



# CONSTITUTION

AND

RULES



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# Constitution and Rules

OF THE

### **HAWTHORN**

## ELECTRIC TRAMWAYS CLUB

FOUNDED OCTOBER 23rd, 1916.

Postal Address:

Secretary, Hawthorn Electric Tramways Club,
C/o Melbourne & Metropolitan
Tramways Board,
Hawthorn Depot, Hawthorn.

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Melbourne & Metropolitan Tram	ways Board.

### Hawthorn Electric Trainways Club

#### NAME, OFFICE AND MEMBERSHIP.

1. The Club shall be known as "The Hawthorn Electric Tramways' Club."

2. The office and headquarters of the Club shall be situate at the Hawthorn Depot of the Melbourne and Metropolitan Tramways Board, at which depot all meetings of the Club shall be held.

3. The Club shall consist of and be limited to:-

(a) Resident Members, being all male persons who shall be from time to time on the permanent staff of the Melbourne and Metropolitan Tramways Board, and attached to the Hawthorn Depot. Membership of such persons shall be compulsory.

(b) Absentee Members, being all male persons in the employ of the Melbourne and Metropolitan Tramways Board who, having been attached to the said depot, and having been members of the Club for not less than two consecutive years, shall have been transferred from the Hawthorn Depot.

4. Members shall be either:-

(a) Full Benefit Members, being members who shall have passed the medical test prescribed by the General Committee, or shall have been admitted to full benefit membership without being called upon to pass such test. Such members shall be entitled to the full benefits of the Club; or

(b) Social Members, who shall have failed to pass the prescribed medical test. Such members shall be entitled to all benefits of the Club, other than sick,

accident and funeral benefits; or

(c) Honorary Members, who may from time to time be admitted by the General Committee. Such members shall have no voice in the management of the Club, nor shall their membership continue for a longer period than one month, without the consent of the General Committee.

Every member shall sign a Membership Form, to be approved of by the General Committee, and, on signing the same, shall receive a copy of the Rules of the Club. Employees over the age of forty-five shall not be accepted as full benefit members of the Club.

#### OBJECTS.

5. The objects of the Club shall be:-

(a) To promote sociability and good fellowship.

(b) To promote, maintain and operate sick, accident and funeral funds, and such subsidiary or other activities and funds as shall from time to time be determined.

#### CONTRIBUTIONS.

- 6. Each member shall pay such sum as shall from time to time be determined by the members at a Half-yearly or Special General Meeting of the Club, and until otherwise determined, such contributions shall be as follows:—
  - (a) Benefit Members-Ninepence per week per member.
  - (b) Social Members—Sixpence per month per member.
- 7. The General Committee shall have power from time to time, where in their opinion the circumstances justify them in so doing, to suspend or reduce the contributions of any member for such period, and on such terms as they shall deem fit.
- 8. Every Absentee Member shall pay his contributions and all other moneys payable by him to the Secretary of the Club at the Hawthorn Depot, and if such contributions and/or payments shall be in arrears for four weeks, such member shall, after the expiration of fourteen days from the posting to him by the Secretary of a notice to that effect, be deemed to have forfeited his membership, unless he shall in the meantime have paid all amounts due by him up to the date of the expiration of such notice, and he shall, on forfeiting his membership, have no claim against the Club, its property or funds for any benefits or otherwise.

#### OFFICE-BEARERS.

9. The office-bearers of the Club shall consist of a President, two Vice-Presidents, Treasurer, Assistant Treasurer, General Secretary, Assistant Secretary, and ten other members of the Club, the whole to form the General Committee, in whom, subject to these Rules, the management and property of the Club shall be vested. The Treasurer and the Assistant Treasurer shall both be members of the Club and of the clerical staff of the Melbourne and Metropolitan Tramways Board, if possible.

