



# **Rail Heritage Victoria**

A business name of

**Australian Railway Historical  
Society Victorian Division Inc.**

**A0033223H**

## **BY-LAWS**

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## History of Changes

<i>Version</i>	<i>Date</i>	<i>Details</i>
1.01	25 July 2013	By-laws adopted by resolution of SGM 25 July 2013
1.02	26 September 2013	The AGM of 26 September 2013 adopted changes to the By-laws as follows: By-law A3 amended by addition of definition of Office Holder; Wording of By-law E5(4) amended; Wording of By-law E12(1)(a) amended; 12 occurrences of "office holder" changed to "Office Holder"; Wording of By-law I6 amended; Wording of By-law N(2) amended.
1.03	14 January 2014	Subscriptions for Magazines changed. To be ratified by AGM. Correction to paragraph layout Appendix 7 (f).
1.04	25 September 2014	Changes to By-laws by resolution of AGM 25 September 2014: Addition of subclauses M(3) - M(7) inclusive; Addition of By-law O relating to Archive and its use Addition of By-law P relating to Rules of Debate in meetings Setting of Membership Fees (Appendix 3)
1.05	23 April 2015	Changes by resolution of SGM 23 April 2015-06-13 Addition of subclauses E6(4) and E6(5) Revision of subclauses M(5), M(6) Revision of subclause N(1) Setting of Membership Fees (Appendix 3)



**Australian Railway Historical Society  
Victorian Division Inc. A0033223H  
trading as  
Rail Heritage Victoria**

## **By-laws**

### **A. PRELIMINARY**

#### **A1. *Obligations of Members***

Each Member will be responsible to become fully aware of his/her duties and responsibilities to the public and to the Association, and is required to observe these By-laws and to follow the Operating Instructions.

#### **A2. *Administration of the By-laws***

- (1) Adding new By-laws and changing existing By-laws

The By-laws may be changed only by special resolution of a General Meeting of the Association in accordance with Rule 78 of the Rules.

- (2) Members wishing to change the By-laws

Members may subject to the provisions of Rule 32 of the Rules call a special general meeting at which special resolution to change the By-laws may be made.

#### **A3. *Definitions***

For the purpose of these By-laws the following meanings will apply—

<b>Committee</b>	<i>means</i> the management committee of the Association under the Rules;
<b>Member</b>	<i>means</i> a member of the Association under Rule 14 of the Rules;
<b>Office Holder</b>	<i>means</i> (as defined in clause 82 of the Act) a member of the Committee; or the Secretary; or a person, including an employee of the association, who makes, or participates in making, decisions that affect the whole, or a substantial part, of the operations of the association; or a person who has the capacity to significantly affect the association's financial standing; or a person in accordance with whose instructions or wishes the Committee of the association is accustomed to act (but excluding a person who gives advice to the association in the proper performance of functions attaching to the person's professional capacity or to the person's business relationship with members of the Committee or with the association).
<b>Operating Instructions</b>	<i>means</i> the Operating Instructions of a subcommittee under By-law C4(6);
<b>Subcommittee</b>	<i>means</i> a subcommittee of the Committee formed under Rule 43(1) and Rule 79 of the Rules.

the Rules	<i>means</i> the Rules of the Association;
the Act	<i>means</i> The Associations Incorporation Reform Act 2012;
the Assistant Secretary	<i>means</i> the assistant secretary of the Association under Rule 44 of the Rules;
the Assistant Treasurer	<i>means</i> the assistant treasurer of the Association under Rule 44 of the Rules;
the Association	<i>means</i> the Australian Railway Historical Society Victorian Division Inc. A0033223H;
the President	<i>means</i> the president of the Association under Rule 44 of the Rules;
the Secretary	<i>means</i> the secretary of the Association under Rule 44 of the Rules;
the Treasurer	<i>means</i> the treasurer of the Association under Rule 44 of the Rules;
the Trustees	<i>means</i> the Committee of the Association under the Rules;

## B. SAFETY

Public and Member safety is the Association's first consideration.

- (1) The Committee shall—
  - (a) give full and serious consideration to any allegation that a Member has endangered the safety of the Public or another Member; and
  - (b) in every case where a complaint relating to safety is made by a member of the public or by a Member, consider all aspects of the allegation and may take legal advice or may institute legal action.
- (2) Nothing in this By-law shall change the requirement of a Member to observe and comply with the normal safety rules and procedures of the provider of any service to the Association.
- (3) Safety apparel, including footwear must be worn by all Members when at working bees at but not limited to the Railway Museum or Gordon Station.
- (4) Members must comply with all safety requirements set by the proprietor of any premises in which an Association activity takes place or in which Association premises are located

## C. GOVERNANCE

### C1. Trading Name

The Association has registered the Business Name "*Rail Heritage Victoria*".

- (1) The Committee may by resolution determine that an activity, service, product, operation or publication of the Association be done or marketed or traded under the name "*Rail Heritage Victoria*".
- (2) The Committee may by resolution determine that use of the name "*Rail Heritage Victoria*" for a particular activity, service, product, operation or publication be revoked.
- (3) In all respects, the Rules and the By-laws of the Association apply equally to everything under the name "*Rail Heritage Victoria*".
- (4) Every business document written or publication made under the name "*Rail Heritage Victoria*" must include the statement:  
 "Rail Heritage Victoria is a business name of Australian Railway Historical Society Victorian Division Inc. A0033223H."

## C2. General Meetings

- (1) Proxy Form
  - (a) The Committee has approved for appointment as a proxy, the form set out in Appendix 1 *Appointment of Proxy form*. This form should be used for appointment of a proxy for Annual General Meetings and for Special General Meetings.
  - (b) Voting by proxy is not permitted for a Disciplinary Appeal Meeting.

## C3. Election of Committee Members

- (1) Nomination for Committee

The Committee has approved for nomination for a position on the Committee, the form set out in Appendix 2 *Nomination for Committee Position form*. This form should be used for nomination of a candidate for a Committee position at the Annual General Meeting or a Special General Meeting.

## C4. Subcommittee Structure and Terms of Reference

- (1) The President shall be a member of each Subcommittee other than a disciplinary subcommittee.
- (2) The Secretary shall maintain the *Register of Current Subcommittees* that is attached to these By-laws as Appendix 5.
- (3) The *Register of Current Subcommittees* may be amended by the Secretary from time to time and is not subject to the requirements of By-law A2(1).
- (4) The *Register of Current Subcommittees* will contain for each subcommittee—
  - (a) its name;
  - (b) the date of creation if created during the current year;
  - (c) the name of the Convenor;
  - (d) the name of its Minutes Secretary;
  - (e) the names of members of the Subcommittee as approved by the Committee;
  - (f) the date of its cessation, if any.
- (5) The purpose of a Subcommittee shall be to—
  - (a) carry out the stated aims, objectives and duties as specified by the Committee; and
  - (b) make recommendations to Committee for its evaluation; and
  - (c) foster goodwill and a spirit of cooperation throughout the Association and with kindred societies.
- (6) A Subcommittee shall operate within the terms and conditions set out in its Subcommittee Operating Instructions as follows—
  - (a) Operating Instructions for a subcommittee shall be set by the Committee; and
  - (b) changes to a Subcommittee Operating Instructions may be made only by resolution of the Committee.
- (7) These provisions shall apply—
  - (a) the Convenor shall call meetings as required in order effectively to carry out the directions of the Committee; and
  - (b) a Notice of Meeting shall be prepared and circulated to Subcommittee members for each meeting giving details of the Agenda; and
  - (c) the proceedings of the meeting shall be in accordance with the Agenda with provision for the addition of any other matters of relevance; and

