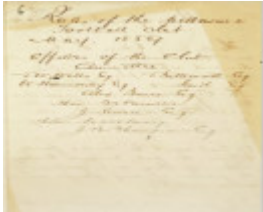


# RULES OF THE MELBOURNE FOOTBALL CLUB



Rules of the Melbourne Football Club - image courtesy of MCC



Rules of the Melbourne Football Club - I-V - image courtesy of MCC



Rules of the Melbourne Football Club - VI-VIII - image courtesy of MCC



Rules of the Melbourne Football Club - IX - X - image courtesy of MCC

## Location

MELBOURNE CRICKET GROUND, BRUNTON AVENUE EAST MELBOURNE, MELBOURNE CITY

## Municipality

MELBOURNE CITY

## Level of significance

Registered

## Victorian Heritage Register (VHR) Number

H2428

## VHR Registration

February 27, 2025

## Heritage Listing

## Statement of Significance

Last updated on - June 16, 2025

## What is significant?

All of the document titled the 'Rules of the Melbourne Football Club' and dated May 1859 being the first known written rules of Australian rules football which is held in the archives of the Melbourne Cricket Club (MCC).

## How is it significant?

The 'Rules of the Melbourne Football Club' is of historical significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

### **Criterion A**

Importance to the course, or pattern, of Victoria's cultural history.

### **Criterion H**

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

## Why is it significant?

The 'Rules of the Melbourne Football Club' is historically significant as the founding document of the modern code of Australian rules football. The document represents an important moment in the transition of the sport from casual and sometimes confusing matches to an agreed approach to play. This led to the development of a uniquely Australian form of football, which became a key part of Victoria's social and cultural life. The rules enabled the rapid spread of the sport through Melbourne, Victoria and eventually to other parts of Australia and were fundamental to its enormous popularity. They include important elements of the code that are still seen today, such as the protected status of a player who marks the ball. They are important as an early example of a successful, uniform set of football rules.

(Criterion A)

The 'Rules of the Melbourne Football Club' is significant for its association with the Melbourne Football Club. The Melbourne Football Club was one of the earliest Australian rules football clubs, and is the oldest continuously operating club in the State. Its foundation committee members produced the rules that codified the sport and were enormously effective at communicating and publicising them. The rules were then taken up by multiple clubs, becoming the recognised football code across the colony and evolving into the modern game of Australian rules football.

(Criterion H)

## Permit Exemptions

### **General Exemptions:**

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General

exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

**Places of worship:** In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must **notify** the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

**Subdivision/consolidation:** Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

### **Specific Exemptions:**

The works and activities below are not considered to cause harm to the cultural heritage significance of the Rules of the Melbourne Football Club subject to the following guidelines and conditions:

## **Guidelines**

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the Crown Land (Reserves) Act 1978, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the Aboriginal Heritage Act 2006 is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the Planning and Environment Act 1987, the Aboriginal Heritage Act 2006, and the Environment Protection and Biodiversity Conservation Act 1999 (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does

not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Heritage Act 2017 must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.

8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

## Conditions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.

2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.

3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the Aboriginal Heritage Act 2006) must be contacted immediately to ascertain requirements under the Aboriginal Heritage Act 2006.

4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.

5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the Aboriginal Heritage Act 2006, all details about the location and nature of the human remains must be provided to the Aboriginal Heritage Council (as defined in the Aboriginal Heritage Act 2006).

## Exempt works and activities

The following exemptions must be in accordance with the National Standards for Australian Museums and Galleries and/or in accordance with the accepted collection management standards, policies and procedures of the Australian Sports Museum and Melbourne Cricket Club archives.

1. Management of the item (including relocation, display and temporary loans of 2 years or less).
2. The conservation or analysis of the item where the custodian employs qualified conservators.

## Theme

### 9. Shaping cultural and creative life

Construction dates 1859,

Heritage Act Categories Registered object,

Other Names RULES OF FOOTBALL, AUSTRALIAN RULES FOOTBALL RULES, AUSTRALIAN FOOTBALL RULES,

Hermes Number 212422

Property Number

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## History

### Marn-grook and Aboriginal football

Prior to and following British settlement and colonisation, Aboriginal people in south-eastern Australia played various forms of football. From at least the 1840s onwards European settlers and anthropologists recorded their impressions of local versions of football played by Aboriginal people throughout what is now Victoria. For example, William Thomas, Assistant Protector of Aborigines in the Port Phillip Protectorate, is recorded as having observed in 1841, a game played by Wurundjeri men that involved kicking a possum skin ball and leaping to great heights to catch the ball. In 1857, William Blandowski created sketches of Nyeri Nyeri people in the Mallee region playing a game with a ball kicked in the air with the aim of keeping the ball in the air for as long as possible. Mukjarrawaint man Johnny Connolly from the Gariwerd region of Victoria described a practice to anthropologist William Howitt that involved playing a game centred on kicking a ball, with sides of both men and women divided along totem lines. The term marn-grook, from the Djab Wurrung language has come to be widely used for all Aboriginal versions of Australian Rules football.

