



Toodyay Agricultural Society (Inc)

Regulations and by-laws

Updated February 2020

1. In the context of the Regulations and By-laws:
 - the word 'Society' shall mean the Toodyay Agricultural Society (Inc).
 - the word 'Committee' shall mean the current Committee of Management.
 - the word 'executive' shall mean the current President, the 1st Vice-President, the 2nd Vice-President, the Treasurer and the Immediate Past-President.
2. All entries are received subject to these regulations and by-laws, to the special regulations governing each section, the W.A. Fair Trading Act (2010), the Occupational Safety and Health Act (1984) and O.S. & H Regulations (1996), the W.A. Food Act (2008) , W.A. Food Regulations (2009 Temporary and Mobile Food Businesses), the W.A. Health Act (1911), the Public Health Act (2016) – (Western Australia), the 'Gaming and Wagering Commission Act 1987' and to the uniform by-laws made under the Royal Agricultural Society Act 1926.
3. The Committee reserves the right of refusing, cancelling or accepting conditionally any entry without being required to give any explanation or being liable for any compensation.
4. Companies contracted to provide services, fair-ground operators and their staff, stall- holders and their staff, persons displaying or demonstrating any object, animal or bird, professional and volunteer food/drink and catering providers, equestrian competitors and support personnel and associations and groups providing services to the Society shall indemnify The Toodyay Agricultural Society (Inc), its executive, Committee, sub-committees, employees and Individual members (collectively known as the indemnified parties) from and against all claims, demands, actions, suits, liabilities, penalties, costs and expenses, including but not limited to legal fees and costs, which arise out of any accident, incident, or failure by the Society to adhere to these by-laws.
5. The owner or exhibitor of any exhibit, or stand of exhibits, which does not have the approval of the committee, must immediately, on notice to that effect, remove such exhibit or stand of exhibits from the grounds.
6. The Committee may remove, order to be removed or refuse entry to the grounds to any exhibit which it determines is dangerous, diseased, objectionable or on the register of disqualified or banned goods.
7. The 'ground-space sub-committee' has, in consultation with other sub-committees, the delegated authority of the committee to determine the position and arrangements for all exhibits.
8. All reasonable care will be taken of exhibits, displays and associated property, but the exhibitor maintains absolute responsibility for insuring the items. The Society denies any liability for loss or damage, no matter how caused.
9. It is a condition of entry that exhibitors indemnify the Society against any and all claims of injury, personal or otherwise, and any legal action which may arise from any accident or incident within the showgrounds.
10. Itinerant selling is prohibited.
11. No goods or services offered for sale other than those indicated on the site application/confirmation form and approved by the Committee.
12. The sale, distribution or use of the following items is prohibited:

