

N. LORENSINI



ELECTRIC TRAMWAYS
of the
State Electricity Commission
of Victoria

BY-LAW
No. 1

TYE 1-27-

AUGUST 1951

Electric Tramways of the State Electricity
Commission of Victoria.

BY-LAW No. 1.

Pursuant to the provisions of sub-section (2) of Section 16 of the *State Electricity Commission Act 1929* the State Electricity Commission of Victoria hereby subject to the consent of the Governor-in-Council further amends the By-law made pursuant to sub-section (1) of the said Section and approved by the Governor-in-Council on the 9th day of March, 1937, as amended by the Governor-in-Council on the 18th day of August, 1949, and the 12th day of June, 1951, and the schedules to the said By-law as follows that is to say:

1. Throughout this By-law, unless inconsistent with the context or subject matter, the following words and expressions shall have the meaning hereinafter respectively assigned to them, that is to say:—

“Act” means the *State Electricity Commission Act, 1929*.

“Commission” means the State Electricity Commission of Victoria.

“Tramway” means a tramway vested in the Commission.

“Tram” means any vehicle being on any tram line of the Commission and having flanged wheels suitable for running on and using the rails of such tramway.

“Special Tram” means a tram which pursuant to agreement is operated by the Commission on the condition that only authorized persons may travel on it.

"Motorman" means the motorman having charge of a tram.

"Conductor" means any person other than the motorman who attends upon a tram and upon passengers in any tram and includes the motorman or driver of a one-man tram.

"Public Holiday" means any day, not being a Sunday, on which the Commission is required by any Award of the Commonwealth Court of Conciliation and Arbitration to pay double rates of pay to tramway employees who work on that day.

2. This By-law shall apply to the whole of the areas mentioned in the First Schedule to the Act, and with respect to all trams of the Commission and to all buildings, property, premises, and places used for or in connexion with any tramway vested in or owned by the Commission within the said areas.

(a) Fares and Charges.

3. The respective fares set out in or ascertained in accordance with the provisions of the First, Second, and Third Schedules hereto and the provisions thereto shall be paid to the Commission by persons travelling on a tram.

4. Each passenger on a tram shall, before leaving the tram, pay to the conductor or other authorized officer of the Commission the fare or charge hereby prescribed for his journey or his intended journey; and the passenger shall show to the conductor, or any inspector or other authorized officer of the Commission who calls upon him to show it, the check given him by the conductor on paying his fare, and shall also, when required, deliver up his check to such conductor, inspector, or officer. If any passenger

fails so to produce or deliver up such check, he shall be guilty of an offence against this By-law; and, without affecting his liability to any penalty for such offence, he shall pay the Commission the fare prescribed for a journey from the terminus from which the tram commenced its journey to the place at which he leaves the tram, or for any shorter distance over which the passenger can prove that his journey extended.

5. (a) By agreement with the Commission a special tram or more than one special tram may be chartered.

Where a special tram is chartered on a day other than a Sunday or a Public Holiday, it shall be paid for at a rate per mile to be travelled by the passengers being 5s. a mile, provided that a minimum charge of 20s. shall be paid for each special tram chartered. Where a special tram is chartered on a Sunday or a Public Holiday it shall be paid for at a rate per mile to be travelled by the passengers being 7s. 6d. a mile provided that a minimum charge of 30s. shall be paid for each tram chartered. For the purpose of assessing the charge the mileage to be travelled by the passengers shall be conclusively determined by the Commission's authorized officer. The maximum loading of a special tram shall be 100 per centum in excess of its seating capacity.

The Commission shall have full and complete discretion to grant or refuse any application for a special tram and as to the conditions on which such application will be granted (if at all). Every reference in this By-law or the Schedules hereto to a tram shall be deemed to include a reference to a special tram, unless it is a reference to a provision which is inconsistent with the foregoing provisions of this present Clause 5.

(b) No person except an employee of the Commission in performance of his duty, shall

board a special tram without authority from the person or persons, firm, or corporation by whom the special tram is reserved or chartered.