- 10. Of the ten members referred to in the last preceding Rule, six shall be members of the staff of the traffic branch, one shall be a member of the staff of the rolling stock, branch, one shall be a member of the staff of the permanent way branch, one shall be a member of the staff of the clerical branch, and one shall be an Absentee Member.
- 11. The office-bearers constituting the Geneal Committee shall be those who were members of the Committee of the Hawthorn Electric Tramways Club, as constituted prior to the adoption of these Rules. Such office-bearers shall retire as hereinafter provided, and all succeeding office-bearers shall be elected at a poll to be held prior to the half-yearly meetings of the Club. Those members of the Committee who have been longest in office shall (subject, however, to the provisions of Rule 13 hereof) retire in the month of July, 1928, and the remaining members in the month of January, 1929. Provided, however, one Vice-President, Assistant Treasurer and Assistant Secretary shall retire only in the month of January in each year, and the President and one Vice-President, Treasurer and the Secretary in the month of July in each year. All retiring office-bearers shall be eligible for re-election. If any dispute shall arise regarding retirement of any member or members, same shall be determined by the General Committee.
- 12. A poll for the election of office-bearers shall be held at a date (called the polling day) in the months of January and July, to be determined by the General Committee, who shall, for the purpose of such poll, appoint a Returning Officer. Any two members may propose any candidate for election to the General Committee by notice in writing to the Secretary, who shall forthwith post the same on the Notice Board of the Club. Such notice shall be delivered to the Returning Officer not less than ten clear days before the polling day. Balloting lists shall be forthwith prepared by the Returning Officer, and shall be posted by him to each Absentee Member not less than five clear days before the polling day, and shall be returned by each such Absentee Member to the Returning Officer duly completed, so as to reach him not later than the polling day. Resident Members may obtain balloting lists and record their votes at the Club at any time between the hours of ten o'clock in the forenoon and six o'clock in the afternoon of the polling day. Provided, however, that any Resident Member whose day off shall occur on the polling day may record his vote during hours

appointed by the General Committee on the day immediately preceding the polling day, or on such other day prior thereto as the General Committee shall determine. All votes shall be counted by the Returning Officer, in the presence of scrutineers appointed by the General Committee, and the Returning Officer shall forthwith post up on the Notice Board of the Club the results of such ballot, and the same shall be declared by the Chairman at the Yearly or Half-yearly Meeting, as the case may be.

GIVE CASTING VOTE.—If the votes recorded in favor of any two candidates shall be equal, the issue shall be decided by the Returning Officer's casting vote.

13. The following office-bearers shall be elected at the Half-yearly Meeting in January of each year, namely:—One Vice-President, Assistant Secretary, Assistant Treasurer, three candidates from traffic branch.

and at the Half-yearly Meeting in July, President, one Vice-President, General Secretary, Treasurer, three candidates from traffic branch, one candidate from rolling stock branch, one candidate from permanent way branch, one from Clerical Staff, and absentee candidate.

- 14. The General Committee shall have power to appoint a member to fill any casual vacancy that may occur on the General Committee, or any vacancy which may not have been filled at any Half-yearly Meeting. No such vacancy shall be filled without seven days' notice having been given to each member of the General Committee, and the person so appointed shall hold office only during the like period that the person whose position he has filled would have held the same.
- 15. Subject to these Rules, questions at any Half-yearly Meeting, Special General Meeting, or Committee Meeting of the Club shall be decided by a majority of votes on a show of hands, unless a ballot be called for by not less than four members, the result to be declared by the Chairman, who shall have a deliberative as well as a casting vote.

#### GENERAL COMMITTEE.

16. The General Committee shall have power to establish and to approve of or to frame, and from time to time to alter, rescind or amend by-laws for the direction of subsidiary clubs or organisations, which shall be administered by the General Committee, or by sub-committees appointed by the General Committee or by such

subsidiary clubs or organisations. Such subsidiary clubs or organisations shall be responsible to the General Committee, and no member shall be obliged to belong to any such subsidiary club or organisation.

17. The General Committee shall have power from time to time to elect or remove Trustees in whom the funds or property of the Club, or such portion thereof as the General Committee shall determine, shall from time to time be vested. They shall deal with the property vested in them, as directed by resolution of the Committee (of which an entry made in the minute book and duly signed by the Chairman shall be conclusive evidence), and they shall be indemnified against risk and expense out of the Club's property.

18. The General Committee shall meet at least once every four weeks to examine the accounts and arrange the affairs of the Club. Seven members of the Committee shall form a quorum. Minutes shall be taken of all the proceedings of the Committee, and shall be open to the inspection of any member of the Club applying to the Secretary therefor.