- (d) meetings shall require a quorum to be present as required under By-law C4(8); and
  - (e) a Subcommittee member who is deemed by the Convenor to have acted in an unbecoming way or who demonstrates inappropriate behaviour may be suspended from the meeting and the matter shall be minuted and referred to the Committee for consideration of disciplinary action.
- (8) Quorum for Subcommittee meetings
- (a) A resolution may not be made at a Subcommittee meeting unless a quorum is present.
  - (b) The quorum for a Subcommittee meeting is the presence of a majority of the members of the Subcommittee excluding the President.
  - (c) If a quorum is not present the business on the Agenda may still be discussed but as required by clause C4(8)(a) no resolution may be made until a quorum is present
  - (d) If no quorum eventuates the meeting should be reconvened at a later date.

## **D. CONFLICT OF INTEREST**

Conflicts of interest arise whenever a Member of the Association becomes involved in a situation where their personal interests conflict with their duties and obligations to the Association. Such interests may be regarded as financial or non-financial and may be direct or indirect.

- (1) A Subcommittee member who has a material personal interest in a matter being considered at a Subcommittee meeting must disclose the nature and extent of that interest to the Subcommittee.
- (2) The Member must not vote on the matter.
- (3) The failure of a Subcommittee member to comply with this By-law will result in disciplinary action being taken against the individual concerned.

## **E. MEMBERS AND MEMBERSHIP**

### *E1. Membership fees*

- (1) The Committee may prescribe that the first year's subscription for a new member shall be in proportion to the remaining months in that financial year.
- (2) The amount of each form of subscription is set out in the Appendix 3 *Schedule of Membership And Other Fees*.
- (3) The *Schedule of Membership And Other Fees* may be amended by the Secretary from time to time and is not subject to the requirements of By-law A2(1).
- (4) The due date for payment of subscription is 1 May of each year.

### *E2. Honorary Members*

The Committee shall at its first meeting after the Annual General Meeting review the list of Honorary Members and may amend the list by resolution. The Secretary shall notify in writing each former Honorary Member whom it is decided is to be removed from the list.

### *E3. Privacy*

- (1) Membership details of members shall be held securely and shall be disclosed only to—
  - (a) the Committee; and
  - (b) other Members
 to the extent necessary to fulfil the obligations of the Association.



- (2) Members shall respect the privacy of other Members and shall not:-
  - (a) seek to obtain personal details of another Member not otherwise on the public record; or
  - (b) take a photograph of a particular Member without permission of that Member.
- (3) If special circumstances exist in accordance with section 59 of the Act a Member may request that certain details be withheld from the Register of Members.  
The Committee has approved for requesting details to be withheld the form set out in Appendix 4 *Access restriction request for Register of Members*.

#### *E4. Change of registered address of Member*

- (1) A Member should inform the Secretary of any change to the Member's registered address, whether residential, postal or electronic.

#### *E5. Delivery Address*

- (1) A Member may provide a delivery address, different from the Member's registered address held in the Register of Members.
- (2) A Member should inform the Secretary of any change to the Member's delivery address.
- (3) If no delivery address has been supplied, then the delivery address will be deemed to be the registered address.
- (4) The Association will send Newsletters, notice of meeting or other correspondence to the delivery address or to an email address if one has been provided.
- (5) The Association will not be responsible for failure to receive any Newsletter, notice of meeting or other correspondence addressed and sent to the delivery address.

#### *E6. Obligations of Members*

- (1) A Member shall comply with the Rules of the Association; and
- (2) A Member shall comply with these By-laws; and
- (3) Unless authorised by the Committee a Member—
  - (a) shall not represent that he or she is authorised by the Association to act on its behalf; and
  - (b) shall not speak on its behalf; and
  - (c) shall not use the name of the Association for the purpose of gaining entrance to any place or obtaining any right or privilege (whether or not a right or privilege of Members)

provided that the provisions of this clause shall not be construed so as to restrict or prevent any Member from informing any other person or organisation of his membership of the Association; and
- (4) A member shall pay to the Society all fees incurred through use of services provided by the Society within thirty (30) days of the date of an invoice for those services; and
- (5) Should a Member be in debt to the Society for fees incurred through use of services provided by the Society then that Member's application to renew the Annual Membership Subscription will be withheld until the debt is paid in full.

#### *E7. Guidelines for the Appointment of Life Members*

The election of a Member to Life Membership is the ultimate expression of the Association's gratitude to that Member for his or her generous support of the aims and objectives of the Association.

- (1) The proposed Life Member should be highly respected and of unquestioned integrity in the eyes of the community and the Association.
- (2) The Member should have demonstrated a continuing involvement in furthering the aims and objects of the Association over and above that expected of an average Member.
- (3) The Member should have actively participated in a number of the following areas—
  - (a) Committee;
  - (b) Executive Member of a Committee or Group;
  - (c) Special projects related to—
    - (i) publication of historical material;
    - (ii) researching and recording Railway operations;
    - (iii) preservation of rolling stock and equipment.
- (4) The Member should have been an active and financial Member for an aggregate period of not less than 15 years.

### *E8. Members Awards*

#### (1) L G Poole Memorial Trophy

The Leslie G Poole Memorial Trophy is awarded to the Association Member who, in the opinion of the Committee exhibits the best individual effort during the Association year to further the aims and objectives of the Association.

- (a) The award is open to all financial Members of the Association, with the exception of serving Committee members.
- (b) Nominations are to be requested in the Members' Newsletter during the last three months of the Association year and close at the end of the Association year.
- (c) Nominations are to be submitted to the Secretary;
- (d) The evaluation of the nominations shall be carried out by Committee.
- (e) The award is to be presented at the Annual General Meeting of the Association

#### (2) Claude Einsiedel Trophy

The Claude Einsiedel Trophy is awarded to the Subcommittee or group that has demonstrated the most outstanding effort during the Association year to further the aims and objectives of the Association.

- (a) The award is to be judged by the Association President.
- (b) The award is to be presented jointly to the members of the successful Subcommittee or group at the Annual General Meeting.

### *E9. Complaints and Grievances*

Any Member who has cause for complaint or grievance against another Member shall follow the procedures set out in Part 3 Division 3 — Grievance Procedure of the Rules.

### *E10. Working With Children*

- (1) Members to have Working with Children certification
  - (a) The Committee has upon advice mandated the *Policy relating to "Working With Children"* that is to be found in Appendix 7.
  - (b) All Members shall comply with the policy entitled "Working with Children".
- (2) An Office Holder or a Member to whom an allegation has been reported is obliged to and must report the matter to Victoria Police giving full details of the allegation, the complainant, and the alleged offender.

### *E11. Attendance at Association Premises*

- (1) Attendance Book
  - (a) Each Member upon arriving at the Association's premises shall personally record the Member's arrival time and Membership number in a legible manner in the Attendance Register Book provided; and
  - (b) Each Member on leaving the Association's premises shall personally record the Member's departure time in a legible manner in the Attendance Register Book; and
  - (c) No Member shall sign for any other Member.

