

By Laws - Policy on Amendment

1. Traditionally the Grand Secretary's Office has, for sound administrative reasons, dealt with amendments to by-laws (both at Private Lodge and Provincial level) on the basis that it is only the amendment which is under scrutiny and that other by-laws unaffected by the amendment, even if they would not under current practice be approved, need not be re-opened and scrutinised in the same way. By contrast, when a new set of by-laws has been adopted, the entire set has been scrutinised and the amendment of any provision carried over from the previous set has been insisted on if it would no longer receive approval.
2. Existing Provinces already have by-laws – of varying age and complexity. New Provinces are extremely rare. Accordingly, unlike Private units, there is no “model set” available, nor is it suggested that there should be. Similarly, it is only rarely that a “root and branch” revision of Provincial by-laws proves necessary, or even desirable.
3. Of recent years it has become increasingly common for Provinces (and, to a lesser extent, Districts) to amend their by-laws by approving/adopting a “new” set. As has already been noted, however, only rarely is this truly the case; in most instances the differences from the previous set of by-laws are few – in some cases only an increase in the amount of fees or annual dues. Not only is this approach to amendment misconceived, it is also profoundly unhelpful both to the Grand Secretary's staff, on whom devolves the duty of checking the “new” set, and to the Brethren/Companions of the Province or District, from whom, for no good reason, the nature of the actual amendment is concealed unnecessarily.
4. Hitherto the Grand Secretary's Office has looked to the reality rather than the form involved in the amendment/adoption of by-laws, and has therefore, when a “new” set has been adopted, not reopened the whole set unless the amendments are substantial. The process of comparing the “new” with the old is time-consuming and has often had to be postponed in favour of more immediately pressing tasks. This has led to delays in the approval of sets of by-laws that have already been passed by the Provincial Grand Lodge, and in advising on proposed sets before they are submitted to the Provincial Grand Lodge.
5. To speed up the process of approval, the Grand Secretary's Office will in future treat any “new” sets of by-laws submitted for approval as being exactly what they are described as, and reopen every provision contained in them. This will inevitably delay approval. Simple amendments will, however, be dealt with as expeditiously as possible, and it is hoped that this will minimise the time before approval is received.
6. The recommended form of a resolution for amendment of by-laws is “That by-law x be amended to read” (or “That by-law x be amended by substituting for the words the words”). To this can be added a note, if desired, along the lines of “The by-laws as they would be if the amendment is passed [are set out in the schedule to this agenda]/[have been sent to the Secretary of every Lodge/Chapter in the Province/District].”

7. Amendments of By-Laws must be carried out in accordance with the existing By-Laws of the Lodge and sent to the Provincial Grand Secretary. You are strongly advised to consult the Provincial Office on the amendments before the notice in the summons and the vote in Lodge. See also Rules 136, 137, etc, Book of Constitutions.