- any item which may by its use or operation cause alarm or distress to any person or animal.
 - balloons (gas filled).
 - bows and arrows of any description.
 - cap guns and caps for cap guns.
 - any gun/device, which by its operation, ejects bullets, pellets or other projectiles (e.g. Nerf guns).
 - any device capable of emitting or projecting a laser beam or any 'ray' gun or similar device.
 - celluloid toys unless they comply with Health Department Regulations and a permit has been obtained from the Department.
 - chemical sprays, silly string, stage door streamers, or other similar spray projected items.
 - fireworks, including sparklers with the exception of fireworks detonated at the annual show firework display with requisite approvals and permits.
 - kites, unless they are disassembled and packaged.
 - any catapult, ging, sling-shot or similar weapon for launching projectiles.
 - any knives, bayonets, spears or swords unless conforming to WA State laws and with notification to, (listing all items on the application form), and with the approval of the committee.
13. Dogs are not permitted on the grounds except when entered for exhibition, under the control of a police officer or authorised handler, or by permission of the committee.
 14. Public liability insurance: a 'certificate of currency' must be sighted and a copy of this document must be supplied to the Society where applicable (refer clause 56).
 15. The Society reserves the absolute right to disqualify, suspend or ban any exhibitor, vendor or operator who, in the opinion of the Committee, breaches these by-laws.
 16. No entry or ground space applications will be accepted from any person/persons disqualified by the R.A.S. of WA (Inc.) or by any affiliated Society and should any entry be inadvertently accepted, or ground space allocated, it shall be deemed to be void and the entry fee will be returned.
 17. The Committee reserves the right, without explanation or financial compensation, to reject or remove or to have removed any exhibitor, vendor, operator, visitor or trader from the showgrounds, whose conduct or actions are deemed by the committee to be unruly or in contravention of the Society's rules, regulations or by-laws.
 18. The Committee reserves the right to postpone the show from the advertised dates and to make what alterations it deems necessary in the schedule of prizes or any other show arrangements.
 19. No person or persons shall be permitted, to camp overnight within the showgrounds or car parks without prior permission from the Shire of Toodyay.
 20. In regard to these regulations and by-laws, the decisions of the Committee are inviolable and not open to challenge or recourse.
 21. Any exhibitor falsely describing an exhibit with the intention of deceiving or defrauding the Society will be disqualified from exhibiting and from exhibiting at any future show and will be placed on a "banned exhibitor" list.
 22. No exhibit can compete in more than one class, except in special classes, group classes, horse-in-action classes or where otherwise specified.
 23. Every exhibit, except in the horse-in-action classes (unless otherwise stipulated) must be the bona fide property of the exhibitor, both at the time of the entry and on the day of the show.
 24. Any exhibitors or attendant refusing to attach the prize card to any exhibit to which a prize is awarded and/or refusing to keep the card attached during the hours of the exhibition, will, if proved to the committee, forfeit all prizes awarded to the exhibit during the show and may be disqualified from competing at future shows.
 25. Exhibitors will be liable to forfeit all prizes awarded during the show if they remove any official placard, ticket or ribbon affixed or posted by the stewards, or affix any placard, ticket or ribbon in lieu of the official placard.
 26. An exhibitor refusing in any way to carry out the instructions of the Committee, will be liable to forfeit all prizes awarded during the show and the Society shall incur no responsibility by enforcing these by-laws. The Committee shall have the power to disqualify the exhibitor from competing in subsequent shows.

27. The description and accuracy of the details of pedigree of all animals, and their eligibility to compete in the various classes, is the sole responsibility of the exhibitor.
28. The breeding year for horses, dates from 1st August in each year and for cattle from 1st September in each year. Where not otherwise designated in livestock sections, the actual age of the exhibit on show day must be set forth in each entry.
29. The judges are empowered to decide on the age of any exhibit.
30. A disputes committee shall be appointed by the committee, for the purpose of resolving any written dispute received, as outlined in Clause 30.
31. All protests or disputes against awards must be in writing and submitted, with the appropriate non-refundable fee prior to 5 p.m. on the Monday following the show, to the Committee for deliberation.
32. Any prize money or awards which have been withheld as a consequence of any valid protest shall be forfeit to the Society.
33. Should any exhibit, having been awarded a prize, be disqualified, the disputes committee, shall decide the final placings in the class.
34. One prize card is issued for each prize won.
35. Entry fees and prize monies shall be as shown in the schedule. However, the Society denies any liability for errors or omissions in the schedule.
36. In the event of there being no outstanding exhibit in any one class, prizes may be given if the judges certify to a particular merit. If the exhibits are of inferior description or not suitable to certify for the class in which they are competing, the judges may award a second (or other prizes) prize instead of a first, or may divide the prizes.
37. Any exhibit for which no class is provided is considered for display only.
38. Championship awards: in making these awards the judges will only select from the exhibits which have gained first prize in the classes eligible.
39. No competing exhibit will be allowed to wear any ribbon, badge or mark whilst being judged. This does not refer to decorating ribbons, sheep earmarks, N.L.I.S. tags or ear discs.
40. The judge shall not award any prize to an exhibit that, in their opinion, does not comply with all these conditions.
41. Any person insulting or physically interfering with the judges during the show will be removed from the grounds and any prizes awarded to such persons may be forfeited to the Society.
42. Stewards, where applicable, shall be regarded as servants of the Society and shall be under the control and direction of the head steward in their respective sections.
43. Stewards, where applicable, in charge of exhibits must remain in charge until judging and their associated duties are completed.
44. All prizes are subject to any alteration that may be deemed necessary by the Committee.
45. Persons contravening any of the Society's rules and regulations shall forfeit any prize which may have been awarded to them.
46. Where an equal number of points are gained by two or more competitors, the trophy/prize money, where provided, shall be awarded to the exhibitor gaining the greatest number of first prize awards. In the event of a tie, the chief steward, and if considered necessary by the chief steward, the 'disputes committee', will determine the distribution of the available prize/s.
47. All queries in relation to the showing of exhibits in any sections other than ring events shall be directed by the 'section steward' to the 'exhibition hall chief steward' for determination. The chief steward has the authority to make a decision in relation to the matter and need only consult with the disputes committee if he or she considers it necessary.
48. No stallion shall be allowed on the grounds unless it is restrained by a bridle and bit and the handler and rider are wearing approved protective helmets and boots while handling the animal.
49. All male animals competing in breeding classes must be visibly entire. Any marks of spaying on females shall disqualify them from competing in such classes.
50. Stock not eligible under any of the enumerated classes may, by special permission, be exhibited by paying the usual entry fees. Certificates of merit may be awarded, but no money prize will be given.