The issue of whether the founders of Australian Rules football were influenced by marn-grook has been a topic of sustained examination and debate amongst historians and others. The debate particularly centres on Tom Wills, who was a founding member of the Melbourne Football Club and key figure in the formulation of the Rules of the Melbourne Football Club. Wills lived in western Victoria and is known to have grown up living alongside Aboriginal people. Some historians have concluded that it follows that Wills was influenced by marn-grook when he came to establish rules for a uniquely Australian version of football. Others have refuted the idea based on a lack of written documentary evidence. Wills' legacy regarding interactions with Aboriginal people is complex. There is some evidence that, following the death of his father in the Cullin-la-ringo massacre in Central Queensland in 1861, Wills may have been involved in the subsequent reprisal attacks and murder of Aboriginal people.

Regardless, there is evidence that football has a long history in Victoria that pre-dates the writing of the rules in 1859 and the establishment of the code. Since the codification of the sport known as Australian rules football, Aboriginal people and communities have been integral to its growth, popularity and evolution.

### Early games of football in Melbourne

Colonists in early Melbourne brought with them various kinds of football that were played in England, Scotland and Ireland. There are accounts of different imported styles of football being played in Melbourne from the 1840s. These were casual matches generally organised around holidays or celebrations. There was, however, no regular competition, formalised clubs or agreed set of rules. Football became more prominent in the late 1850s, when cricketers, schoolboys and others began playing informal matches.

In Britain at this time there was no shared 'common code' of football, and immigrants to Australia brought multiple footballing traditions with them. This included versions of football played in communities across the British Isles as well as versions played at elite British public schools, all with different rules. In Victoria, games of football became increasingly popular but could be a frustrating experience. Different approaches to play resulted in low-scoring, confusing and occasionally violent matches.

In July 1858, Tom Wills, who was a talented cricketer and prominent sporting identity, advocated for the establishment of football in Melbourne in a letter in Bell's Life, a local sporting publication. He had recently attended Rugby School, and it is likely he envisaged a form of the Rugby game. Wills suggested that football should be taken up to keep cricketers fit during the winter. This public call from an influential sportsman was an important part of a larger impetus for the development of standardised football rules in Melbourne.

### Writing of the rules

On 17 May 1859, a group of Melbourne Football Club committee members met to draw up agreed rules for the football matches that were becoming increasingly popular amongst boys and men in Melbourne. The rules committee – Tom Wills, William Hammersley, James Thompson (all accomplished cricketers) and Thomas Henry Smith (a teacher at Scotch College) – met at the Parade Hotel in Jolimont (now re-developed into apartments) to undertake the task. The men involved in the formulation of the rules had attended elite English and Irish schools and universities, and it is likely they were informed by their experiences of the established football styles of those institutions. The committee ultimately decided on a simple approach suited to local conditions. The result was a concise set of ten rules titled the ‘Rules of the Melbourne Football Club’ that could be easily understood by everyone who wanted to participate. Hammersley later reflected that ‘we decided to draw up as simple a code of rules, and as few as possible, so that anyone could quickly understand.’

The Rules of the Melbourne Football Club specifically prohibited ‘hacking’ (kicking in the shins) and throwing the ball. The lack of an offside rule allowed players to spread freely across the ground. Several of the rules, such as the awarding of a free kick to a player who ‘marked’ the ball, remain fundamentals of the modern game. Thompson and Hammersley, who were both journalists, effectively promoted the adoption of these rules via newspapers and sporting publications. Smith, who was a master at Scotch College, promoted use of the rules through schools. The rules proved popular and were quickly taken up by schools and sporting clubs throughout Melbourne.

In a national and international context, this was a particularly early and successful effort to establish a common set of football rules. The Rules of the Melbourne Football Club pre-date the rules of the Football Association and of the Rugby Football Union in England, which did not establish a common code until 1863 and 1871, respectively. The rules of Australian rules football have been continually expanded and updated. The 1859 rules were believed lost until one was rediscovered by the Melbourne Cricket Club in 1980.

## Evolution of the code

The popularity of the code quickly grew beyond Melbourne, with a club being established in Geelong in 1859. As a result of their use, the rules were updated in 1860 by delegates from all senior clubs. The Melbourne Football Club Rules became ‘the legitimate uniform code of the colony.’ The rules were then regularly amended through the 1860s and 1870s and approaches to play continued to evolve. Football matches were played in parklands and open areas like Yarra Park. By the 1870s, cricket grounds came to be used for playing the game and matches attracted up to 10,000 people.

In 1877, the Victorian Football Association (VFA) was established with five teams (Albert Park, Carlton, Hotham, Melbourne and St Kilda). The number of teams in VFA continued to expand through the 1870s and 1880s. In 1897, the leading clubs broke away to form a professional league known as the Victorian Football League which became the basis of the Australian Football League (AFL) still in operation today. Australian rules football evolved into the ‘pre-eminent code of football in Victoria’, and in time, ‘virtually every suburb had a football/cricket oval as a sign of its identity’. By the 1920s there were 1500 football clubs in Victoria following common rules which began as the ‘Rules of the Melbourne Football Club’ of 1859.

## Extent of Registration

### Heritage Act 2017

#### NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by including an object in the Heritage Register:

Number: H2428

Category: Registered Object

Object: Rules of the Melbourne Football Club

Location: Melbourne Cricket Ground, Brunton Avenue, East Melbourne

Municipality: Melbourne City

All of the original document entitled the 'Rules of the Melbourne Football Club' and dated May 1859 currently held in the Melbourne Cricket Club archives at the Melbourne Cricket Ground.

Dated 27 February 2024

STEVEN AVERY

Executive Director

*[Government Gazette G 9 27 February 2025 p 306]*

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*