

ALL PREVIOUS RULES RESCINDED
I at front of line indicates change of Rule since last printed edition

RULES OF THE SHOWMEN'S GUILD OF GREAT BRITAIN

1- The name of the Society is "The Showmen's Guild of Great Britain" (which is hereinafter called "The Guild").

2- OFFICE

The Guild shall have its registered office at 41 Clarence Street, Staines, Middlesex, or such other place as may from time to time be decided upon by the Central Council. Notice of any change in the address of the Registered Office shall be given to the Registry of Trade Unions and Employers Associations.

3- OBJECTS

The objects for which the Guild is established are:

- (a) To secure the combination and organisation of all travelling Showmen, Circus Proprietors, Roundabout Proprietors, Mechanical Amusement Device Owners, Stallholders and Shooting Saloon Proprietors who regularly attend and carry on business at Fairs and show grounds, to regulate the conduct of all the Members, their trades and businesses and relations between Members and their employees and generally to protect and uphold the rights and interests of its Members.
- (b) To promote, support or oppose by petition to Parliament or otherwise any legislative or other measures affecting the Guild or the interests or rights of any of its Members and to promote or consider improvements in the laws relating to the various persons mentioned in sub-rule a. hereof.
- (c) To give legal advice and assistance to the Members.
- (d) To relieve by means of pecuniary or other assistance necessitous persons who are or have been Members of the Guild, their widows, children and immediate relatives dependent upon them.
- (e) In pursuance of the above objects the Guild shall have power:
 - (1) To purchase, take on lease or in exchange, hire or otherwise acquire any real and personal estate which may be deemed necessary or convenient for any of the purposes of the Guild but so that the Guild shall at no time hold more land in Scotland than the laws of Scotland shall for the time being permit it to hold.
 - (2) To construct, maintain and alter any grounds, houses, buildings or works necessary or convenient for the purposes of the Guild.
 - (3) To take any gift of property real or personal and whether subject to any special trust or not for any one or more of the objects of the Guild.
 - (4) To take such steps as may from time to time be deemed expedient to raise money for the purposes of the Guild or any of them by annual subscriptions, donations or otherwise.
 - (5) To print and publish any newspapers, periodicals, books or leaflets that the Guild may think desirable for the promotion of its objects.
 - (6) To sell, manage, lease, mortgage, dispose of or deal with all or part of the property of the Guild.
 - (7) To borrow and raise money in such manner as the Guild may think fit.
 - (8) To invest any moneys of the Guild not immediately required for any of its objects.
 - (9) To promote or assist in the promotion of any Company formed for the purpose of acting as a trust corporation and to transfer to such Company all or any of the real and leasehold property and investments of the Guild to be held by such Company in trust for the Guild.

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(10) To do all such other lawful things as are incidental or conducive to the attainment of the above objects.

- (f) To promote or engage in such business or businesses as shall be for the benefit of its members and in pursuance of this object the Guild shall have power:
- (1) To invest the funds of or available to the Guild in the share or loan capital of a limited liability company engaged in the provision of services which would be of benefit to the members of the Guild, including but without limiting the generality of the foregoing words, insurance brokers and underwriters.
 - (2) To incorporate a limited liability company for the purpose of fulfilling the objects described in Rule 3(f).

And any such company in which investment is made under Rule 3(f)(1) or incorporated under Rule 3(f)(2) shall comply with the rules of the General Insurance Standards Council or such successor body as regulate the sales, advice and services standards of those involved in the insurance market (including but not limited to insurers, underwriters, insurance brokers and other intermediaries).

4 - APPLICATION OF FUNDS

The funds of the Guild shall be applicable for any of the objects set forth in Rule 3 hereof and in payment of all office, travelling, legal and other liabilities and expenses incurred by the Guild or any Section thereof or by any of the officers or Members of the Guild or any Section thereof in or incidental to the carrying out by them of any services on behalf of the Guild and in defraying the salaries of any servants of the Guild or any Section thereof.

5 - MEMBERSHIP CONFERRED BY THE CENTRAL COUNCIL

- (a) Without prejudice to the powers conferred by these rules on Sections to elect to Membership of the Guild, the Central Council shall have the following powers:-
- (1) To elect any individual an Honorary Member.
 - (2) To elect a foreign national who is a travelling showman and who is a member of a kindred association in his own country an Honorary Associate Member.
 - (3) To elect any individual not covered by sub-rule a. of Rule 6 who is interested in any trade or business of showmen or who trades with Members of the Guild, an Associate Member. Associate Members shall pay to the General Secretary of the Guild an annual subscription of not less than £12.60 not later than the 28th February in each year. Application for Associate Membership conferred by the Central Council must be made to the General Secretary of the Guild and the applicant must state his full name and address.
 - (4) To grant to or withdraw from any full member or any person who, in the opinion of the Central Council, has rendered outstanding services to the Guild, the privilege of being a Life Member. A Life Member shall not be required to pay the Annual Subscription of £129.63 referred to in Rule 8, but otherwise shall enjoy all the rights and privileges and be subject to all the obligations and liabilities of a full member. A special permanent Life Membership Card shall be issued to all Members who have been granted Life Membership by the Guild.
- (b) Honorary Members, Honorary Associate Members and Associate Members shall have no interest in the funds or property of the Guild and no rights under the rules.