SALE OF TICKETS.

6. The Commission may sell:

- (a) In blocks of 50, parcel tickets;
- (b) Scholars' tickets;

to be used in payment of the respective fares or charges for which by this By-law or the Schedules thereto such tickets the presentation thereof is to be deemed to be payment.

- (i) The price of parcel tickets shall be 16s. 8d. per block.
- (ii) The price of scholars' tickets shall be—
For use by scholars under 15 years of age—6s.
For use by scholars over 15 but under 18 years of age—8s. 6d.

Provided that—

(1) (a) Scholars' tickets shall not be sold except to a person who is certified by the headmaster or the deputy of the headmaster of a school recognized by the Commission to be enrolled as a pupil of that school, and

(b) Scholars' tickets shall bear the name of the scholar by whom they may be used and shall be current only for a period indicated on such ticket, and shall be available only for fares chargeable for travelling between the nearest point on a tram line to the scholar's residence to the nearest point on a tram line to the school of which he is certified as herein provided to be enrolled as a pupil, and shall be available for the fares for not more than four trips between such points in any one day, and shall not be available for fares on any day on which the school does not meet.

(c) The word "ticket" where used in this By-law or the Schedule with any other word indicating a period, class, or value, means a ticket sold by the Commission in accordance with the provision of this Clause (6) relating to a ticket of that period, class, or value.

(b) Regulating Number of Passengers.

7. After having been informed by the conductor or other authorized officer that a tram is full, no person shall mount or enter such tram, and any person having mounted a tram and being so informed shall leave the same when requested by the conductor or other authorized officer so to do.

GENERALLY REGULATING PASSENGER TRAFFIC.

8. No person other than Commission uniformed traffic personnel or personnel engaged in tramway supervision or maintenance duty shall enter or leave or attempt to enter or leave any tram whilst the same is in motion.

9. No person travelling on any tram shall have any portion of his or her person projecting out of the tram while it is in motion.

(c) Stopping Places.

10. Trams shall be stopped for the purpose of taking up or setting down passengers at such points along the route as shall be designated by signs affixed to or painted on suitable supports along the route.

(d) Nuisances.

11. No person shall, without the consent of a responsible officer of the Commission, play any musical instrument, offer any article for sale,

distribute hand-bills or advertisements, solicit alms, or fix any placard or bill within or on any tram or within any tramway waiting-room of the Commission.

12. No person shall bring any dog or other animal into any tram. All dogs or other animals may be removed by the conductor or other authorized officer.

13. No person or child who has, or whom the conductor or other authorized officer may reasonably suppose to have any contagious or infectious disease shall travel on any tram or enter or remain in any tramway waiting-room of the Commission.

14. No person shall swear or use obscene or offensive language whilst on any tram or in any tramway waiting-room of the Commission, or commit any nuisance in or upon or against any tram or tramway waiting-room, or wilfully do anything which may interfere with the comfort of others using the tram or waiting-room. Any person acting in contravention of this By-law may be removed by the conductor or other authorized officer, and any fare paid shall not be returnable to such person.

15. No person who, in the opinion of the conductor or of any other officer of the Commission, is in a state of intoxication shall mount, enter, or remain in a tram or tramway waiting-room of the Commission, and, if such person be found upon any tram, the conductor or other authorized officer shall forthwith remove him or her, and any fare paid shall not be returnable.

16. No person shall wilfully break or scratch any window, remove or deface any printed or other notice on a tram, soil or do damage to any paint, woodwork, or fittings or other portion of

the tram or cut, tear, soil, or damage any cushions or linings on a tram, or soil or do damage to any tramway waiting-room or the fittings thereof or any portion thereof. Nothing in this By-law contained shall in any way relieve any person acting in contravention thereof from any liability to pay the cost of repairing any damage caused by him.

(e) Smoking.

17. No person shall smoke or be permitted to smoke inside the closed portions of any tram or in any open portion except in such parts thereof as may from time to time be specially set apart for the use of smokers.