19. The General Committee shall have the power to impose any entrance fees and levies as they shall think fit, and they may from time to time make, repeal and amend all such by-laws and regulations not inconsistent with these Rules, as they shall think expedient for the internal management and well-being of the Club, and may thereby impose reasonable fines, not exceeding five shillings, for every breach of any such by-laws or regulations, or of these Rules. All such by-laws and regulations made by the Committee under this Rule shall be binding upon the members until repealed by the Committee, or set aside by a resolution of a Half-yearly or a Special General Meeting of the Club.

20. Any member of the General Committee who shall absent himself from any meeting without satisfactory reason may be fined by the General Committee a sum not exceeding five shillings.

21. Any member of the General Committee who shall absent himself from three consecutive meetings of such Committee without giving a satisfactory reason therefor, shall be deemed to have forfeited his seat on the General Committee, and the same shall be declared vacant.

22. The Half-yearly Meetings of the Club shall be held in the months of January and July in each year at the Club, at a date and time to be fixed by the General Committee for the following purposes:-

(a) To receive from the General Committee a report, balance-sheet and statement of accounts for the preceding half-year up to the end of the month previous to that in which such meeting is held.

(b) To declare the result of any poll held to fill vacancies in the General Committee or otherwise.

(c) To decide on any resolution of which due notice has been given.

23. Any member desirous of moving such resolution at any Half-yearly Meeting shall give notice thereof in writing to the Secretary not less than seven clear days before the date of such meeting, and a copy of such notice shall be forthwith posted by the Secretary on the Notice Board of the Club.

24. The General Committee may at any time, for any special purpose, call a Special General Meeting, and they shall do so forthwith on the requisition in writing of not less than one-fourth of the members, stating the purpose or purposes for which the meeting is required.

25. Five days at least before the day appointed for each Half-yearly Meeting or for any special General Meeting, a notice of such meeting shall be posted in the Club House, and a copy of such notice shall be sent by post to every absentee member. The report, balance-sheet and statement of accounts shall be posted in the Club House during the three days preceding the day appointed for each Half-vearly Meeting.

26. At all Half-yearly or Special General Meetings, the President, and in his absence a Vice-President, shall take the chair.

27. The General Committee shall be empowered if they think fit to make regulations for enabling members unable to be present to vote by proxy.

28. The quorum at all Half-yearly and Special General Meetings shall be as follows:—For motions proposing the removal of any office-bearer or any repeal, addition to, or alteration of the rules, thirty: for motions proposing repeal, addition to, or alteration of any by-laws, thirty: for all other business, twenty.

29. Notwithstanding anything contained in these Rules to the contrary, any one or more of the members of the General Committee may be removed and others elected in their place at a Special General Meeting called for that purpose.

#### DUTIES OF OFFICERS.

- 30. The President, Vice-Presidents, General Secretary, and Assistant Secretary shall be ex-officio members of all sub-committees of the Club.
- 31. The General Secretary shall have the care and custody of all the books and documents of his office, and shall cause proper entries to be made therein of all matters and things done in the course of business of the Club. He shall call all meetings of the General Committee, and shall send and post all notices of meetings and other notices required by these Rules, or by the bylaws of the Club, and he shall furnish to the General Committee or to the members such reports and other information as shall be lawfully required, and shall, in all respects, obey the lawful directions of the General Committee. He shall also forthwith forward to the Treasurer all moneys received by him on account of the Club, or any subsidiary club or activity promoted by the Club, accompanied by a written statement, setting out in detail the purpose for which such moneys were received. In no case shall the Secretary retain any moneys, cheques or valuables for a longer period than forty-eight hours from the time of same being received by him.
- 32. The Assistant Secretary shall assist the General Secretary in the performance of his duties, as directed by the General Committee from time to time.
- 33. The Treasurer shall have the charge and custody of all moneys belonging to the Club. He shall keep or cause to be kept proper books of account, vouchers, receipts, and other documents relating to the finances of the Club, or of the subsidiary clubs or organisations promoted by the Club, and shall make or cause to be made proper entries of all financial transactions of the Club in the books of account kept for that purpose. He shall forthwith pay all moneys received by him into a bank or banks, to be approved by the General Committee, in an account or accounts in the name of the Club. All payments on account of the Club shall be made by cheque, which must, until otherwise determined by the General

34. The Assistant Treasurer shall assist the Treasurer, as directed by the General Committee from time to time.

#### AUDITORS.

35. All accounts to be presented at any Half-yearly or Special General Meeting shall be audited by a qualified Auditor or Auditors, appointed by the General Committee, and the General Committee shall have power at any time they may desire so to do to have an audit made of the accounts of the Club.