6 - QUALIFICATION OF MEMBERSHIP

(a) Full Membership

- (1) Nationals of any Member State of the European Economic Area (E.E.A.)

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- over the age of 18 who satisfy the Section Committee that they own and operate at Travelling Fairs or Travelling Circuses (or that they propose so to own and operate) any of the equipment listed in Rule 8b subject to the definitions contained in Rule 38, are eligible for election to full membership. Firms which operate and companies which are registered in any Member State of the E.E.A. and who have the above qualifications are eligible for full Membership subject to paragraphs c. and d. below.
- (2) Individuals, Firms or Companies who so own and operate other stalls than amusement stalls, as defined in Rule 38, shall not thereby have a qualification for Membership, except that a Section Committee shall refer any such application for Membership to the Management Committee who may approve it, if they are satisfied that special circumstances exist which, in their opinion, would justify such approval. The Section Committee shall not put such an application before their Members under Rule 8.g. (5), unless and until the Management Committee have first approved it, and in default any Membership purported to be granted shall be null and void.
 - (3) Individuals over the age of 18 who are the spouse, son or daughter of a full member, and who are not qualified under clause (1) above, provided they take an active part in that full member's business of Travelling Showmen are eligible for election to full Membership.
 - (4) Any member/person who has a fine and/or fees outstanding shall not be eligible for Partnership Membership or to continue as the sole surviving partner of a firm under the terms of Rule 6(d)(5).

(b) Associate Membership

- (1) All individuals, Firms or Companies not included in sub-rule a. who are interested in any trade or business of showmen or who trade with Members of the Guild or who are fairground enthusiasts, are eligible to become Associate Members at the discretion of the Section concerned. They shall pay to the Secretary of the Section not later than the 28th day of February in each year an annual subscription of not less than £12.
 - (2) If an Associate Member is or becomes at any time connected with any business whether of owning or operating apparatus or taking or letting ground which brings him into competition or conflict with any full member such Associate Membership shall cease forthwith.
 - (3) The Section concerned may at any time for any reason which it considers sufficient withdraw from any person elected under this sub-rule the privilege of continuing to be an Associate Member.
- (c) Companies having qualifications mentioned in sub-rule a. hereof are eligible for full Membership at the discretion of the Section to which application for Membership is made subject to the following provisions:-
- (1) The Secretary of a Company which is a member shall notify the Section concerned of any transfers of shares in that Company.
 - (2) A Company which is a member may attend and vote at meetings by one representative only. Such representative shall unless the Section concerned otherwise authorise, be a majority shareholder of the Company.
 - (3) If a Company, which is a member, is called upon or has occasion to appear before its Section Committee or the Central Council, such Company shall appear, and be represented by such person as is authorised to represent it under clause (2) hereof.
- (d) Firms having the qualifications mentioned in sub-rule a. hereof are eligible for full Membership at the discretion of the Section to which application for Membership is made subject to the following provisions:-
- (1) If two or more persons are carrying on such business as aforesaid in partnership, the Firm shall be eligible for Full Membership, and, if