18. No persons under eighteen years of age shall remain seated in any portion of a tram set apart for the use of smokers after he or she shall have been requested by the conductor or other authorized officer to move to a portion set apart for the use of non-smokers.

19. No person shall spit in or on any tram or tramway waiting-room.

(f) Dangerous Goods.

20. No person shall travel or be permitted to travel in any tram or be in any tram or tramway waiting-room with explosives, loaded firearms, petroleum, oils, paints, glass, livestock, poultry, or anything which the conductor or other authorized officer may consider dangerous or offensive or which may, in the opinion of the conductor or other authorized officer of the Commission be liable to damage the tram or waiting-room or the person or property of any person, and no person shall bring, have with him, leave, or place on a tram anything which projects beyond the tram.

(g) Luggage and Goods.

21. (a) Personal luggage, including tools of workmen, and children's carriages of the folding type shall be deposited in such place as shall be indicated by the conductor or other authorized officer of the Commission. If in the opinion of the conductor or other authorized officer of the Commission, any such personal luggage, by reason of its size or nature, is such as to interfere with the convenience of passengers or in any way is unsuitable for carriage on any tram, or if, in his opinion, there is not sufficient room on the tram, he shall refuse to allow such luggage to be brought upon the tram, and such luggage shall not then be brought on to the tram, and, if found on the tram, he may cause the same to be removed.

(b) Subject to sub-clause (a) of this Clause 21, if any person being a passenger on a tram has with him luggage not exceeding 18 inches in any dimension and not exceeding 28 lb. in weight, no charge shall be made for that luggage. If any person being a passenger on a tram has with him luggage the overall dimensions of which are in any dimension more than 18 inches or the total weight of which exceeds 28 lb., he shall pay for the carriage of that luggage from any point to any other point the same fare as would be payable by an adult passenger travelling between those points (minimum charge 3d.). Any goods carried on a tram and not being the luggage of a passenger shall be paid for as follows:—

- (i) Any article or package or bundle of newspapers may be paid for by a 4d. parcel ticket.
- (ii) A charge of 4d. shall be paid for the carriage of any article or package or any bundle of newspapers not paid for by

ticket as aforesaid, and shall, if the Commission so stipulates, be carried on condition that the Commission shall not be liable for any loss of or damage to such goods except such as arises from the wilful misconduct of the Commission's officers.

(c) No goods shall be accepted by the Commission for carriage by tram unless they are personal luggage of a passenger on the same tram or a receipt or receipt docket initialled by a duly authorized officer of the Commission is given for such goods before their carriage on such tram is commenced.

(d) The conductor or other duly authorized officer of the Commission may refuse to carry on a tram the goods of any person or any goods, and the Commission shall not carry any goods by tram if in the opinion of the conductor or other duly authorized officer they cannot be carried conveniently by tram.

(e) No article or parcel not being a bundle of newspapers or a passenger's luggage shall be carried on a tram if its overall dimensions are in any dimension more than 18 inches or if its total weight exceeds 28 lb.

(f) Children's carriages of the folding type shall be carried free while the owner is travelling on the same tram.

(g) If against the requirements of the conductor or other authorized officer of the Commission under sub-clause (a) of this Clause 21 any luggage is brought on to a tram, or if any passenger refuses to pay the proper charge for carriage of his luggage, the conductor or such officer may, after warning the passenger of his intention so to do, remove such luggage and deposit it at the passenger's risk on any public footpath.

(h) General.

22. No person shall enter or remain in any tram whose clothing may soil or injure the linings or fittings of such tram or the dress or clothing of any passenger, or who may for any reason be offensive to passengers. If, in the opinion of the conductor or other authorized officer of the Commission, any person would infringe the foregoing by entering or remaining on the tram, the conductor or officer may forbid such person to enter on the tram, and, if such person is on the tram, may require him to leave the same. Any person who neglects or refuses to obey any such command of the conductor or such officer to keep off or to leave a tram shall be guilty of an offence against this By-law.