51. All bulls over 12 months old must have rings or other holds in the nose to be led.
52. Parking in relation to ring events is only allowed in the designated area for vehicles directly involved in floating.
53. There are no parking facilities provided on the showgrounds for vehicles other than for disabled parking displaying a current and visible ACROD sticker, approved emergency vehicles for risk management and trade, food van and entertainer's vehicles, within the boundary of their designated ground space. All other vehicles must be off the grounds by 9.30am.
54. All commercial trade exhibits on the grounds are only permitted to distribute trade lists, advertisements or similar documents at their own stands.
55. Any contract between the committee and any commercial trade exhibitor, food vendor or sideshow operator is not exclusive. The committee may in its absolute discretion permit any person, firm or company to exhibit the same or similar goods or to carry on the same business or activity at the showground as any similar enterprise.
56. Ground space, sideshow operator or food vendor applicants will be allocated two gate passes per booking, if the requisite fees are paid by the stipulated date.
57. No persons applying for ground space, ground space as a food van vendor, or for providing entertainment to the Society will be allowed on the showground without obtaining adequate public liability insurance. Provision for this requirement has been made on the relevant application forms. Operators must supply the certificate number or a copy of their "certificate of currency" with their application form.
58. Side show operators and any 'entertainment ride' operators must provide to the Society, at least seven days before the show, a 'certificate of currency' for public liability insurance, a 'certificate of annual inspection' and a 'certificate of plant registration' for each and every ride, game or piece of machinery to be operated on the showgrounds.
59. All commercial trading must stop by 6.00 pm unless special permission has been granted by the Committee. Food vans may trade until 9 p.m.
60. The Society denies any responsibility for the protection of commercial trade exhibits, food vendor or sideshow equipment, nor for any loss or damage howsoever caused. The exhibitor/vendor/operator is responsible for all and any claims under the Workers Compensation Act, or any other W.A. or Federal Act or Regulation related to their activities.
61. The sale of raffle tickets is only allowed after obtaining written permission from the Committee and must be confined to the ground space allocated to stall holder. Rule 10 states that itinerant selling is prohibited.
62. Any raffle held, with or without a permit, must comply with sections 103 of the 'Gaming and Wagering Commission Act 1987'. Tickets are only to be sold on show day, the raffle is to be drawn on show day, and the total retail value of prizes must not to exceed \$2,000.00.
63. The selling price of raffle tickets must be consistent for all tickets sold. Bundle deals are not permitted. (i.e. \$2 per ticket, or 3 for \$5)
64. The provision of catering, refreshment and entertainment is not allowed on the showgrounds without the permission of or by the invitation of the Committee.
65. Food vendors will only be permitted to sell those items expressly applied for on their ground space application, and approved by the Committee. Failure to observe this regulation may result in forfeiture of their bond, and/or other action under these rules and regulations.
66. All food vendors and/or handlers shall provide facilities approved by the principal environmental health officer for the Shire of Toodyay. Hand washing facilities shall be provided by the vendor in all facilities.
67. The Committee shall have the right to require any food vendor to pay a bond of an amount as determined by the Committee. The bond must be forwarded with the ground space application or the application will be refused. The bond will be returned immediately upon satisfaction that the site is left clean, trading has ceased and all other rules and regulations have been met.
68. All food vendors will be responsible for the orderly disposal of their own rubbish. It is the responsibility of food vendors and refreshments sellers to keep their allocated sites clean and clear of rubbish throughout show day.