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- electd, shall be registered as a member in the Firm's name. The annual subscription for such Firm, excluding subscriptions for equipment owned and operated, shall be calculated at the rate of £129.63 for each member of the partnership: provided that such subscription shall be reduced by £129.63 for every member of the Firm who is or becomes a member of the Guild under rule 6.a. (2), subject to a minimum subscription of £129.63 for the Firm.
- (2) The partners in a Firm which is a full member must be elected Members in their own right and, if elected, shall each pay the minimum annual Guild subscription. Applications for such Membership shall be made and dealt with according to Rule 8 f. and g.
 - (3) A Firm which is a full member may attend and vote at meetings by one representative only. Such representative shall be a partner in the Firm and his vote shall be the vote of the Firm.
 - (4) If there is any change in the persons who are partners in a Firm which is a full member, the existing Members of that Firm shall forthwith notify the Secretary of the Section concerned. If the change in persons which has to be notified to the Secretary of the Section refers to person[s] who are not full members of the Guild that person[s] must be a full member of the Guild prior to the notification taking effect.
 - (5) If a member of a Firm becomes the sole surviving partner in a Firm which is a full member and he continues to carry on the business of that Firm, he shall, without further election, himself become a full member in substitution for the Firm providing that he has no outstanding fine and/or fees and may, at his option, if he continues to carry on such business in the Firm's name, be registered as a member in the Firm's name. If the aforementioned member has any outstanding fine and/or fees he will have to clear that first.
 - (6) Subject to the provisions of this rule, if a full member is taken into partnership in a Firm which is a full member such rights and privileges as to retaining Fairgrounds or positions at Fairs or otherwise as he possessed as a full member shall accrue to the Firm and in so far as by the rules or bye-laws any restriction is placed on a member competing or interfering with the business of any other member, such restriction shall apply to competing or interfering with the business of such Firm as if the Membership of that Firm was a continuous Membership of the individual partners.
 - (7) Subject to the provisions of this rule, if a sole surviving partner in a Firm which is a full member continues to carry on the business of that Firm by virtue of clause (5) of this rule, such rights and privileges as to retaining Fairgrounds or positions at Fairs or otherwise as such Firm possessed shall accrue to such surviving partner, and in so far as by the rules or bye-laws any restriction is placed on a member competing or interfering with the business of any other member, such restriction shall apply to competing or interfering with the business of such surviving partner as if his Membership was a continuation of the Membership of the Firm.
 - (8) If a Firm which is a member is called on or has occasion to appear before a Section Committee or a Committee of the Central Council, such Firm shall be represented by one of the Members of that Firm.
 - (9) In the event of a partnership Membership wishing to dissolve such partnership the existing Members of that Firm may submit to the Section Committee concerned any proposed agreement, signed by all the partners, as to the apportionment of dissolution of the established rights to grounds or positions held by that Firm. The Committee shall then have power to

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approve such apportionment and the Members of the Firm concerned shall, in the event of such approval, have established rights accordingly as from the dissolution of the partnership. Provided that should any member of such Firm not be a member of the Guild in his own right at the date of dissolution, he may apply for such Membership, but he shall have not established rights under the preceding paragraph unless and until he has been so elected.

- (e) A member who is actively concerned on behalf of a partnership or Company (which is not a member of the Guild) with the taking or letting of Fairgrounds attended by Members of the Guild shall be responsible for breaches of any rule relevant to such taking or letting.

7 - PRESERVATION OF RIGHTS

- (a) If a full member of the Guild dies and his personal representatives or any member of his family continue to carry on his family business for the benefit of any member of the deceased's family, any such person shall be eligible for Membership and shall apply for such Membership within 18 months of the death of the full member concerned. Where such business is so carried on without an application for Membership being made, the rights and privileges formerly held by the deceased member shall only remain in force for a maximum period of 18 months from his death subject to the payment of the appropriate Guild subscription. In the event of such personal representation or such member of a deceased person's family or such partnership being so elected a full member, the Section concerned shall have the right in its absolute discretion subject to the right of appeal to the Central Council as hereinafter provided, to grant to such personal representative or such member of a deceased person's family, or such partnership the same rights and privileges as to retaining Fairgrounds or positions at Fairs or otherwise as such deceased person would have had if he had remained alive and continued to carry on his business.
- (b) If, following the winding up of the estate of the deceased member, his estate is lawfully vested in a member or Members of his family, such personal representatives or Members of the deceased's family carrying on his business shall cease to be Members of the Guild if elected under sub-rule a. above, and any member of such deceased person's family in whom such assets are vested (if over the age of 18 years) or any such partnership in which such assets are vested shall be eligible for full Membership at the discretion of the Section concerned. In the event of such member of a deceased person's family or such partnership being so elected, the Section concerned shall have the right in its absolute discretion, subject to the right of appeal to the Central Council as hereinafter provided, to grant to such member of such deceased person's family or such partnership the same rights and privileges as to retaining fairgrounds or positions at fairs or otherwise as such personal representative would have had if he had remained a full member and continued to carry on the said business.
- (c) Where by the rules or bye-laws any restriction is placed on a member competing or interfering with the business of any other member, such restriction shall apply to competing or interfering with the business carried on by a personal representative or member or Members of the deceased person's family to whom such rights as aforesaid have been granted under this Rule as if the Membership of such personal representative or member or Members of such deceased person's family was a continuation of the Membership of such deceased person.
- (d) If any member is dissatisfied with a decision given by a Section under this rule as to the granting of rights he shall have the right at any time within

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fourteen days of receiving notice there of to appeal to the Central Council, and in such case, rights shall be deemed not to have been granted until such appeals heard and determined.

- (e) In the event of a body corporate being a personal representative such body corporate may nominate an individual to represent it and such individual shall for the purposes of this rule be treated as if he were such personal representative for the purpose of attending meetings or voting.
- (f) If there is more than one personal representative of a deceased Members estate who continue to carry on his business such personal representatives shall be treated as a partnership firm of which the personal representatives are the partners.
- (g) For the purposes of this rule the Members of a deceased person's family are the husband, wife, children, brothers and sisters of such deceased person.

(h) Transfer of Rights.