23. No passenger or other person, except he be a servant of the Commission, shall travel on the roof of any tram or on the platforms reserved for the use of the motormen or conductors or on any other part which any notice indicates is not intended to be occupied by passengers, and any such passenger or person infringing this regulation shall at once cease to do so upon being requested by the conductor, motorman, or any authorized officer of the Commission.

24. No person except a passenger or intending passenger or employee of the Commission shall enter or mount any tram, and no person not being a passenger shall hold or hang on by or to any part of any tram.

25. No passenger shall in any way threaten with assault or endeavour to intimidate any officer or servant of the Commission in the execution of his duty upon or in any tram.

26. No person shall place or rest his feet on the panels or seats of any tram, nor shall any person permit any child accompanying such person to stand on any seat in any tram.

27. In case a tram shall become disabled and, not be able to proceed with the journey, a passenger shall not be entitled to a return of the fare already paid by him or her, but shall be entitled to board any other tram proceeding in the same direction as the disabled tram, and to travel thereon to his or her destination as already paid for him or her. No person shall enter a disabled tram, and passengers, on being requested to do so by the conductor, motorman, or any authorised officer of the Commission, shall at once leave the tram which becomes disabled.

28. No person other than an employee of the Commission shall move or operate any trolley pole, trolley cord, driving gear, brake, or steps on any tram, or reversible sliding bars at the sides thereof:

29. No person shall offer or give a gratuity to any employee of the Commission, and no employee shall accept such if offered or given.

30. No person shall, without reasonable excuse (the proof whereof shall lie on him), do any of the following things, namely:—Persist in driving, leading, or riding or permit to remain standing any horse, cart, carriage, bicycle, motor or other vehicle, or any sheep, cattle, pigs, or other stock, on or immediately adjacent to the tramway line in front or in such a way as to interfere with or hinder or impede any tram after the gong of such tram shall have been rung as a warning that the tram is coming behind or overtaking or is about to pass such horse, cart, carriage, bicycle, motor, or vehicle, sheep, cattle, pigs, or other stock.

31. No motorman or conductor or other person in an inebriated condition shall take charge or remain in charge of any tram.

32. Motormen and conductors shall at all times observe a civil and courteous demeanour in their relations with passengers.

33. No passenger on a tram shall upon payment of his fare being demanded or in anticipation of his fare being demanded produce to any employee of the Commission any document other than a ticket referred to in this By-law or a check issued by the conductor of the tram.

34. (i) Any passenger on a tram who by word or conduct represents that:—

- (a) he has paid a fare when he has not paid that fare, or
- (b) that he has paid the fare for any journey when he has not paid the full fare for such journey, or
- (c) that he has or produces a ticket the presentation of which would be deemed by this By-law to be payment of a fare for any journey when either he has not such ticket or having it does not produce it shall thereby commit a breach of this By-law.

(ii) Any passenger on a tram having and producing a ticket in lieu of paying a fare when his fare is demanded, which ticket is not a ticket the presentation of which would be deemed by this By-law to be payment for the journey on which he is travelling shall thereby commit a breach of this By-law.

35. Any person offending against or committing a breach of this By-law shall, in addition to any other penalty prescribed in any other By-law or

Regulations under any Act, be liable to a penalty not exceeding Twenty Pounds (£20) for each such offence or breach.

In witness whereof the Commission has hereto affixed its Common Seal the Seventeenth day of February, 1937.

FIRST SCHEDULE.

BALLARAT.

The following shall be the fares to be paid by passengers in Ballarat, that is to say:—

ADULT FARES.