### *E12. Alcohol and Drugs*

- (1) Use of Alcohol or Drugs
  - (a) The use at any Association event of intoxicants or drugs by a member except where used as prescribed by a medical practitioner is prohibited; and
  - (b) The Committee may for special occasions allow a temporary suspension of this By-law by express resolution or by causing to be published a notice of a social function at which alcohol is customarily consumed.
- (2) Member to Leave

An Office Holder, if they find a Member intoxicated or under the influence of drugs—

  - (a) may cause that Member to be suspended from duty for the remainder of the day, and
  - (b) may require that Member to leave and not re-enter any premises under the control of the Association that day.

### *E13. Smoking*

Smoking is not permitted—

- (a) in any Association building; or
- (b) at the Museum; or
- (c) in any other area as may be defined by the Committee.

## **F. ADMINISTRATION**

### *F1. Insurance*

The Association shall enter into arrangements to provide protection for the Association from damages claims, and may additionally provide insurance for Members against personal injury arising from participation in Association activities or obtain other forms of insurance for the benefit of the Association.

The Association may join with other like organisations to arrange collective insurance for these matters.

The cost of such insurance shall be an integral component of the membership fees.

### *F2. Membership of other organisations*

The Association may, by resolution of the Committee, affiliate with other organisations whose Statement of Purposes is sympathetic to that of the Association.

### *F3. Advertising*

- (1) The Association may accept advertising for inclusion in its publication *Newsrail* or in its Members' Newsletter, provided that all such material submitted for inclusion is in sympathy with the Purposes of the Association that are set out in Rule 2 of the Rules.

- (2) The editor of *Newsrail* shall in consultation with a nominated member of the Committee, have the authority to accept or reject advertising material submitted for publication.
- (3) The Association may place advertisements to seek members or promote its activities. The details of such advertisements must be approved by the Committee prior to placement.

#### **F4. Product endorsement**

The Association shall not endorse commercial products. This requirement shall not preclude due recognition of the generosity of those organisations who have donated goods and or services to the Association.

#### **F5. Electronic communication**

Where a notice or other document is required by the Rules to be sent to a Member, or by a Member, and is sent by electronic means in accordance with the Rules, then it will be sufficient evidence of delivery that:

- (1) if transmitted from a hard copy, the sender retains the original hard copy and either—
  - (a) annotates it with the time and date of transmission, together with the electronic address to which the document had been sent, or
  - (b) if the transmitting device produces a record of transmission, initials that record and attaches it to the original document
- (2) if transmitted otherwise than from a hard copy, the sender prints out, initials and retains a copy of the original document, ensuring that details of the addressee are shown.

### **G. COMMITTEE MATTERS**

#### **G1. Committee Meetings**

The Committee will normally meet monthly at a suitable date, time and venue.

#### **G2. First Committee meeting after the Annual General Meeting**

At the first Committee meeting after the AGM, the Committee shall—

- (1) Review the list of Honorary Members of the Association and by resolution—
  - (a) remove those who it is resolved no longer are to be granted Honorary Membership; and
  - (b) add those who it is resolved are to be invited to become Honorary Members; and
  - (c) the Secretary will write to each person who is to be invited to become an Honorary Member inviting that person to accept the invitation;
  - (d) the Secretary will notify in writing each person who is to be removed from the list of Honorary Members;
- (2) Review the Register of Subcommittees and by resolution—
  - (a) change the list of Subcommittees as it resolves; and
  - (b) change the convenors and minutes secretaries as it resolves;
  - (c) change the members as it resolves;
- (3) Set the date for Committee Meetings and for Finance subcommittee meetings;
- (4) Review the Register of Delegations and revise by resolution;
- (5) Review the Key Register and revise by resolution;
- (6) Review the need for each "Cash Float" cheque account to be continued or closed by resolution.

- (7) Review the schedule of regular financial transactions and approve or adjust by resolution.
- (8) Review each Petty Cash Float and approve or adjust by resolution.

### **G3. Attendance of Committee Members at Entertainment and Social Meetings**

Each Committee Member shall endeavour to attend at least 6 such meetings during each Association year.

### **G4. Delegation**

The Secretary must maintain a Register of Delegations determined by the Committee containing—

- (a) the detailed function being delegated; and
- (b) the name of the person or company to whom the function is delegated; and
- (c) the date of commencement of the delegation; and
- (d) the date of cessation of the delegation; and
- (e) the limits, if any, of the delegation;

### **G5. Delegation of Secretary functions**

Upon the advice of the Secretary—

- (1) The Committee may by resolution delegate to the Assistant Secretary or to other Office Holders any of the following secretarial functions—
  - (a) Membership;
  - (b) preparation but not signature of correspondence;
  - (c) minutes;
  - (d) agendas;
  - (e) maintenance of correspondence files;
  - (f) such other functions as may be recommended.

### **G6. Delegation of Treasury functions**

Upon the advice of the Treasurer—

- (1) The Committee may by resolution delegate to the Assistant Treasurer or to another Office Holder or to a company any of the following treasury functions under the direction of the Treasurer—
  - (a) keeping accounts;
  - (b) payment of accounts payable;
  - (c) receiving of accounts receivable;
  - (d) banking of monies received by the Association.
- (2) The Committee may engage the services of an external service provider or company to perform the task of bookkeeping of the financial records of the Association;
- (3) The Committee may by resolution delegate to the bookkeeper the duty of maintaining the financial records of the Association;

## **H. CORRESPONDENCE**

### **H1. Form of Correspondence**

- (1) All outgoing correspondence from the Association shall be written on the Association letterhead as approved by the Committee from time to time.
- (2) Each item of outgoing correspondence shall be recorded in the correspondence log for the Committee or the subcommittee.
- (3) The correspondence log shall be included in the minutes of the Committee or subcommittee.

## **I. SECRETARIAL MATTERS**

### ***11. Inward Correspondence***

- (1) All inward correspondence shall be directed or delivered to the Secretary.
- (2) The Secretary shall record the details of each item of incoming correspondence in the inwards correspondence log.
- (3) The Secretary shall forward inwards correspondence to the appropriate Office Holder or shall table it at the next Committee meeting. The Secretary may copy an item of inwards correspondence for tabling at the next Committee meeting.

### ***12. Outgoing correspondence from an Association subcommittee***

- (a) Each item of correspondence from a subcommittee shall be entered in the subcommittee correspondence log and minuted;
- (b) each outward Association correspondence from a subcommittee, shall be notated "cc: Secretary" and shall be copied to the Secretary;
- (c) the Secretary shall place the item of correspondence in the Outgoing Correspondence files.

### ***13. Official Association Correspondence***

- (a) All outward correspondence must be endorsed by Committee for good business practice and for the protection of the writer from any claims that may arise from the correspondence;
- (b) All outward official correspondence shall be signed by the Secretary or by an Office Holder authorised by the Committee to do so;
- (c) the Secretary shall place the item of correspondence in the Outgoing Correspondence files.

### ***14. Keeping of Correspondence***

The safe keeping of correspondence files is the responsibility of the Secretary

### ***15. Record Keeping***

The Secretary or the Secretary's delegate under By-law G5 shall keep records of the Association including—

- (a) minutes of general meetings, Committee meetings and subcommittee meetings;
- (b) copies of incoming and outgoing correspondence;
- (c) documents including leases and other documents.