- (1) If a full member of the Guild wishes to transfer his rights and privileges enjoyed by him because of his Membership of the Guild, or granted to him under Rules 7 a. or 7 b. to another member, the Committee of the Section concerned shall have the power on application to approve the transfer of such rights and privileges, provided that any such application shall be made not less than six weeks before the date of the Fair concerned unless the Section Committee in the circumstances of the case, deem a lesser period before the said date to be reasonable.
- (2) The Section Committee shall advertise in "The World's Fair" or other Guild approved system all applications made under this rule at the cost of the applicant of £25.00, and may take into account any representations received provided that any objections to the proposed transfer must fall within the list of acceptable reasons in (3) below. Any such representations should be made available to the parties to the proposed transfer to allow them to reply to any objections made. In particular they may take into account whether or not the proposed transfer has approval or otherwise of the Lessee concerned, provided that the Lessees; objections must fall within the list of acceptable reasons in (3) below. It is the duty of a member making an application to send the Lessee details of such application within the time specified above. Should any member object to a Transfer of Rights for one of the reasons listed in (3) below they should put their objections in writing within 14 days of the date of the advert and send it to the Section Secretary along with a deposit of £25.00. The deposit to be returned if the objection is upheld.
- (3) Objections by members and Lessees to a proposed transfer may only be made, and Section Committee approval may only be withheld if there is evidence of one or more of the following:
 - (i) The proposed transferee is not a member.
 - (ii) The proposed transferee has a criminal conviction (excluding any spent convictions).
 - (iii) The objector has evidence, on an objective assessment, showing that the transferee fell short of the standards of conduct to be expected of a showman dealing with the public or
 - (iv) The proposed transferor has not occupied the position(s) in question with his own equipment (and submitted appropriate confirmation thereof), on the recognised Fair dates during the two immediate previous years or such lesser period as may be provided by the Section Bye-law in conjunction with Rule 23 to constitute established rights to a position.

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- (v) The proposed Transferor/Transferee has outstanding fines/expenses owing to Central Office or any Section of the Guild.
- (4) That for the purpose of the transfer, provided that the Preservation of Rights has been granted according to Rules 23 b. (1), (2), (3), (4) and (5), the ground in question can be transferred.
- (5) The member making application for transfer of rights and privileges on non member Lessee grounds shall produce to the Section Committee concerned written agreement to such transfer from the non-member Lessee. It shall be the responsibility of the applicant to obtain such consent but the Section Committee shall have the power at their discretion to take any steps to assist.

8 - CONDITIONS OF MEMBERSHIP AND ELECTION TO MEMBERSHIP BY SECTIONS

(a) Subscriptions

- (1) Subject to clause (5) below, every full member, except as otherwise provided for in these Rules, shall pay to the Guild an Annual Guild Subscription of £129.63 and as additional annual subscription shall pay according to the Schedule of Charges hereinafter set out for each Amusement device, Stall or Show owned and operated by him at any fair. Every member owning and operating at any Fair one or more of the Amusement Devices, Stalls or Shows set out in the following schedule shall, each year, make a declaration to his Section Secretary, of the equipment owned and operated by him. Non-operating Members shall pay to the Guild an Annual Guild Subscription of £64.81. For the purpose of this Rule, a member operating as a Lessee and not operating equipment shall be considered an operating member. In addition to the Annual Guild Subscription of £129.63 all members other than Privileged members shall contribute to the Central Benevolent Fund a sum of £2.10 annually to be payable with the Guild Subscription. This contribution shall not be subject to the 55% retention clause referred to in Rule 14 j.
- (2) Every member operating amusement equipment according to the Schedule of Charges must hold a Public Liability Policy for an indemnity of at least £1 million (any one accident/unlimited) during the period of one year, and shall see that such policy is properly endorsed covering the Contingent Liability of the local authority or person or persons on whose ground he may be operating. A Certificate or other satisfactory evidence of third party insurance cover shall be produced with the declaration form, or the equipment will not be registered with the Guild until such evidence is produced. A member shall produce such certificate or other evidence of insurance when requested by the Lessee member or member of the Section Committee concerned; and such request may be made on any occasion when the interests of the business reasonably so require.
 - (a) In addition to the public liability requirements detailed in Rule 8(a)(2) every member operating equipment that is subject to the inspection scheme referred to in Rule 21(n) as well as all equipment listed in Rule 8(b) and 8(1) which is not subject to the inspection scheme referred to earlier herein shall enjoy and subscribe by way of a membership fee to an excess layer public liability master policy written in the name of the Guild. Additionally Lessee members shall also enjoy this scheme in a category relating to ground cover for fairs which they operate as Lessees. All Lessee members who enjoy in this scheme shall be deemed to be operating members. The membership fee due for this insurance benefit for the members

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shall be paid at the same time members pay their annual subscriptions for such equipment. The amount of the membership fee referred to in this Rule to be paid by members in respect of this insurance benefit for members shall be determined by the Management Committee in relation to the type of equipment they declare and operate as well as the required Lessee ground cover element of this Rule. The amount of the total premium payable by the Guild in respect of this insurance benefit for the members shall be determined and authorised from time to time by the Junior Vice President and the General Secretary and the various insurance brokers invited to quote for the master policy in line with the public liability insurance market rates pertaining close to the date of renewal. This is to also include the new 10/10 Public Liability Insurance which is to also be reviewed annually.

