERS.

Clause A. The Communist Party of Australia, upholding the democratic achievements and traditions of the Australian people, operates the broadest democracy within the Party. It is the fundamental right and duty of the Party membership to fully participate in determining the policies of the Party and in the election of its leading committees as provided for in the Constitution. Such democracy goes hand in hand with a unified, firm discipline, which requires that once a decision has been democratically arrived at by the majority it becomes binding on the whole membership and every member is duty-bound to loyally carry it out.

Clause B. Party members disagreeing with any decision of a Party organisation or committee have the right to appeal against that decision to the next higher body, and may carry the appeal to the highest bodies of the Communist Party of Australia, the Central Committee and National Congress. Whilst the appeal is pending the decision nevertheless must be carried out by every member.

Clause C. In matters of a State or local character, the respective Party organisations have the right to exercise full initiative and to make decisions within the limits of the general policies and decisions of the Party.

Clause D. The decisions of the National Congress shall be final and every Party member and Party organisation shall be duty-bound to recognise the authority of the Congress decisions and the leadership elected by it.

Clause E. It shall be the duty of members to participate in Party activities, and through study of Party theory to equip themselves to explain the policy of the Party on all questions and the principles of Socialism.

Clause F. All Party members in mass organisations (trade unions, farmers' organisations, cultural and fraternal bodies, etc.) shall co-operate to promote and strengthen the given organisation and shall abide by the democratic decision of these organisations.

Clause G. All officials and leading committees of the Party from the branch committees, up to the highest committees, are elected either directly by the membership or through their elected representatives. Every committee must report regularly on its activities to its Party organisation.

Clause H. Any Party official may be removed at any time from his position by a majority vote of the body which elected him, or the body to which he is responsible, providing in this latter case the approval of the next higher Party committee is obtained.

Clause I. Requests for the release of Party members from responsible posts may be granted only by the Party organisation which elected them, or, providing the next higher committee agrees, by the organisation to which they are responsible.

Clause J. All Party members who are eligible shall belong to their respective trades unions.

RULE 6.

STRUCTURE OF THE PARTY.

Clause A. The basic organisations of the Communist Party of Australia are the workshop and local branches. Branches that do not come within these categories can be established only with the agreement of the Central Committee.

The branch is the organisation which links the Party with the people. The tasks of the branch include the carrying out of National, State and local campaigns in the workshop or locality, the organisation of systematic mass agitation and propaganda, selling the Party press and literature, the raising of finance, the recruitment of new members, the organisation of social, cultural and educational work both within the Party and amongst the people generally.

Clause B. The District organisation comprises all Party branches in a given locality as determined by the State Committees. The highest body in the district is the District Conference which meets at least annually. It elects the District Committee and, when necessary, delegates to the State Conference. The basis of representation to the District Conference is decided upon by the District Committee in consultation with the State Committee. The District Committee, which is the highest authority in the district between conferences, organises the application of the decisions of the higher Party committees, takes up economic and political questions arising in the district and gives leadership and assistance to the Party organisations within the district.

Clause C. The State organisation comprises all Party organisations within a given State. The highest body in the State is the State Conference which meets annually with the exception of Queensland and Western Australia, which shall meet at least every two years. It shall elect the State Committee. The State Conference consists of delegates elected by District Conference, and branches not attached to a district, according to membership, and of members of the outgoing State Committee. The basis of representation to the State Conference is determined by the State Committee in consultation with the Central Committee.

The State Committee, which is the highest authority in the State between conferences, shall meet at regular intervals as decided by the State Committee in consultation with the Central Committee. The State Committee shall elect an executive to carry out the work of the Committee between meetings.

The State Committee is responsible for the conduct of all Party work in the State between conferences and shall maintain the closest possible connections with the Central Committee.

NOTE.—This clause is no longer applied in N.S.W. Districts in N.S.W. are directly led by the organs of the Central Committee. The Sydney Districts are co-ordinated through a Sydney Committee.

This change was made after exhaustive examination by the C.C. and the State Committee and endorsement by a N.S.W. Conference. The change became necessary so that a number of leading members would be available for national work on C.C. Committees (Clause F., Rule 7). The cadres position to-day also influenced the change, which also eliminates certain duplication which had developed owing to location of the Central Committee, as well as the N.S.W. State Committee, in the same city.

RULE 7.

NATIONAL AUTHORITY.

Clause A. The supreme authority in the Communist Party of Australia is the National Congress, which shall be held at least every three years. Special National Congresses shall be called by a majority vote of the Central Committee or by a request from Party organisations representing 50 per cent. of the entire Party membership.

Clause B. The National Congress shall be composed of delegates elected by State conferences according to numerical strength and members of the outgoing Central Committee. The basis of representation shall be determined by the Central Committee.

Clause C. For at least two months prior to the Congress, discussion shall take place in all Party organisations on the main resolutions and problems coming before the Congress. During this discussion all Party organisations have the right to propose resolutions or amendments to the draft resolutions of the Central Committee for consideration at the Congress. Proposals may also be submitted for alterations to the Party Constitution.