### ***16. Records of Meetings***

The Secretary or the Secretary's delegate under By-law G5 shall shall—

- (a) prepare an Agenda for the each Committee meeting listing all items for which notice has been given;
- (b) attend all Committee meetings and general meetings;
- (c) prepare minutes that record attendance, apologies, inward and outward correspondence, documents tabled, resolutions and proceedings of such meetings;
- (d) prepare an notice of meeting for each general meeting in compliance with Rule 33 of the Rules;
- (e) distribute minutes of general and Committee meetings to Committee members.

### ***17. Annual Report***

The Secretary shall coordinate, assemble and edit the Annual Report.

## **J. SECURITY OF ASSOCIATION PREMISES**

### *J1. Key Custodians*

- (1) The Committee shall appoint by resolution as an Office Holder a Member over the age of 18 years or a Life Member to be a Key Custodian.
- (2) A Key Custodian shall implement Committee decisions for—
  - (a) the issue of keys to persons;
  - (b) the maintenance of a register of key holders, with reference to the reason for issue;
  - (c) recovering keys;
  - (d) obtaining additional keys;
  - (e) holding spare keys and lock barrels.
- (3) No key is to be issued to any person who is not a member of the Association, except by specific authorisation of Committee.
- (4) An annual audit of the register shall be conducted from 1<sup>st</sup> May annually and shall be completed within 2 months. The audit results shall be reported to the next Committee meeting for consideration.
- (5) Entry to Association Premises
  - (a) A person who is not a member unless authorised by a Full Member shall not be allowed to enter the Association's premises.
  - (b) A person under the age of 16 years unless accompanied by a parent or guardian shall not be allowed to enter the Association's premises.

## **K. TREASURY MATTERS**

### *K1. Unauthorised Expenditure*

- (1) No Member shall spend money on behalf of the Association without the permission of the Committee.
- (2) Should reimbursement of any authorised expenditure be required, adequate documentation shall be provided to the Treasurer. No approval shall be provided unless the expenditure is part of a project approved by the Committee.

### *K2. Bank Account Signatories*

- (1) Cheque Accounts

A Committee member as authorised by the Committee, may be a signatory to the General Account and any other cheque account authorised by the Committee.
- (2) Investment Accounts

As authorised by the Committee, the President, the Vice President, the Secretary and the Treasurer may be signatories to all investment accounts.
- (3) "Cash Float" Cheque Accounts

Separate cheque accounts may be established by resolution of the Committee when necessary and—

  - (a) A subcommittee member as authorised by the Committee, may be a signatory to a "Cash Float" Cheque Account; and
  - (b) Each cheque must be signed by 2 Members who are duly authorised by the Committee.

(4) **Cheque Books**

Except for the General Account there shall for a cheque account be only one cheque book in use at any time.

**K3. Regular Payments**

These transactions include but are not limited to—

- (a) Utilities and telephones;
- (b) Accounting and bookkeeping fees;
- (c) Lease, rental and other premises fees;
- (d) *Newsrail* production;
- (e) Prizes and awards;
- (f) Postage.

**K4. Payment of Invoices and Accounts**

- (1) Invoices should be mailed to the current address marked for the attention of the Treasurer.
- (2) Invoices are to be tabled as Accounts Payable and presented to the Committee to authorise payment.
- (3) Out-of-pocket claims with relevant receipts and Tax Invoices are to be forwarded to the Treasurer to be tabled as Accounts Payable and presented to the Committee to authorise payment.

**K5. Petty Cash Floats**

- (a) The Committee may by resolution issue a specified amount for petty cash, to a Sub-Committee to be used for approved Association activities.
- (b) The Treasurer or another Office Holder (if delegated) will replenish the petty cash float when all receipts have been received.

**K6. Capitalisation of Assets**

All assets with an initial value exceeding \$1,000.00 will be capitalised. All assets with an initial value less than \$1000.00 will be expensed in the current year.

**L. ASSOCIATION PROPERTY**

**L1. Care of Association Property**

- (1) All articles loaned to, leased by or belonging to the Association shall be properly cared for.
- (2) Members shall promptly notify the relevant Office Holder of any loss or damage occasioned to property on the Association's premises.
- (3) The Office Holder shall gather all the facts and details of the loss or damage and shall report them in writing to the Committee within 3 normal working days.

**L2. Lending of Association Property**

The Lending of Association property is discouraged.

- (1) A Member may borrow an item from the library subject to the normal operational policies and procedures of the library.
- (2) A Member may borrow an item or items from the Archives where permitted and subject to the normal operational policies and procedures of the Archives.
- (3) At all times an item that has been borrowed remains the property of the Association.



### **L3. Leasing or lending out Museum Exhibits**

- (1) The Committee may lease  
The Association may by resolution of the Committee enter into an agreement to lease to a kindred organisation, a locomotive or other item of Rollingstock kept in the Museum.
- (2) Lease Agreement  
The lease agreement for such a locomotive or other item of Rollingstock shall comply with the policy set out in Appendix 6 *Policy relating to leasing out or loaning out of Museum exhibits*.

## **M. GIFTS AND DONATIONS**

- (1) Donor Form and Deed of Gift—
  - (a) In keeping with the requirements of Rule 81 of the Rules, the Committee has approved the form set out in Appendix 9 Donor Form and Deed of Gift.
  - (b) This form should be used for receiving Gifts and Donations into the Association;
  - (c) For the purposes of this By-law, the term "the Trustees of the Australian Railway Historical Society Victorian Division Inc." *means* the Committee of the Association;
- (2) For each bequest, donation, or gift—
  - (a) Two original forms must be completed and signed by the Donor and by an Office Holder of the Association; and
  - (b) One original copy of the completed and signed form must be given to the Donor and the other must be given to the Secretary.
- (3) For each item including books, pamphlets, photographs, digital records and such like an assessment will be made as to the most suitable location for the item's permanent storage. The location may be Archives, Library or Museum.
- (4) Each item accepted by a subcommittee shall be taken into its custody and recorded in the property register.
- (5) Where practical, an identifying mark shall be applied to each item received to indicate its origin, *e.g.* "Gifted to the Australian Railway Historical Society Victorian Division Inc. by Member John Smith (dec.), 2014"  
For items where it is not practical to apply an identifying mark, then the container (box, cabinet, drawer) in which the item is stored shall be so marked.
- (6) Once this mark is applied, the item shall not be disposed of until at least one year clear after its acquisition, *e.g.* for a 2015 acquisition, not before 2017.
- (7) An item not required by any subcommittee will then be referred to Sales (incl. eBay sales) or Swap Meet for disposal.

## **N. CODE OF DRESS**

- (1) Members present on Tours or representing the Society during public events are expected to wear clean and neat apparel and to be of neat appearance.
- (2) The Personal Protective Equipment (PPE) specified in the detailed operating instructions for the worksite must be worn by all Members when performing maintenance, restorative or other manual work whether individually or in a working bee at but not limited to the Railway Museum or Gordon Station.
- (3) Members must comply with all safety requirements set by the proprietor of any premises in which an Association activity takes place or in which Association premises are located.