- (3) For the purposes of this sub rule a member shall be deemed to own an Amusement Device, Stall or Show if he is hiring it under a genuine hire purchase agreement with the intention of becoming and remaining the owner thereof or the amusement device is subject to a leasing agreement entered into by a member with a bona fide Leasing Company. The aforementioned leasing agreement shall not be less than 12 months in duration. The Leasing Company, which shall be of not less than 3 years' standing, must be subject to approval by the Central Council or the Management Committee of the Guild.
- (4) A member shall not operate at a Fair any Amusement Device, Stall or Show the ownership or possession whereof has been transferred to him on a temporary basis. Subject to the provisions of Rule 8 c. (1) the Section Committee concerned or on Appeal the Central Council shall be the sole judges as to whether any hire purchase agreement or bona fide leasing agreement is genuine and of whether ownership or possession has been transferred on a temporary basis. Approved leasing as referred to in Rule 8 a. (3) is regarded as ownership for the purposes of all Rules.
- (5) The Central Council by resolution, decided solely by a show of hands, shall have power annually to increase the above subscriptions and Schedule of Charges by not more than the rate of inflation up to a maximum of 5% following a recommendation from the Management Committee on the percentage, if any, which they consider necessary. Should any increase be proposed over the rate of inflation or the maximum of 5% the difference shall be subject to the procedure under Rule 34.
- (6) (a) Every operating member shall pay an annual levy into a fund to be known as the "Guild Legal Fund". This Guild Legal Fund shall be used to instigate and pay for any legal action authorised solely by the Management Committee, acting by the Central Council, it may also be used to pay for any legal advice sought by the Guild, whether or not the legal advice leads to any legal action being taken or not. The legal action taken under this sub Rule shall only be taken where the subject matter of the action could adversely affect the members of the Guild on a national basis, this condition will be at the sole discretion of the Management Committee acting by the Central Council, who shall give their written consent to authorise and pay for any legal action. The fund may also be used to defend actions brought against the Guild and for advice on such defence, providing the defence of such actions is in the interests of Guild members on a national basis. Exercising this condition shall be at the sole discretion of the Management Committee acting by the Central Council.

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In line with Rule 31 if in the event the written consent referred to in this rule is required as a matter of urgency, such written consent shall be given by any two of the three principal Officials of the Guild, as well as the Guild's Solicitor who shall, at their discretion, determine the urgency of the matter.

- (b) For the subscription year commencing the 1st February 2018 only the levy will be £30 for members who operate Adult Riding devices and/or run fairgrounds and £15 for all other members who operate equipment. In subsequent years the full Central Council, at their January meeting, shall set the amount of the levy for the coming year.

The maximum amount of the levy in any one year shall not exceed the amounts laid out above. The levy shall be due for payment with the normal subscriptions due under Rule 8. The levy shall be reviewed annually by the Central Council and, after receiving reports on the fund balances and related matters, shall have discretion to suspend payment of the levy for the following year or years. This Rule shall not be subject to the percentage retention expressed in Rule 14.j.

(b) Schedule of Charges

Riding devices of 50ft. and over (measured over the longest measurement but not including steps) unless hereinafter provided for.....	£222.77
Riding devices under 50ft. (measured over the longest measurement but not including steps) unless hereinafter provided for.....	£178.64
Helter Skelter, Mountain Glide, Cakewalk, each.....	£131.99
Juvenile Rides, Inflatables, Trampolines and Climbing Walls up to and including 18ft, including coin operated Kiddy Rides, unless operated within the confines of a booth or stall.....	£21.58
Juvenile Rides, Inflatables, Trampolines and Climbing Walls over 18ft. and up to and including 22ft., including coin operated Kiddy Rides, unless operated within the confines of a booth or stall.....	£43.72
Juvenile Rides, Inflatables, Trampolines and Climbing Walls over 22ft, Bungee Trampolines up to 30 ft, Water Balls and Land Balls, including coin operated Kiddy Rides, unless operated within the confines of a booth or stall.....	£87.86
Swinging Gyms, Jolly Tubes, Wiggle Waggle, Ghost Train, Funhouses, Simulators, Rodeo Bulls, Bungee Trampolines over 30 ft and similar devices, etc., up to and including 50ft.....	£87.86
Each additional 20ft. or part thereof.....	£43.72
Adult Swings, per boat.....	£9.49
Juvenile Swings, per boat.....	£4.68
Side Stalls up to and including 40ft.....	£21.58
Side Stalls over 40ft. and up to 60ft.....	£33.95
Side Stalls over 60ft., each additional 20ft. or part thereof.....	£21.58
Round Stalls up to and including 16ft.(bottom measurement)	£21.58
Round Stalls over 16ft. (bottom measurement).....	£33.95
Square Stalls occupying Island Site (measured across the diagonal of its base) Up to and including 16ft., each.....	£21.58
Over 16ft.,each.....	£33.95
Dreadnoughts up to and including 20ft. (bottom measurement).....	£43.72
Dreadnoughts over 20ft. (bottom measurement).....	£65.73
Strikers, Punch Balls and Kick Balls.....	£21.58
Shows and Arcades up to 20ft.....	£43.72
Shows and Arcades over 20ft. and up to and including 40ft.....	£65.73