Clause D. The National Congress reviews the work of the Party and the outgoing Central Committee since the preceding Congress. It determines the direction of the policy to be pursued by the Party in the ensuing period and considers all major tactical and organisational questions and proposed amendments to the Party Constitution. It elects the Central Committee and Central Control Commission. The Central Committee shall consist of full members and of alternates having at least five years' active membership. The number of members and alternates to be elected to the Central Committee and the method of election shall be determined by the Congress. When attending Central Committee meetings as substitutes for full members, alternate members will have the right to speak and vote on any question, otherwise such members will have the right to speak but not vote.

Clause E. The Central Committee, which shall hold full meetings at least quarterly, is the highest authority of the Party between National Congresses and is responsible for enforcing the Constitution and securing the execution of the general policies adopted by the democratically elected delegates at the National Congress. The Central Committee represents the Party as a whole. The Central Committee organises and supervises its various departments and committees, leads the political and organisational work of the party; appoints the editors of its press, who work under its leadership and control; organises and guides all undertakings of importance for the entire Party; distributes the Party forces and controls the Central Treasury. The Central Committee, by majority vote of its members, may call special State Conferences. An audited financial statement will be submitted to the first Central Committee meeting in each year and by the Central Committee to the National Congress.

Clause F. The Central Committee elects from its members a Central Executive and such committees or departments as may be necessary. The Central Executive is charged with the responsibility of carrying out the decisions and the work of the Central Committee between its full sessions. It is responsible to the Central Committee for all decisions. The size of the Central Executive shall be decided upon by a majority vote of the Central Committee.

Clause G. The Central Committee may, when it deems necessary, call national Party conferences. The Central Committee shall determine the basis of attendance at such conferences which shall be consultative bodies auxiliary to the Central Committee.

RULE 8.

CENTRAL CONTROL COMMISSION.

Clause A. For the purpose of maintaining and strengthening Party unity and discipline, and of supervising the audits of the financial books and records of the Central Committee and its enterprises, the National Congress elects a Central Control Commission consisting of exemplary Party members with at least five years' Party standing. The size of the Central Control Commission will be determined by the National Congress.

Clause B. On various disciplinary cases such as those concerning violations of Party unity, discipline, honesty or ethics, or concerning lack of class vigilance or Communist firmness in facing the class enemy, or concerning spies and other agents of the class enemy—the Central Control Commission shall be charged with making investigations and decisions, either on appeals against the decisions of lower Party bodies, or on cases which are referred to it by the Central Committee, or on cases which the Central Control Commission itself considers necessary to take up directly.

Clause C. The decisions of the Central Control Commission shall be endorsed by the Central Executive before being put into effect.

Clause D. Members of the Central Control Commission who are not members of the Central Committee shall have the right to participate in the sessions of the Central Committee with voice but no vote.

RULE 9.

DISCIPLINARY PROCEDURE.

Clause A. Breaches of Party discipline by individual members, financial irregularities, as well as any conduct or action detrimental to the Party's prestige and influence among the working masses and harmful to the best interests of the Party, may be punished by censure, public censure, removal from responsible posts, and by expulsion. Serious breaches of discipline by Party Committees may be punished by the removal of the Committee by the next higher Party committee which shall then organise new elections by the membership.

Clause B. Charges against individual members may be made by any person—Party or non-Party—in writing, to a branch of the Party or to any leading committee. The Party branch has the right to recommend the expulsion of a member to the District Committee, but before a decision for expulsion can become operative it must meet with the approval of the State Committee. In the meantime, the branch may suspend such member from attendance at branch meetings.

Clause C. All parties concerned in breaches of discipline shall have the fullest right to appear, to bring witnesses and to testify before the Party organisation. Any member against whom disciplinary action has been taken has the right of appeal against the decision of the higher committees, up to the National Congress of the Party.

Clause D. Any members found to be strike-breakers, degenerates, habitual drunkards, betrayers of Party confidence, provocateurs, voluntary associates of Trotskyists, advocates of terrorism as a method of Party procedure, or members whose actions are detrimental to the Party and the working class, shall be expelled from the Party and, if considered necessary, exposed before the general public.

RULE 10.

AFFILIATION.

The Communist Party of Australia is affiliated to the Communist International and participates in international congresses, together with the Communist Parties of other lands. Resolutions and decisions of international congresses shall be considered and acted upon by the supreme authority of the Communist Party of Australia, the National Congress, or between congresses, by the Central Committee.

RULE 11.

AMENDING THE CONSTITUTION.

This Constitution may be amended by decision of a majority of the voting delegates present at the National Congress, provided the proposed amendment has been published in the Central Party press or congress discussion material at least 14 days prior to the Congress.

RULE 12.

RIGHT TO MAKE BY-LAWS.

Clause A. By-laws shall be adopted, based on this Constitution, for the purpose of establishing uniform procedure for the proper functioning of the Party organisations. By-laws may be adopted or changed by majority vote at the National Congress or between Congresses by majority vote of the Central Committee.