## **O. SOCIETY ARCHIVES**

- (1) The Society keeps an Archive and the collection is open to all Members by appointment.
- (2) Since the Archive Rooms are located within an industrial establishment, access to the Archives may only be made by arrangements. Admission to the industrial establishment will be permitted only if the Member wears the requisite clothing, as follows:
  - Long Trousers;
  - Long sleeved shirt/jumper/jacket;
  - Leather shoes without high heels;
  - Compliant high visibility safety vest (available to borrow).
- (3) The Society Archive team provides services, including searching for information and providing copies of documents, photographs, and other types of record. A fee is charged for use of the services of the Society Archives team and the details and conditions upon which the services are provided is contained in Appendix 10 "Schedule of Fees for use of Research facilities at the Society Archive".
- (4) The Schedule of Fees for use of Research facilities at the Society Archive may be amended by the Secretary from time to time and is not subject to the requirements of By-law A2(1).

## **P. CONDUCT OF SOCIETY MEETINGS**

- (1) At all meetings of the Society, including Committee, Subcommittee, General and Members' meetings, the chair person will conduct the meeting in accordance with the Rules of Debates set out in the Rules of Debate Manual. The Manual is attached to these By-laws at Appendix 11 - Rules of Debate.

**Appendix 1 APPOINTMENT OF PROXY FORM**

I,

..... (name in full)

Of ..... (address in full)

being a Member of Australian Railway Historical Association Victorian Division Inc.  
A0033223H

**APPOINT**

..... (name of proxy holder in full)

of ..... (address of proxy holder)

being a Member of that Incorporated Association, **annual \*** general meeting of  
as my proxy to vote for me on my behalf at the / special \* the Association

(strike out which does not apply)

to be held on ..... / ..... / ..... (date of meeting)

and at any adjournment of that meeting.

My proxy is authorised to vote

**\*in favour of / \*against / \*abstain** (strike out which does not apply)

the following resolution(s):

(insert details of resolution(s))

..... Signed

..... / ..... / ..... Date

**Appendix 2 NOMINATION FOR COMMITTEE POSITION FORM**

I,

*(name in full)*

of

*(address in full)*

being a Member of

the Australian Railway Historical Association Victorian Division Inc. A0033223H

**NOMINATE**

*(name of nominee)*

for the position of

*(insert title of position)*

Signed

..... / ..... / ..... Date

---

I,

*(name of nominee)*

**ACCEPT** the nomination.

Signed

..... / ..... / ..... Date

### Appendix 3 SCHEDULE OF MEMBERSHIP AND OTHER FEES

These fees apply to the year commencing 1 May 2015

#### Annual Subscription Renewal Fee

<i>Fee</i>	<i>Amount</i>
Full Member including monthly Members' Newsletter sent by email	\$60
Associate Member for those under 18 years of age including monthly Members' Newsletter sent by email	\$15

#### Additional Optional Fees

Monthly Members' Newsletter printed and posted	\$10
<i>Newsrail</i> Magazine (12 issues)	\$72.60
<i>Australian Railway History</i> Magazine (12 issues)	\$72.60
<i>Railway Digest</i> Magazine (12 issues)	\$96.60
Processing Fee for payment by PayPal, Visa or MasterCard	\$2.50

#### New Member Joining Fee

The New Member Joining Fee comprises a Subscription Fee and Additional Optional Fees.

The New Member Joining Fee is calculated *pro rata* according to the month of Approval of Membership, thus:

<i>Month of Approval for Membership</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>
Proportion of total Annual Subscription and Additional Fees	12/12	11/12	5/6	3/4	2/3	7/12
<i>Month of Approval for Membership</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
Proportion of total Annual Subscription and Additional Fees	1/2	5/12	1/3	1/4	1/6	1/12

The New Member Joining Fee is rounded to the nearest whole dollar.

The Annual Subscription fee for a new Associate Member is a flat fee and is not subject to a *pro rata* adjustment.

#### Fees for use of the Society Archive

Please refer to Appendix 10 - Schedule of Fees for use of Research facilities at the Society Archive where the fees are detailed.

These fees apply to the year commencing 1 May 2016

### Annual Subscription Renewal Fee

<i>Fee</i>	<i>Amount</i>
Full Member including monthly Members' Newsletter sent by email	\$60
Associate Member for those under 18 years of age including monthly Members' Newsletter sent by email	\$15

### Additional Optional Fees

Monthly Members' Newsletter printed and posted	\$12
<i>Newsrail</i> Magazine (12 issues)	\$72.60
<i>Australian Railway History</i> Magazine (12 issues)	\$72.60
<i>Railway Digest</i> Magazine (12 issues)	\$96.60
Processing Fee for payment by PayPal, Visa or MasterCard	\$2.50

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<i>Month of Approval for Membership</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>
Proportion of total Annual Subscription and Additional Fees	12/12	11/12	5/6	3/4	2/3	7/12
<hr/>						
<i>Month of Approval for Membership</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
Proportion of total Annual Subscription and Additional Fees	1/2	5/12	1/3	1/4	1/6	1/12

The New Member Joining Fee is rounded to the nearest whole dollar.

The Annual Subscription fee for a new Associate Member is a flat fee and is not subject to a *pro rata* adjustment.

### Fees for use of the Society Archive

Please refer to Appendix 10 - Schedule of Fees for use of Research facilities at the Society Archive where the fees are detailed.

**Appendix 4 ACCESS RESTRICTION REQUEST FOR REGISTER OF MEMBERS**

Name of member .....

Please restrict member access to the Register of Members so that my personal information is made available to:

Secretary and members of the Committee only

Secretary and members of the Committee only other than:

.....

.....

**Special circumstances for the making of this access restriction request:**

I have sought or been granted an Apprehended Violence Order against another Member of the Association or a person associated with a Member of the Association

I am involved in a matrimonial, relationship or child protection dispute with another Member of the Association or a person associated with a Member of the Association

Other special circumstances as set out below:

.....

.....

Member signature ..... Date .....

The Secretary is obliged to consider and determine whether your special circumstances justify denying members access to your personal details in the membership register. If the Secretary refuses your request you will be given notice of and reasons for that refusal. You may then apply within 28 days of that refusal for VCAT to review that decision. No release of your personal information will occur until 28 days after the refusal or the outcome of any VCAT review. *[section 59 Associations Incorporation Reform Act 2012]*

The completed and signed access restriction request should be scanned and emailed to [secretary@arhsvic.org.au](mailto:secretary@arhsvic.org.au) or posted to ARHS Secretary, PO Box 748 Williamstown 3016.