#### FUNDS.

36. All moneys received by the Club shall be allocated either to the "General Fund" or the "Sick, Accident and Funeral Fund."

37. The following moneys shall be allocated to the General Fund:—

- (a) One-sixth of all moneys received from members or on behalf of members as subscriptions.
- (b) Such subsidy or gratuity as may from time to time be received on account of such fund from the Melbourne and Metropolitan Tramways Board.
- (c) All moneys which the Club or the General Committee shall raise for the purpose of such fund, by means of entrance fees, fines, levies or otherwise.
- (d) Such sum as shall, at the date of the adoption by the Club of these Rules, stand to the credit of the account of the General Fund of the Hawthorn Electric Tramways Club, as constituted immediately prior to such adoption.
- 38. The General Fund shall be used for the payment of the expenses of the general management of the Club for

the recreation and entertainment of the members, for the maintenance and advancement of the subsidiary clubs or organisations, and for such purposes incidental to these objects as the General Committee shall think fit.

39. The following moneys shall be allocated to the Sick. Accident and Funeral Fund:—

(a) Five-sixths of all moneys received from members or on behalf of members as subscriptions.

(b) Such subsidy or gratuity as may from time to time be received on account of such fund from the Melbourne and Metropolitan Tramways Board.

(c) All moneys which the Club or the General Committee shall raise for the purpose of such fund, by means of entrance fees, fines, levies or otherwise.

(d) Such sum as shall at the date of the adoption by the Club of these Rules stand to the credit of the account of the Sick, Accident and Funeral Fund of the Hawthorn Electric Tramways Club, as constituted immediately prior to such adoption.

40. The funds of the Sick, Accident and Funeral Fund shall be used for the payment of sick, accident and funeral benefits to members, as nereinafter provided, and the costs and expenses of the administration of such funds, and for no other purpose whatsoever.

41. In the event of the moneys available in Sick. Accident and Funeral Fund being insufficient to meet the demands on same, the General Committee shall, notwithstanding anything hereinbefore contained to the contrary, have the power to make good any deficiency from the General Fund, and if the amount of credit of the said General Fund shall be or become less than One Hundred Pounds, then the General Committee shall have power to impose on all resident and absentee members a levy of not more than sixpence per member per week for such period as the General Committee shall determine, and any levy so imposed shall, while the same remains unraid, be a charge, together with any other moneys owing, on the interest of the defaulting member in the Club. and shall be deductable from any moneys payable to him, together with any other moneys owing.

42. Contributions to funds established for the purposes of subsidiary clubs or activities shall be such sums as shall be fixed by the General Committee or by the subcommittees controlling such clubs or activities. No

member shall, unless he shall voluntarily join any such subsidiary club or activity, be compelled to make any payment on account of same.

#### SICK AND ACCIDENT BENEFITS.

43. Any member who shall become incapacitated owing to sickness or accident and unable to follow his usual or any occupation, shall be entitled to receive, and shall receive, during a period of twenty weeks of such incapacity, the sume of One Pound One Shilling per week of seven days, and during the further period of fifteen weeks of seven days of such incapacity, the sum of Ten Shillings and Sixpence per week. Provided, however, that if any member shall have received from the Club, as at presented constituted, or as constituted prior to the adoption of these Rules, during the period of two years prior to the date of his incapacity, the sum equivalent to full benefits for thirty-five weeks, by way of sick and accident benefits, and portion of such sum shall have been paid to him during the twelve months preceding his incapacity, then such member shall be entitled to receive, and shall receive, during a period of thirty-five weeks of such incapacity, the sum of Five Shilling per week and no more.

44. Sick and accident pay shall be deemed to accrue from day to day, and shall be apportioned in respect of any period of less than one week.

45. Notwithstanding anything contained in these Rules to the contrary, no claim shall be made for any period of incapacity of less than three days, and no member shall be entitled to sick or accident benefits until he shall have been a member of the Club for at least twelve weeks, or if his incapacity arises from, or is the result of intoxicating liquor or immoral or improper conduct.