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Each additional 20ft or part thereof.....	£43.72
Menageries or Circuses.....	£222.77
Lessee of Fairs	
1-5 Fairs	£52.50
6-10 Fairs.....	£105.00
Over 10 Fairs.....	£157.50

All the above Amusement Devices other than stalls, strikers, Shows and circuses shall be deemed to be Riding Devices for the purposes of these rules. A Juvenile Ride shall mean a ride under 27ft. measured over the longest measurement; except that a device over 27ft. designed to carry young children only shall pay the rate for Juvenile Rides over 22ft. laid down in the Schedule of Charges.

- (c) No member shall open or operate any Amusement Device, Stall or Show at a Fair until his Section has registered his written notification of ownership thereof. He shall pay the full annual subscription due thereon as laid down in Rule 8 e., or in this rule as may be appropriate. Annual subscriptions in respect of additional equipment not included on the current Declaration Form and acquired between 1st February and 29th June in any calendar year shall be paid for by 29th June in the same year, and subscriptions for such additional equipment acquired between 30th June and 31st January shall be paid before the same is opened or operated, The breach of this Rule shall be an offence.
 - (1) Having regard to the provision of Rule 8 a. (4) prohibiting the operation by a member of equipment owned or possessed by him on a temporary basis the Section Secretary shall not register a notification of ownership under Rule 8 c. above until he has required the member to produce and such member has produced such evidence of permanent ownership or possession as the Section Secretary shall see fit.
 - (2) It shall be an offence for a member to let ground as a Lessee without complying with Rule 8 (a)(2)(a).
- (d) If a full member for any reason ceases to have any of the qualifications referred to in Rule 6 a, his Section Committee, or on appeal the Central Council shall have power after giving him prior notice in writing to decide whether or not he shall be permitted to remain a member. If the Section Committee, or on appeal the Central Council, decides that such a member shall not be permitted to remain a member he shall cease to be a member at the end of the then current year. Provided that a full member who at the date of the coming into operation of this Rule owned and operated at Fairs a stall other than a stall as defined in Rule 38, shall not be deprived of full Membership under this sub-rule and, subject as is provided in the rules, shall continue to enjoy the privileges and benefits of full Membership, so long as he continues so to own and operate such stall or a stall of a similar description thereto. For the purposes of this proviso a member shall be deemed to own a stall if he is hiring it under a genuine agreement of hire purchase with the intention of becoming and remaining the owner thereof.
- (e) During the course of a year in respect of which he has paid a subscription based on his equipment, a member may substitute one piece of equipment for another bearing an equal or greater subscription, subject to the following conditions:
 - (1) The use of the original equipment shall be discontinued so long as the substituted equipment is open and operated.
 - (2) Before the substituted equipment is opened and operated the member shall notify his Section Secretary in writing stating the Registration Number of the equipment, proof of Public Liability Insurance and Test Certificates and obtain an acknowledgment in writing from the Secretary.

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- (3) A member may not substitute one piece of equipment for another as aforesaid more than twice a year.

If during the course of a year in respect of which he has paid a subscription based on his equipment, a member substitutes a piece of equipment for another bearing a lesser subscription, he shall pay the amount of his subscription shown in the Schedule as appropriate to the substituted equipment, less the amount he has already paid in respect of the original equipment. For the avoidance of doubt it is hereby declared that the provisions of this rule relate only to the payment of subscriptions for equipment substituted thereunder, and the use on Fairgrounds of equipment so substituted is subject to the provisions of Rule 23.

(f) Application for Membership

- (1) Application for Membership including application for Associate Membership, may be made to the Secretary of the Section which the applicant wishes to join using the application form of that Section.
- (2) The Application form which shall be in a form approved by the Central Council must be published either on the website of the relevant Section or on the Guild's website, identifying the Section(s) to which the form applies and obtainable from the Section Secretary.
- (3) No person shall be a member of more than one Section.