## Appendix 5 REGISTER OF CURRENT SUBCOMMITTEES

This table contains the list of subcommittees presently constituted for the year commencing 1 May 2015

Subcommittee	Date of creation	Convenor	Minutes Secretary	Subcommittee Members	Date of Cessation
Archives management		Peter Carwardine	Ian Jenkin	Ian Jenkin	
Day Meetings		Barry Matthews	t.b.a		
Entertainment		Ian Jenkin	Greg Michael	George Gregson, Greg Michael, Jonathan Scutt, Allan French	
Film Group		Allan French	t.b.a.	Jonathan Scutt, Colin Pike	
Gordon Station Management		Allan French	t.b.a.	Peter Carwardine, Geoff Peterson	
Great Railway Swap Meet		Ian Jenkin	t.b.a.		
Library		Donald Barker	Donald Barker	Chris Carter, Ian Deans, Milton Biddle	
Mail-outs		Ian Jenkin	Ian Jenkin	Greg Michael	
Membership		Phillip Dowling	Phillip Dowling	John More	
Museum Management		Nick Hewitt	Peter Bergin	Ian Deans, John Hawthorn, Allan Clarke, Andrew Hinde, Shane Moore, Bill Moore	
<i>Newsrail</i>		Stephen McLachlan	Greg Michael	Mark Cauchi, Geoff Peterson	
Publications		Peter Charrett	Greg Michael	George Gregson, Wayne Brown, Ian Jenkin, Alf Grigg	
Retail Sales		George Gregson	t.b.a.	Chris Carter, Peter Carwardine, Ian Deans, Ian Jenkin	
Tours		Peter Carwardine	Peter Charrett	Hugh Waldron, David Mehlman	
Treasury		Peter Dixon	Phillip Dowling	Phillip Dowling	





## ***Appendix 6 POLICY RELATING TO LEASING OUT OR LOANING OUT OF MUSEUM EXHIBITS.***

WHEREAS the Australian Railway Historical Society Victorian Division Inc. is, for the time being, custodian of all locomotives, rolling stock and other items on exhibition or in storage at, in or for the Railway Museum; and

WHEREAS the majority of said locomotives, rolling stock and other items are not owned by the said Association, which is, nonetheless, responsible for their good and safe keeping at all times; and

WHEREAS the said Museum is not covered by the provisions of the Tourist and Heritage Railways Act 2010 of the Victorian Government:

- (a) The Association affirms its staunch belief that all locomotives, rolling stock and other items of relevance to the history of the Victorian Railways are valuable items reflecting the proud development of the State of Victoria, its population centres, commerce and industry and are therefore entitled to be considered worthy of preservation for the knowledge and pleasure of future generations;
- (b) The Association believes that the value of each exhibit in the Museum enhances the value of each other exhibit, such that the total is more than the sum of the parts;
- (c) Notwithstanding (b) above, the Association is aware that other organisations subject to the provisions of the Tourist and Heritage Railways Act 2010 and engaged in the business of operating such railways may, on occasion, have an interest in restoring a locomotive or item of rolling stock held in the Museum to active service in conjunction with their normal pattern of operations;
- (d) The Association is of opinion that restoration of any locomotive or item of rolling stock to full operating condition is of advantage to the locomotive or item of rolling stock concerned and is fully consistent with the principle of preservation of that item;
- (e) Recognising that the engineering, mechanical and technical resources to achieve restoration of locomotives and other items of rolling stock to full operational standards are less likely to be found within the Museum than in the Tourist and Heritage Railways subject to the provisions of the specified Act, it is probable that the capacity to undertake such works may only be available outside the Museum, requiring the relevant locomotive or item of rolling stock to be transferred on a temporary basis to the workshops of such Railway, the Association will implement the following procedures to deal with such matters:
  - (i) Whilst being generally disposed to the granting of any application from a Tourist or Heritage Railway subject to the provisions of the Tourist and Heritage Railways Act 2010 for restoration of any locomotive or item of rolling stock normally located within, or on behalf of, the Railway Museum, with the exception of locomotives H220, R704, X36, C10 and D4 268, the Association will, in determining any application for lease or loan of any item, bear in mind the well-being of that item, including, but not restricted to, such matters as proposed storage arrangements, protection from the elements, tenure of lease and/or loan, availability of the item for return to the Museum if required in connection with a particular display, extent of works to be carried out for restoration to serviceable condition and arrangements for adequate insurance protection for the item whilst in transit as well as away from the Museum;

- (ii) Any locomotive or other item leased or loaned out from the Museum must be returned at the conclusion of the lease or loan period in a condition suitable for proper and immediate display;
- (iii) All costs of transportation of the locomotive or other item between the Museum and the specified operational site of the applicant railway on both delivery and return of the item(s) concerned are to be borne by the applicant railway;
- (iv) The full costs of the proposed works, including improvements and/or modifications to the original item, shall be borne by the applicant railway and the tenure of lease shall reflect the projected costs of such works so that the applicant railway has a reasonable opportunity to recover these expenditures through its normal operations of the item(s) so restored, whereupon the costs of any new or modifying works shall be deemed to have been repaid to the Railway concerned and the new or modifying works are to be treated as part of the locomotive or item(s) of rolling stock thereafter;
- (v) Should the applicant railway propose to on-lease the item(s) restored for mainline or commercial operation, the Association requires that one-third of the revenue obtained from such arrangements shall be payable to it for the duration of such operations but without obligation to contribute towards the costs of maintaining such equipment during the currency of such lease arrangements; all such revenues shall be credited entirely to the Museum accounts;
- (vi) The applicant railway shall indemnify the Association against any claim whatsoever in relation to any locomotive or item of rolling stock whilst in the possession of the said railway;
- (vii) The applicant railway shall submit to the Association on an annual basis, a report, supported by photographs, indicating progress of restoration works and/or proposed operation of every item.

## *Appendix 7 POLICY RELATING TO "WORKING WITH CHILDREN"*

WHEREAS the Committee has been made aware of allegations of past misconduct against minors by adult members and:

WHEREAS the Committee has, for whatever reasons, never received a formal complaint in relation to any such misconduct, and:

WHEREAS by presumption of law, any person must be assumed to be innocent of any alleged misdemeanours until tried in a Court Of Law and found guilty thereof:

The Committee:

- (a) asserts its belief that all members, irrespective of age, are entitled to full enjoyment of the benefits of membership without threat of unwanted advances of any type into the privacy and peaceful pursuit of their proper interests;
- (b) to this end, requires that every person working in the name of the Association in whatever capacity and whether or not remunerated, must be in the possession of a current "Working With Children Check" as issued by the Victorian Department of Justice and relating to volunteer activities on behalf of the Association and that furthermore, any person unwilling or unable to obtain such a Check will not be employed in any capacity whatsoever on behalf of the Association or in conjunction with any activity of its undertaking;
- (c) empathises with any individual whose participation in Association activities has been in any way intruded upon or otherwise interfered with whilst so doing;
- (d) now determines that any member under investigation by the Police in relation to any alleged misconduct against underage individuals, whether members or not, shall be removed from any position held within the Association until such time as either:
  - (i) the investigation is terminated without going to trial OR the member is tried in a Court of Law and found NOT GUILTY, at which time the member shall be entitled to resume that position within the Association; or
  - (ii) if tried and found GUILTY in a Court of Law, shall henceforth be expelled from membership of the Association;
- (e) shall be obliged to act immediately upon being notified of any Police investigation into the conduct of any adult member alleged to have committed an offence against an underage person, whether the underage person be a member or not;
- (f) requires that any Office Holder or member of the Association to whom an alleged misdemeanour involving one or more underage persons is referred shall—
  - (i) request the complainant to report; and
  - (ii) be personally responsible to report the circumstances to Victoria Police for further investigation and that the process detailed under clause (d) above then be initiated in respect of the person alleged to have committed the misdemeanour;
- (g) in each case of an alleged misdemeanour a written report detailing the circumstances shall be completed and shall immediately be forwarded to the Secretary using the *Accident and Incident Form* in Appendix 8.

Appendix 8 ACCIDENT AND INCIDENT FORM



AUSTRALIAN RAILWAY HISTORICAL SOCIETY VICTORIAN DIVISION INC.