The fare of an adult carried on the whole or part of any one of the following journeys on any day other than a Sunday or Public Holiday shall be:—

- Between City and Terminus situated in Albert Street, Sebastopol—6d.
- Between City and Terminus situated at the Gardens Pavilion—5d.
- Between City and Gray Street, Sebastopol—5d.
- Between the intersection of Sturt and Drummond Streets and Sebastopol Terminus—5d.
- Between the intersection of Sturt and Drummond Streets and the Gardens Pavilion—4d.
- Between the intersection of Sturt and Drummond Streets and Gray Street—4d.
- Between City and the intersection of Wendouree Parade and MacArthur Street—4d.
- Between City and Alfred Street (Sturt Street West)—4d.
- Between City and Darling Street—4d.

- Between City and Terminus situated in Victoria Street—4d.
- Between City and Terminus situated in Barkly Street—4d.
- Between City and Terminus situated in Lydiard Street North—4d.
- Between Darling Street and Sebastopol Terminus—4d.
- Between City and the intersection of Sturt and Drummond Streets—3d.
- Between City and the intersection of MacArthur and Lydiard Streets—3d.
- Between City and the intersection of Princes Street and Victoria Street—3d.
- Between City and the intersection of Main and Barkly Streets—3d.
- Between the intersection of MacArthur and Lydiard Streets and Terminus in Lydiard Street—3d.
- Between Princes Street and Terminus in Victoria Street—3d.
- Between the intersection of Main and Barkly Streets and Terminus in Barkly Street—3d.
- Between the intersection of Sturt and Drummond Streets and Darling Street—3d.
- Between the intersection of Sturt and Drummond Streets and Alfred Street—3d.
- Between the intersection of Sturt and Drummond Streets and the intersection of Wendouree Parade and MacArthur Street—3d.
- Between Darling Street and Gray Street—3d.
- Between Gray Street and Terminus situated in Albert Street, Sebastopol—3d.
- Between Alfred Street and Terminus situated at the Gardens Pavilion—3d.

Between the intersection of Wendouree Parade and MacArthur Street and the Terminus situated at the Gardens Pavilion—3d.

For the purpose of this schedule "City" means the intersection of Sturt Street and Lydiard Street, Ballarat.

The fare of an adult carried on the whole or any part of any one of the foregoing journeys on a Sunday or a Public Holiday shall be one penny more than the amount set out above as the fare for such journey.

Between the intersection of Sturt and Lydiard Streets and the intersection of Victoria Street and Main Street the fare shall be 2d.

Between the intersection of Sturt and Dawson Streets and the intersection of Victoria Street and Main Street, the fare shall be 3d.

CHILDREN'S FARES.

The fare for a child under 14 years of age carried on the whole or any part of any one of the said journeys in respect of which the adult fare payable does not exceed 5d. shall be 2d. The fare for a child under 14 years of age carried on the whole or any part of any other such journey shall be 3d.

A child under 4 years of age, held in the arms of an adult passenger shall be carried free.

SECOND SCHEDULE.

BENDIGO.

The following shall be the fares to be paid by passengers in Bendigo, that is to say:—

ADULT FARES.

The fare of an adult carried on the whole or part of any one of the following journeys on any day other than a Sunday or a Public Holiday shall be:—

- Between City and Terminus situated at Eaglehawk—6d.
- Between City and Thorpe Street—5d.
- Between Victoria Street and Terminus situated at Eaglehawk—5d.
- Between Victoria Street and Terminus situated at Thunder Street—4d.
- Between City and Terminus situated at Golden Square—4d.
- Between City and Terminus situated at Quarry Hill—4d.
- Between City and Jackson Street—4d.
- Between Jackson Street and Terminus situated at Eaglehawk—4d.
- Between Victoria Street and Thorpe Street—4d.
- Between City and Victoria Street—3d.
- Between City and Honeysuckle Street—3d.
- Between City and Miller Street—3d.
- Between City and Arnold Street—3d.
- Between Victoria Street and Jackson Street—3d.
- Between Jackson Street and Thorpe Street—3d.
- Between Thorpe Street and Terminus situated at Eaglehawk—3d.
- Between Honeysuckle Street and Terminus situated at Golden Square—3d.
- Between Miller Street and Terminus situated at Quarry Hill—3d.
- Between Arnold Street and Terminus situated at Thunder Street—3d.