(g) Procedure for Electing Members

- (1) It shall be the duty of the Secretary of any Section to whom application is made for Membership to advertise the same for two weeks in "The World's Fair" newspapers or other Guild approved system giving the full name and address of the applicant before putting his application before the Section Committee. When any representations are received by the Section as a result of the advertisement they shall be first made available to the applicant (subject to any applicable redactions on grounds of protecting confidentiality) and then considered by the Committee concerned.
- (2) The applicant shall appear before the Section Committee at such times as such application for Membership is being considered by such Committee. The Section Committee, at their discretion, may dispense with the written application for Membership under Rule 7, a, or b, of a widow or widower of a deceased member.
- (3) The application for Membership shall first be considered by the Section Committee who shall have power when placing any application before the membership of the Section under clause (5) below, to recommend whether the application be granted or refused and if it is recommended that the application be granted only upon the following conditions:
 - (a) that the applicant shall take up an offer of membership within 28 days, after which time if not accepted, the offer of membership lapses;
 - (b) that the applicant must abide by the Guild's rules; and
 - (c) payment by the applicant of the fee.

Applications may only be refused, and may only be recommended by the Section Committee for refusal, on the basis of evidence of one or more of the following:

 - (a) the applicant is under 18;
 - (b) the applicant is not, and has no intention to be, a showman;
 - (c) the applicant has a criminal record (excluding any spent convictions);
 - (d) the applicant's conduct falls short of the standards of conduct to be expected of a showman dealing with the public, the matter to be determined on an objective assessment of the evidence."

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- (4) Occasionally applications for membership are accompanied by applications for retrospective recognition of established rights. Should an applicant have held or occupied ground or position at a Fair or Fairs or taken ground for the purpose of holding a Fair or Fairs for the two successive years immediately prior to his application, the Section Committee may also order that in the event of his election he shall be deemed to have an established right of tenure to such ground or position or any part of such ground or position as they may at their absolute discretion determine. If the Section Committee make no such order that applicant, if elected, shall have no established rights in respect of the same. In cases where established rights are recognised, an additional fee may be charged which reflects the value to the member of that retrospective recognition (see (8) below for general entrance fees). Fees charged for retrospective recognition of Established Rights for an applicant for membership must be objectively based upon what a member is likely to gain financially through access to the economic benefits that Guild membership brings and must be assessed accordingly.
- (5) As soon as the Committee has considered the application, but in any event no later than 14 days following the Committee's next meeting (not to be unreasonably delayed) after receipt of the application, it shall, together with any conditions the Committee deems fit to recommend pursuant to sub-section (3) of Rule 8(g), be placed before the Members at their next meeting, who may approve or reject it. All applicants are bound by this decision, unless the application is withdrawn or Appealed.
- (6) Any person who has been refused Membership under Rule 8.g.(5) (the unsuccessful applicant) shall have the right of appeal to an independent Appeals Tribunal under the Rule 20(m) procedure. The Secretary of the Section concerned shall give notice in writing to the unsuccessful applicant of the decision refusing him Membership within 14 days of the decision (the Notice of Refusal). The Notice of Refusal shall include the reasons, and relevant evidence, on which the refusal of an application, and any recommendation by the Section for refusal are based, and must inform the unsuccessful applicant of his right of appeal, the fact that it is free of charge and of the manner in which it may be exercised and shall provide him with the appropriate forms of appeal.
 - (a) The right of appeal shall not be exercisable unless the unsuccessful applicant gives notice by completing the appropriate forms and sending the completed forms both to the Appeals Tribunal and to the Secretary of the Section within 14 days of the date upon which he was served the Notice of Refusal, if the unsuccessful applicant is resident in the United Kingdom, or 21 days if he is resident in any other member state of the EEA. Provided that the Appeals Tribunal shall have power to hear an Appeal notice of which has been given outside 14 days if they are satisfied that special reasons exist for the delay.
 - (b) The unsuccessful applicant shall not be required to pay any fee or deposit in respect of an Appeal under this rule.
 - (c) An Appeal lodged may be withdrawn on application to the Appeals Tribunal.
 - (d) The Notice of Appeal shall state the grounds of the Appeal and the address at which the unsuccessful applicant may be found. At the time of giving Notice of Appeal the unsuccessful applicant shall also send to the Appeals Tribunal copies of all correspondence and other relevant documents bearing on the Appeal.