A0033223H  
ABN 65 533 143 834

P.O. Box 748  
Williamstown,  
Vic., 3016

**ACCIDENT AND INCIDENT Form**

To be completed by all required as soon as possible after accident has been attended to or an incident has been reported.

If incident involves allegations of misconduct against a minor by an adult the Police must IMMEDIATELY be called to attend.

The completed form is to be filed with subcommittee files and a copy is to be sent to the Secretary without delay.

Date and Time (dd/mm/yyyy hh:mm)	Details		Signed
	Name of Person making Report		
	Name of Person/s Injured or involved in accident / incident		
	Details of injury or incident		
	Cause of Injury		
	Details of First Aid Treatment Given		
	Ambulance Required / Called? YES / NO	<i>Delete/complete as required</i>	
	Time Ambulance Called .....:..... am / pm		
	Next of Kin Details / Notified? YES / NO		

Date and Time (dd/mm/yyyy hh:mm)	Details	Signed
Date/Time	Details of Witness and reports	
	Details of Witness and reports	
	Details of Witness and reports	
	Action recommended to prevent similar accidents	

Appendix 9 DONOR FORM AND DEED OF GIFT



AUSTRALIAN RAILWAY HISTORICAL SOCIETY VICTORIAN DIVISION INC.

A0033223H
ABN 65 533 143 834

PO Box 748
WILLIAMSTOWN
VIC 3016

DONOR FORM AND DEED OF GIFT

Registration Number: .....

I/We ..... hereby give to the Trustees of the Australian Railway Historical Society Victorian Division Inc. absolute and unconditional ownership of the following items together with all copyright and associated rights.

Name of Item: .....

Description: .....
.....
.....

I/We wish that the gift be identified to the public in the permanent records of the Australian Railway Historical Society Victorian Division Inc. as

Gift of: .....

I/We declare that:

To the best of my/our belief, the subject of this gift is free and clear of all encumbrances and restrictions; this gift shall enure for the benefit of the Society, its successors, and transferees in perpetuity; this gift shall not be determined upon my death and shall bind my Legal personal representatives.

Name: ..... Donor's Signature: .....

Date: .....

Address of Donor: .....
.....

Telephone Number: .....

The Australian Railway Historical Society Victorian Division Inc. hereby accepts the gift of items described above

Name: ..... Signature: .....

Date: ..... Position: .....

Note: Two copies of this Form and Deed are to be signed – one to be retained by the Donor and one to be retained by the Secretary of the Australian Railway Historical Society Victorian Division Inc.

ARHS administration only: Copy of this form to interested group: .....
Donated item/s to be stored at: .....

Catalogued: Yes / No Catalogue item number: .....



FOR ALL WHO ARE INTERESTED IN RAILWAYS

**RAIL HERITAGE VICTORIA**  
 (a trading name of)  
**AUSTRALIAN RAILWAY HISTORICAL SOCIETY**  
**VICTORIAN DIVISION INC. A0033223H)**

P.O. Box 748  
 Williamstown,  
 Vic., 3016

## Schedule of Fees for use of Research facilities at the Society Archive

The following charges are now applicable for all work performed at the Society Archives.

### Research Charges

Type of Request or Activity	Administration Fee	First Hour	Each additional half-hour
Society Member	Nil	Nil	\$6.25
General member of the Public	\$5.00	\$20.00	\$12.50
Research for a Limited Circulation Publication <sup>1</sup>	\$10.00	\$25.00	\$15.00
Research for a Commercial Publication <sup>2</sup>	\$20.00	\$100.00	\$50.00
Research for Commercial organisations	\$20.00	\$100.00	\$50.00

**notes:**

1. A Limited Circulation Publication is one where not more than 49 copies of the publication are to be made for sale;
2. A Commercial Publication is one where 50 or more copies of the publication are to be made for sale.

### Additional Services

- Photocopying of large documents (A2 or larger) will attract an additional fee based on the cost of copying.
- Scanning of large documents (A3 and larger) will attract an additional fee based on cost and degree of resolution. Scans will be supplied on memory stick, CDROM or DVD.

### Terms of Use - Conditions and restrictions

- Use of Pens, Cameras or Camera-phones in the Archives rooms is not permitted.
- All material held in the Archives may be subject of Copyright.
- Permission to use the material in a publication must be sought from the Society.
- If the material is reproduced in a publication then acknowledgement of the ARHS Victorian Division Archive as the source is to be made.

### Application Form

Applicant Name:

Membership No (if any)

Address:

State  Postcode

Tel:  Mobile:  email:

Service category - select one	Member	<input type="checkbox"/>	Limited Circulation Publication	<input type="checkbox"/>
	General Public	<input type="checkbox"/>	Commercial Publication	<input type="checkbox"/>

Details of search

I agree to comply with the terms of use and to pay the Fees set out above ..... (signed) ...../...../20....





# **Rail Heritage Victoria**

A business name of

**Australian Railway Historical  
Society Victorian Division Inc.**

**A0033223H**

## **Rules of Debate Manual**

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## History of Changes

<i>Version</i>	<i>Date</i>	<i>Details</i>
1.01	25 July 2013	By-laws adopted by resolution of SGM 25 July 2013
1.02	26 September 2013	The AGM of 26 September 2013 adopted changes to the By-laws as follows: By-law A3 amended by addition of definition of Office Holder; Wording of By-law E5(4) amended; Wording of By-law E12(1)(a) amended; 12 occurrences of "office holder" changed to "Office Holder"; Wording of By-law I6 amended; Wording of By-law N(2) amended.
1.03	14 January 2014	Subscriptions for Magazines changed. To be ratified by AGM. Correction to paragraph layout Appendix 7 (f).
1.04	25 September 2014	Approved by AGM

*Note:*

*This document is extracted from and based on the Rules of Debate of Lions Clubs of Australia.*

## Rules of Debate

### 1. DEFINITIONS

For the purpose of this document, the following meanings will apply—

Chairman	<i>means</i> the Member presiding over the meeting;
Committee	<i>means</i> the management committee of the Association under the Rules;
General Meeting	<i>means</i> a general meeting of the Members of the Association convened in accordance with Part 4 of the Rules and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;
Member	<i>means</i> a member of the Association under Rule 14 of the Rules;
Subcommittee	<i>means</i> a subcommittee of the Committee formed under Rule 43(1) and Rule 79 of the Rules;
the President	<i>means</i> the president of the Association under Rule 44 of the Rules;
the Rules	<i>means</i> the Rules of the Association;

### 2. PROCEDURE AND APPLICATION:

#### 2.1. Preamble

It is important that the President or Chairman of a meeting has a clear knowledge and understanding of the Rules of Debate, but it is equally important for each participating Member also to know the rules under which the meeting is being conducted.

In ARHS Victorian Division, the basic objective is to harness and direct the collective "know how" of a group into meaningful discussion, leading to effective and efficient decision-making and action.

In Australia, many businesses and organisations accept as their standard "Law and Procedure at Meetings in Australia" by Joske<sup>①</sup>. Joske's Book, however, has a legal background and is unnecessarily complicated for an ordinary Society meeting.

While still accepting Joske as the authority therefore, the following abridged rules are adopted for use by the Society.

These rules are not for the purpose of scoring points against each other, or long debates or technicalities.

Good fellowship must be the keynote of all of our meetings, and when all else fails the "Rule of Common Sense" applies.