46. Any member desiring to make a claim on the funds shall give, under his own signature, or shall give or cause to be given, under the signature of his wife, another member, or some responsible person, notice in writing to the General Secretary, on a form provided for that purpose, within three days of his incapacity, and he shall be liable to be fined by the General Committee the sum of One Shilling per day for each day during which he shall neglect to give such notice. He shall, whenever required by the General Committee so to do, produce to the General Secretary a medical certificate or a certificate from the officer-in-charge of the department in which he shall

be employed. Sick pay shall start only from the date on which the illness commenced, and such date shall be determined by the General Committee.

- 47. When the period of his incapacity has ceased, and a member is able to resume his employment, he shall forthwith notify the General Secretary in writing thereof, and shall, if required by the Committee so to do, produce to the General Secretary a medical certificate or a certificate from the officer-in-charge of the department in which he shall be employed, stating that he has sufficiently recovered to resume such employment. Failure to give such notice shall render the defaulting member liable to a fine of not more than Two Shillings for each day during which such default shall continue.
- 48. Any member in receipt of sick or accident benefits, who shall, by becoming under the influence of liquor, or by being absent from his residence after sunset, or in inclement weather, or by wilful disobedience of or failure to obtain proper medical advice, or otherwise do anything to retard his recovery from his illness or accident, shall be liable to be fined a sum not exceeding Five Pounds, and to repay to the Club all benefits received by him in respect of his incapacity, and to forego future benefits for such period as the General Committee shall determine.
- 49. The General Committee shall from time to time appoint a Sick Committee, and the General Secretary shall have the power from time to time to call on any member of such Committee to visit a sick member. Provided such sick member is not suffering from any contagious illness, and such visiting member shall, within forty-eight hours of his being called on so to do, and at weekly intervals thereafter, visit such sick member, and shall furnish to the General Secretary reports relative to such visits. Failure to comply with the requirements of the General Secretary under this Rule shall render the defaulting member liable to a fine of not more than Five Shillings.

### FUNERAL BENEFITS.

50. On the death of a full benefit member, his nominee shall, save as hereinafter provided, receive as funeral allowance in respect of such member the sum of Twenty Pounds, together with such sum as shall be raised by a levy of Two Shillings and Sixpence on each member, other than social and honorary members, and the General Committee shall have power to make such levy.

- 51. On the death of a full benefit member's wife, such member shall receive as funeral allowance such sum as shall be raised by a levy of One Shilling on each member, other than social or honorary members, and the General Committee shall have power to make such levy.
- 52. Each full benefit member shall, on becoming a member, appoint in writing a nominee to receive any amounts due for funeral benefits on the death of such member. The General Secretary shall keep a book in which each member shall nominate in writing the person to whom such funeral benefits shall be payable on his death. Any member may substitute another nominee by written notice to that effect, signed by himself. It shall be the duty of the General Secretary to record such alteration on receiving from such member the sum of One Shilling, which shall be the fee payable by him therefor. If any member shall fail to give notice of a nominee, or if the person nominated by him shall have predeceased him, or cannot be found, then the General Committee shall determine to whom the said funeral benefits shall be payable, and their decision shall be final.
- 53. Any nominee or other person making any claim for funeral benefits due in respect of the death of a member shall produce to the General Committee the Government Statist's certificate of the death of such member, and such evidence in support of the claim of such person as the General Committee shall require.
- 54. No claim shall be allowed for funeral benefits in respect of the death of a member who shall have died during the first twelve months after his election, nor after the expiration of twelve months from the death of a member, except with the special consent of the General Committee. Members of two or more years' service, sick continuously for six months, and having to leave the service by M. and M.T.B. rule, shall remain members of the Club, and be entitled to funeral benefits, provided their contributions are kept paid.

#### CONDUCT OF MEMBERS.—FINES.

55. The General Committee shall have rower to from time to time inflict a fine or fines on any member or members for any breach of the Rules or the By-laws of the Club, or for any misconduct, provided that no member shall be fined a greater sum than Five Shillings in respect of any one offence.

