

By-laws to regulate the Use of Ground Space & Stalls at the Canning Show

Pursuant to Clause 38 of the Constitution of the Society, these By-laws shall prescribe the Rules and Regulations to apply to the conduct of the Canning Show.

1. DEFINITIONS

COMMITTEE - the Committee of Management elected at the Annual General Meeting of the Society.

EXECUTIVE OFFICER - is the Office Bearer of the Society appointed by the Committee to administer the affairs of the Society in accordance with the Constitution.

GROUND STEWARD - A person nominated by the Committee to oversee the allocation of Ground and Stall space.

MEMBERS - The members of the Society recorded in the Register of Members.

LICENSE - The Receipt issued by the Society.

SHOW - The Canning Show held each year.

SHOW GROUNDS - The premises of the Society located at the corner of Albany Highway and Station Street, Cannington.

SIDE SHOW OPERATOR - A person, corporation or association of Showmen, granted a License by the Committee to operate plant & Equipment or an exhibition for public entertainment at the Show.

STALL HOLDER - A person or corporation granted a stall holder's license to use ground space or a stall site. A Stall Holder shall include a Side Show Operator.

THE SOCIETY - Canning Agricultural, Horticultural & Recreational Society (Inc)

2. APPLICATION FOR GROUND SPACE & STALL SITE LICENSE

- 2.1 A license for ground space or a stall site shall be granted only when:
- the application on the prescribed form is received by the Executive Officer.
 - The License fee is paid in full at the time of lodging the application; and
 - the application and fee are received at least one week prior to the Show date.

3. GROUND SPACE & STALL SITE LICENSES

- 3.1 The Rules and By-laws of the Society and general regulations passed by the Committee which are in force at the time of the Show shall be construed as part of the Stall Holders License.
- 3.2 If for any reason the Show will not be held:
- a Stall Holders License shall be cancelled;
 - any conditions attached to the License shall be cancelled;
 - Cancellation of the License shall free the Society from any liability in respect of the License; and
 - Cancellation of the License shall not give rise to any cause of action by the Stall holder against the Society for damages or expenses.
- 3.3 The Committee reserves the right to cancel a License for non payment of the fee by the due date, or for any breach of these By-laws. Such cancellation shall be without prejudice to the rights of the Society in respect to any breach.
- 3.4 The Stall Holder shall comply with any additional rules and conditions which the Committee may apply to any License for a stall or side show.

4. ALLOCATION OF GROUND SPACE & STALL SITES

- 4.1 The Executive Officer or Ground Steward will allocate ground space and stall sites.
- 4.2 The Executive Officer's or Ground Steward's decision is final.
- 4.3 The Executive Officer or Ground Steward must consent to the alteration of the site dimensions or the position of the allocated site by a stall holder.

5. ACCESS TO GROUND SPACE & STALL SITES

- 5.1 A Stall Holder is entitled to have access to and use the ground space allocated under the License:
- only for the purpose specified in the Licenses;
 - during the period of the Show; and
 - for such reasonable time before and after the show as is necessary for the erection, installation, dismantling and removal of stalls, equipment and other property of the Licensee.
- 5.2 A Stall Holder will be permitted to enter the Show grounds to store and install side show equipment from the Sunday to the Thursday prior to the Show between the hours of 8am and 5pm. Access outside these times must be approved by the Executive Officer.
- 5.3 Sideshow Operators and their employees who remain on the Show grounds prior to and during the Show shall at all times comply with the rules of the Society and instructions of the Executive Officer in respect to behaviour, access and any other matter. Breaches of these instructions will result in the cancellation of the License to operate on the Show grounds.
- 5.4 By 30 minutes before opening time on each day of the Show:
- stalls shall be assembled and ready for operation; and
 - all vehicles of stall holders will have been removed from the Show grounds.
- 5.5 The Executive Officer will determine the number of Show ground admission passes to be given to Stall Licensees to allow for operating of stalls.

6. STALL & SIDE SHOW OPERATORS/SALE OF GOODS

- 6.1 Operators shall keep all stalls, equipment and exhibits in good repair and working order while they are on the Show grounds.
- 6.2 The Society strictly prohibits the sale, distribution, or use in any way of fireworks, sparklers, water pistols or similar dangerous articles by a stall holder or their employees during the Show.
- 6.3 The selling or giving away as prizes, knives, swords, lasers, weapons of any kind are prohibited from the Show grounds. The Committee reserves the right to withdraw from sale or exhibition any article which it believes could cause damage, nuisance or injury to the public.
- 6.4 A stall holder shall observe the provisions of all Federal, State and Local Government Acts and Regulations that apply to the operation of a Stall or Side Show. These Acts will include but not be limited to:
- Occupational Safety and Health Act 1984
Fair Trading Act 1987
Gaming Commission Act 1987
- 6.5 If the Executive Officer closes a stall, side show or part thereof for breaching any Act or By-law, or for an infringement of the conditions of the License, the Society shall:
- not be liable to refund any License fee already paid by the Stall Holder or Side Show Operator; and;
 - not forfeit any claim for the amount of any license fee due but not paid at the time of closure.
- 6.6 A Stall Holder may be expelled from the Show grounds if there is any breach of the License conditions. Expulsion is at the discretion of the Executive Officer and does not prejudice the rights of the Society under these By-laws.
- 6.7 A Stall Holder shall not permit the use of ground space for the conduct of any game, show, entertainment or display, which the Committee believes is not up to Show standard.
- 6.8 The use of amplifiers is prohibited, except for:
- use on riding devices;
 - "effect" inside an enclosure; or
 - the volume is kept sufficiently low so as not to unduly interfere with other Stall Holders.

7. UNAUTHORISED ENTRY TO THE SHOW GROUNDS

- 7.1 Where a Side Show Operator, Stall Holder or their employee force entry into the Show grounds by a person or vehicle, the Society may:
- recover the cost of any resulting damage to the property of the Society by legal or other means; and
 - cancel the Stall Holders License by written notice.
- 7.2 Written notice of cancellation of a License shall:
- be signed by the Executive Officer
 - be delivered to the Stall Holder or any other apparent agent or employee;
 - cause the forfeiture of any fees paid to the Society by the Stall holder; and;
 - the Committee may refuse any future application for a License.

8. CURRENCY OF BY-LAWS

- 8.1 These By-laws were passed by resolution of the Committee of Management at its meeting held on the 28th February 2006.
These By-laws replace all previous By-laws or Regulations relating to the letting of Ground Space at the Canning Show.