For the purpose of this schedule "City" means the intersection of Mitchell, View, High Streets and Pall Mall, known as Charing Cross.

The fare of an adult carried on the whole or any part of any one of the foregoing journeys on a Sunday or a Public Holiday shall be one penny more than the amount set out above as the fare for such journey.

Between City and the Railway Station the fare shall be 2d.

CHILDREN'S FARES.

The fare for a child under 14 years of age carried on the whole or any part of any one of the said journeys in respect of which the adult fare payable does not exceed 5d. shall be 2d. The fare for a child under 14 years of age carried on the whole or any part of any other such journey shall be 3d.

A child under 4 years of age held in the arms of an adult passenger shall be carried free

THIRD SCHEDULE.

GEELONG.

The following shall be the fares to be paid by passengers in Geelong, that is to say:—

ADULT FARES.

The fare of an adult carried on the whole or part of any one of the following journeys other than a Sunday or a Public Holiday shall be:—

- Between City and Terminus situated at North Geelong—5d.

- Between City and Bell Parade—4d.
 Between City and Terminus situated at Belmont—4d.
 Between City and Terminus situated at West Geelong—4d.
 Between City and Terminus situated at Newtown—4d.
 Between City and Terminus situated at Chilwell—4d.
 Between City and Terminus situated at East Geelong—4d.
 Between City and Terminus situated at Eastern Park—4d.
 Between intersection of Mercer Street, Latrobe Terrace and Terminus situated at North Geelong—4d.
 Between City and intersection of Mercer Street and Latrobe Terrace—3d.
 Between City and intersection of Aberdeen and Pakington Streets—3d.
 Between City and Junction of Garden and Ryrie Streets—3d.
 Between City and Viaduct—3d.
 Between intersection of Aberdeen/Pakington Streets and Terminus situated at Newtown or Chilwell or West Geelong—3d.
 Between Junction of Garden and Ryrie Streets and Terminus situated at Eastern Park or East Geelong—3d.
 Between Viaduct and Terminus situated at Belmont—3d.
 Between intersection of Mercer Street, Latrobe Terrace and Bell Parade—3d.
 Between Bell Parade and Terminus situated at North Geelong—3d.

For the purpose of this schedule "City" means the intersection of Moorabool Street and Ryrie Street.

The fare of an adult carried on the whole or any part of any one of the foregoing journeys on a Sunday or a Public Holiday shall be one penny more than the amount set out above as the fare for such journey.

Between City and Terminus situated at Eastern Beach or the Railway Station the fare shall be 2d.

CHILDREN'S FARES.

The fare for a child under 14 years of age carried on the whole or any part of any one of the said journeys in respect of which the adult fare payable does not exceed 5d. shall be 2d. The fare for a child under 14 years of age carried on the whole or any part of any other such journey shall be 3d.

A child under 4 years of age, held in the arms of an adult passenger, shall be carried free.

The foregoing schedules shall be read subject to the following proviso, that is to say—

Provided always that subject to the provisions of Clause 6 of this By-law a person enrolled as a pupil of a school shall be deemed to have paid his fare for the whole or part of a journey on any tram if he presents on a day during the period for which the ticket purports to be current a scholar's ticket bearing his name, provided that the fare for not more than two journeys in any one direction shall be deemed to be paid for on one day.

As Witness the Common Seal of the STATE
ELECTRICITY COMMISSION OF VICTORIA
hereto affixed the Nineteenth day of July,
1951.

Signed—

R. A. HUNT, Chairman.

W. D. CHAPMAN, Commissioner.

A. W. HENDERSON, Commissioner.

Submitted for the approval of His Excellency
the Governor-in-Council.

Signed—

K. DODGSHUN,

Minister in Charge Electrical Undertakings.

Approved by the Governor-in-Council, 24th
July, 1951.

A. C. MAHLSTEDT,

Clerk of the Executive Council.