- 56. Any member refusing or neglecting to pay a fine or fines shall be debarred from and deprived of all benefits of the Club until such fine is paid.
- 57. Any moneys due by any member to the Club, as at present constituted, or as constituted prior to the adoption of these Rules, for goods supplied, or for levies, fines, or otherwise, shall be deductable from any sum payable to such member for sick pay, funeral benefits or otherwise.
- 58. The General Committee may at any time serve a member who is indebted to the Club in any sum of money with notice requiring payment thereof, and stating that if payment be not made within seven days from the date of such notice, such member will be debarred from the privileges of the Club, and if the said sum be not paid with such seven days, then the member in default shall, while such sum remains unpaid, be so debarred, and the Committee shall have power to prosecute.

### ALTERATION OF RULES.

59. These Rules may be amended or rescinded, or new rules made at any Half-yearly Meeting or at any Special General Meeting. Proper notice of any such proposed amendment, recission or new rules shall be given.



#### STANDING ORDERS.

- 1. The order of business at General Meetings of the Club shall be:—
  - Reading and adoption of minutes of the last Ordinary and of any subsequent Special General Meetings of the Club.
  - (2) Business arising out of the minutes.
  - (3) General Secretary's report and business arising from same.
  - (4) Motions of which due notice has been given.
  - (5) General business.
  - (6) Election of Officers.

The order of business at General Committee Meetings shall be:—

- Reading and adoption of minutes of last General Committee Meeting.
- (2) Business arising out of the minutes.
- (3) General Secretary's progress report.
- (4) Accounts.
- (5) Ordering drafts for benefits.
- (6) Correspondence.
- (7) Roll call, 9 p.m.
- (8) General business.
- 2. A member can only speak once upon any question before the Meeting, except—
  - (1) In reply upon an original motion.
  - (2) In explanation or correction of some matter during the debate; or
  - (3) Upon a point of order raised during the debate.
- 3. A member shall not be held to have spoken if he only use the words, "I second the motion" or "amendment," as the case may be.
  - 4. All motions shall be:-
    - (1) Duly proposed and seconded:
    - (2) The property of the Club;
    - (3) Withdrawn only by leave; or
    - (4) May be adjourned from time to time;
- (5) Amended or altered until a decision is arrived at.5. A motion may be amended at any time during the debate thereon by:—
  - (1) Striking out certain words;
  - (2) Adding certain words; or
  - (3) Striking out certain words and inserting others in their place.
- 6. Upon any amendment being carried, it shall take the place of the original motion, and may be further amended or altered until a decision is arrived at.

7. A motion may be superseded at any time:-

(1) By another motion that it be discharged from the notice paper;

(2) By the adjournment of the meeting:

(3) By a motion that the next business be proceeded with being resolved in the affirmative.

8. A motion for the adjournment of a meeting may be proposed at any time during the meeting, or for the adjournment of a debate at any time during each debate, and shall be at once put to the meeting by the President unless time is mentioned. An amendment to alter the time can be proposed.

9. Any member speaking shall at once resume his

seat:-

(1) If the President rises to speak; or

(2) If a point of order is raised, and shall not resume his speech until the point of order be decided.

10. When a motion disagreeing with the Chairman's ruling is submitted, the mover may state his reasons. If the motion is seconded, the Chairman may give reasons for his ruling, and the question shall be at once put to the meeting for decision.

11. No more than two members shall speak in succession either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no speaker rises to speak on the other side, the motion or amendment shall be at once put to the meeting.

12. No member shall be allowed to speak for more than five (5) minutes at any one time. The mover of an original motion shall be allowed five minutes' extension to reply. If five minutes is insufficient, extension can be

had by consent of meeting.

13. It shall be competent by a vote of two-thirds of the members present to suspend any standing order herein contained, provided the effect of such suspension shall not be the rescinding of any resolution previously adopted

14. The mover of an original motion shall be allowed the right of reply, if the closure motion is carried.

15. Any motion that has been passed at a meeting cannot be again entertained at the same meeting.

To rescind a motion, due notice must be given by the

proposer, as per Rule 23.

16. Any member who shall not obey a ruling of the Chair, the Chairman shall have the power to fine such member the sum of 2/6, and should the offending member persist in defying the Chair, he may be expelled from the meeting, and may be further dealt with under Rule