*note:*

<sup>①</sup> *Joske's Law and Procedure at Meetings in Australia, Sir Percy Joske 1954 – 11<sup>th</sup> edition edited by Ellis Magner – Thomson Reuters Australia 2012 – available in most municipal libraries*

#### 2.2. Application

The procedures laid out in this manual shall apply to all meetings of the Society, including

- (a) Meetings of the Committee;
- (b) Meetings of Subcommittees;
- (c) Annual and other General Meetings.

### **3. RULES OF CONDUCT:**

- 3.1. No Member shall address the assembly without first obtaining permission and direction from the Chairman, and shall address himself to the chair.
- 3.2. At a General Meeting, the Chairman may remain seated but a Member who is addressing the meeting shall stand.
- 3.3. Members speaking shall confine themselves to the question under debate and avoid personalities and indecorous language.  
The mover of a motion shall be allowed a maximum of 4 minutes and his right of reply shall not exceed 3 minutes.  
All other speakers, including the seconder, shall be limited to 3 minutes, provided that an extension may be given to any speaker by resolution.
- 3.4. No new matter shall be introduced in the reply, and all speakers should avoid tedious repetition and trivia.
- 3.5. Questions must be directed to the Chairman and he may direct the mover to reply. Such reply should not exceed 2 minutes and shall be confined to the question alone.
- 3.6. For a General Meeting, a Member wishing to move a motion or address the meeting must advise the President before the meeting to ensure that such intention has the approval of the Chairman and is placed on the agenda. However, this subclause shall not prevent a Member speaking in favour of or against a motion at a General Meeting.

### **4. THE MOTION:**

- 4.1. A Motion is usually positive in nature, beginning with the word "that", it should be carefully researched and worded, and where possible a copy submitted to the President and Secretary in writing.
- 4.2. The Motion must be moved and seconded before discussion and the motion lapses if a seconder cannot be found.
- 4.3. It is acceptable for a Member to second a motion in order to hear the proposal. He is not committed to vote for the motion.
- 4.4. After the motion has been formally moved and seconded, the proposer may speak to the motion for a maximum of 4 minutes.
- 4.5. The seconder shall then be invited to speak for a maximum of 3 minutes. He may request a deferment but loses the right if the debate is terminated before he speaks.
- 4.6. If the above two speakers i.e. the mover and seconder, speak for the motion, the chairman must then call for two speakers against the motion. Thereafter, speakers for and against must be selected alternately until the debate is exhausted or terminated.
- 4.7. If there are no speakers against the motion, it may be put to the meeting immediately.
- 4.8. No person may speak more than once on any question, but the motion and an amendment are considered to be different questions. Therefore a Member who has spoken to a motion may speak again to an amendment.
- 4.9. If an amendment is moved and debated, the mover of the original motion is given the right of reply before a vote is taken on the first amendment.
- 4.10. If any Member feels more time or investigation is needed, provision is made later in these rules under formal motions for the debate and subsequent decision to be adjourned.
- 4.11. The Chairman may exercise discretion and allow a speaker to continue beyond the time limit set above.

### **5. AMENDMENTS:**

Amendments are the main cause of confusion at meetings, as Members, and even the Chairman, can easily lose the thread of the debate.

The golden rule is therefore one step at a time.

In matters of a complex matter it helps if every Member has a copy of the motion in front of him.

The simple rules governing amendments are:

- 5.1. An amendment must not be a direct negative to the motion. The simple way to negate a motion is to vote against it. Indicate your intention and reason for doing so in the course of the debate.
- 5.2. An amendment is an alteration to the wording of a motion. It may leave out certain words, change certain words, or add certain words, but the basic intention of the motion must remain and the amended motion must stand up to common sense interpretation.
- 5.3. More than one amendment may be made to the original motion but the amendments to Amendments are not permitted.  
e.g. A motion may contain several elements such as a purpose, intention, a method, a time, a place, and a cost. While maintaining the basic purpose or intention any or all other elements may be altered by amendment either singly or collectively.
- 5.4. The wording of a motion may also be amended to assist common sense interpretation of its intent.
- 5.5. Further amendments (plural) may be foreshadowed to indicate the direction for debate and the Chairman in his wisdom may decide the order of debate to ensure continuity.
- 5.6. After debate each amendment must be voted upon, and if passed, becomes the motion.
- 5.7. The mover of an amendment has no right of reply.
- 5.8. When all required amendments (have been passed) are in position, the amended motion known as "The Substantive Motion".  
This motion must then be voted upon to become a resolution of the Society.

## **6. VOTING:**

- 6.1. Voting by proxy is not permitted.
- 6.2. Generally an affirmative vote shall consist of a simple majority of Members present providing they constitute a quorum.  
However, refer to Rules 38, 39, 40 for a General Meeting and Rule 63 for a Committee Meeting.
- 6.3. The number of Members, in good standing, that constitutes a quorum is set out in Rule 36 for a General Meeting and in Rule 63 for a Committee Meeting.
- 6.4. If a motion is passed it becomes a resolution
- 6.5. Most resolutions require action of some sort. Before the matter is closed the President must ensure that responsibility for such action is allocated.

## **7. POINT OF ORDER:**

No speaker shall be interrupted except on a "Point of Order", when the speaker shall sit down until the point of order is settled by the Chairman whose decision shall be final in such matters.

A Point of Order generally relates to the content being spoken by the Member who has the floor and the relevance of that content to the matter at hand.

A Point of Order may refer to the conduct of the meeting.

## **8. FORMAL (PROCEDURAL) MOTIONS:**

When a debate is becoming tedious, time consuming or perhaps heated, or when a Member feels more investigation is required or more pressing business is on the agenda, several options are available in the form of Formal Motions as follows:

All Formal Motions are subject to acceptance by the Chairman

Formal Motions are not debated.

## 9. THE CLOSURE. (NO SECONDER REQUIRED)

"I move that the motion be now put"

This motion has priority if accepted by the chairman and terminates the discussion if passed.

### 9.1. Adjourn the meeting. (Secunder required)

"I move that the meeting be adjourned until ....."

This motion terminates the meeting, if passed, and applies to all motions and amendments under discussion.

### 9.2. The Previous question. (Secunder required)

"I move that the motion be NOT now put"

This motion prevents a vote from being taken and shelves the motion for that meeting. It applies to motions, not amendments.

### 9.3. Proceed to next question. (Secunder required)

"I move that the meeting proceed to the next question"

### 9.4. Adjourn the Debate. (Secunder required)

"I move that the debate be adjourned."

### 9.5. Lie on the Table. (Secunder required)

"I move that the question lie on the table"

Defers the matter to a more convenient time which may be later in the same meeting or a later date.

### 9.6. Suspend Standing Orders. (Secunder required)

"I move that Standing Orders be suspended"

Suspends the meeting for later resumption. This motion might be put to permit a visitor to address the meeting.

## 10. CHANGES TO RULES OF DEBATE:

These rules may be extended, amended or deleted only by two weeks notice of a Motion to be presented to a full meeting of the Committee of the Society and then by an absolute majority vote of the Committee.

### *notes:*

*It is important that you are aware what is included in the Society's Rules ("The Rules").*

*If there is any conflict between The Rules and these "Rules of Debate" then The Rules shall take precedence over these "Rules of Debate"*