Clause B. State by-laws, not in conflict with the National Constitution and by-laws, may be adopted or changed by majority vote of the State Conference or by the State Committee between Conferences.

By-Laws

The following are the by-laws adopted by the Communist Party of Australia, in accordance with its Constitution, for the purpose of carrying out the principles, rights and duties as established in the Constitution in a uniform manner in all Party organisations.

BASIC ORGANISATIONS.

The basic organisations of the Communist Party of Australia are the workshop and local branches. A workshop branch consists of those Party members who are employed in the particular workshop. Workshop branches shall be organised in every factory, shop, mine, ship, dock, office, etc., where sufficient Party members are employed. A local branch consists of members of the Party living in the same locality. Local branches shall be organised on the basis of one or more suburbs in the cities and in country towns, taking into account municipal and electorate boundaries.

In all branches having seven or more members a branch committee may be elected consisting of Secretary, Chairman, Treasurer, and such other officers as the branch may decide.

The branch committee has the task of preparing the agenda and proposals for the branch meeting, dealing with correspondence and preparing recommendations on that which it is necessary to place before the branch, attending to the administrative tasks, organising control over the execution of branch decisions, and between branch meetings, of making decisions on matters that require attention. The branch committee shall report regularly on its work which shall be subject to review by the membership.

Branch officers shall be elected in June of each year. All officers shall be elected by majority vote of the membership at a specially designated meeting, of which the branch membership shall be advised at least 14 days beforehand.

The treasurer shall submit an audited financial statement to the branch at least quarterly.

The order of business at the branch meeting shall be based on the following principles, but can be amended to suit the requirements of each branch:—

1. Confirmation of previous minutes.
2. Admittance of new members.
3. Correspondence.
4. Reports.
5. General business.
6. Educational discussion.

DISTRICT ORGANISATION.

A District consists of an unlimited number of branches in an area as decided upon by the State Committee.

The District Conference will determine the size of the District Committee which, as a rule, should not exceed nine members. The District Committee will elect from amongst its members a Secretary, Chairman, Treasurer, Literature and Press Manager and such other officers as deemed necessary. It may elect a Secretariat composed of the Secretary, Chairman and one other member, which is responsible for carrying out the routine work of the District Committee and preparing the agenda for District Committee meetings. The District Committee shall receive a monthly audited financial statement, a copy of which must be forwarded to the State Committee. The full District Committee shall meet at least fortnightly.

STATE ORGANISATION.

The number of full members and alternates of the State Committee shall be determined by the State Conference. Except with special permission of the Central Committee, members of the State Committee must have a minimum of two years' Party membership.

For two months prior to the State Conference discussion shall take place in all Party organisations within the State on the main resolutions and problems coming before the Conference. During this discussion, all Party organisations have the right to propose resolutions or amendments to the draft resolutions of the State Committee for consideration at the State Conference.

The State Committee shall elect from amongst its members a State Executive consisting of not more than seven members, including the Secretary, Chairman and Treasurer. The State Committee shall elect also such other office-bearers as deemed necessary, including the editors of the State press, establish responsibility for the supervision of various phases of activity and create such permanent or temporary sub-committees as may be necessary for the efficient conduct of its activities. Where a State Committee, by a majority vote of its members and in agreement with the Central Committee, removes any member from the committee, or replaces any member who is unable to serve because of sickness or other assignment, the new full member of the State Committee shall be chosen from among the alternate members.

An accounting Committee established by the State Committee shall audit the accounts of the State Treasurer at least once per month and shall also organise and supervise the system of auditing throughout the State.

Special State Conferences shall be called:—

- (a) By the State Committee following a written request from branches representing one-third of the membership of the State organisation.
- (b) By a majority vote of the State Committee.
- (c) By request of the Central Committee.

A decision for the holding of a special conference must have the endorsement of the Central Committee.

The State Committee shall have the power to issue an official organ, publish pamphlets and other literature with the approval of the Central Committee.

TRANSFERS AND LEAVE OF ABSENCE.

Members who move from one workshop or locality to another and desire a transfer must receive it through their branch. Where a branch to which the transfer is granted is in the same district, it shall be finalised by the District Committee. Where it is in another district, a duplicate transfer shall be forwarded by the branch through the District Committee to the State Committee, which shall arrange for the attachment of the member to his new branch. Where the transfer is to another State or abroad, it must be effected through the Central Committee.

No member transferring shall be accepted into a new branch without his transfer and the endorsement of the appropriate Committee. Before receiving transfers, members shall be fully financial and have finalised all other financial obligations to the branch.

No member has the right to take leave of absence without the permission of his branch. Leave of absence, not exceeding one month, may be granted by the branch. An extended leave of absence, upon the recommendation of the branch, shall be acted upon by the next higher committee of the Party. Before leave of absence is granted the member shall arrange for payment of dues and settlement of other financial obligations.

RE-ADMITTANCE.

Expelled members applying for re-admittance must submit a written statement and their applications may not be finally acted upon except with the approval of the Central Control Commission.

Former members whose membership has lapsed must submit a written statement on application for re-admission, to be finally acted upon by the State Committee.