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- (e) Upon receiving the Notice of Appeal, the Secretary of the Section concerned shall notify the Appeals Tribunal whether the Section Committee on considering the application under Rule 8.g. (3) recommended that it be refused or granted (in which case he shall also notify the Appeals Tribunal of the names and addresses of the Proposer and Seconder of the motion, before the Members of the Section, that the application be refused) and shall provide the Appeals Tribunal with a copy of the Notice of Refusal.
- (f) The parties to the Appeal in addition to the unsuccessful applicant shall be the Section Committee representative and also the Proposer and Seconder of the motion that the application be refused.
- (g) The Appeals Tribunal shall notify all parties of the date, time and place of the hearing of the Appeal. It shall be the duty of all parties who have been given proper notice to attend the Hearing and in default of such attendance or an adequate explanation of absence, the Appeals Tribunal shall have power:
 - (1) to proceed with the Appeal in such parties absence, or
 - (2) to treat the case as in default, and to determine the Appeal accordingly.
- (h) The Section Secretary will be responsible for ensuring that the Section Minute Book, or a copy of the relevant extracts there from (including any previous Minutes relating to the case and a copy of the Notice of Refusal) is certified correct by the Section Secretary and a member of the Section Committee, and all other relevant documents in the possession of the Section are produced on the hearing of an Appeal.
- (i) Upon the hearing of an Appeal the Appeals Tribunal may:-
 - (1) Affirm or reverse the decision of the Members of the Section and if it reverses the decision it may impose any conditions or make any order under Rule 8.g. (4) which the Section Committee might have imposed or made. The conditions governing acceptance for membership must be completed by the applicant within one month of the date of the Appeals Tribunal at which the application is considered, otherwise such conditions and acceptances shall become null and void.
 - (2) The Appeals Tribunal shall not exercise its power under this sub-rule unless the parties to the Appeal have been given an opportunity of appearing on the hearing of the Appeal and if they so wish, making representations on their own behalf.
- (7) Should an application for Membership be refused it shall not again be considered for a period of twelve months from the date of such refusal or the date of the determination of any Appeal against such refusal.
- (8) An applicant for Membership shall not become a member until the entrance fee has been paid. Entrance fees are payable only in the event that an application for membership is successful. The amount of the entrance fee shall be fixed for each Section by the Section Committee concerned, and shall form part of the conditions of Membership. Entrance fees must be set by each Section at levels set exclusively by reference to a reasonable estimate of the administrative cost of processing membership applications. Each Section shall publish its joining fee on its website.
- (9) The conditions governing acceptance for Membership must be completed by the applicant within one month of the date of the Members' Meeting at which the application is considered otherwise such conditions and acceptance shall become null and void.

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- (10) Should a member be desirous of transferring his Membership from one Section to another an application to do so must be made upon the official Transfer Form and shall be made to the Secretary of the Section of which he is a member and to the Secretary of the Section which he desires to join. When received it shall then be advertised in "The World's Fair" by the Secretary of the Section of which he is a member stating the full name and address of the applicant together with the Section to which he wishes to transfer (the advertising fee to be paid by the applicant) for two weeks, before it can be considered by the two Sections concerned.
- (11) Each member's subscription shall be sent to the Secretary of the Section of the Guild to which such member belongs and must be accompanied by the Declaration Form issued annually with the Year Book.

(h) Payment of Subscriptions

All annual subscriptions are due in advance on 1st February and shall be paid by the 29th June in the same year. Any member whose subscription has not been paid by the 29th June in any calendar year, shall cease to be a member of the Guild, without further notice. Provided that if a fresh application for Membership be made one month of the termination of the Membership and the member is re-elected he shall be deemed not to have lost any rights or privileges acquired whilst a member.

(i) Re-election to Membership

- (1) If a person ceases to be a member by reason of having failed to pay a fine imposed on him under Rule 19 and subsequently applies to be re-elected a member, he shall not be re-elected unless he pays the full amount of the fine and/or costs outstanding in addition to any other entrance fee that may be fixed. If a fine and/or costs was imposed by a Section other than that by which he is re-elected, it shall be paid over to the Section by which it was imposed.
- (2) In any case in which a former member of the Guild who has been subjected to disciplinary action by a Section Committee, applies for re-election to a Section other than the one by which the disciplinary action was taken, he shall not be re-elected unless the two Sections are agreed as to the terms and conditions of his re-election. If the two Sections concerned cannot reach agreement the matter shall be settled by the Central Council.

(j) Exemption from Subscriptions

- (1) A Section Committee shall have power at its discretion to exempt a member from year to year from the payment of all or any part of his or her subscriptions; provided the member concerned is over 70 years of age (65 in the case of a lady member), or the widow of a late member or in financial need or a physically disabled member.
- (2) A member so qualified may make annual application for such exemption or any other member may do so on his behalf, but the Section Committee may act under this rule without requiring such application.
- (3) A member to whom such exemption is granted will be provided with an annual privilege card.

(k) Membership Cards

The Membership Card issued which may be a plastic credit card type with paper counterpart if necessary shall state the equipment declared and paid for according to the Schedule of Charges and shall always remain the property of the Showmen's Guild. The card and paper counterpart shall be surrendered to the Section Committee who issued it on termination of Membership. The type and format of the card and any paper counterpart shall be determined by Central Council.

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(l) Refreshment Stalls

- (1) A member who desires to operate at any Fair or Fairs a refreshment stall or a stall of any type other than an amusement stall shall declare the same on a form authorised for the purpose by the Section Committee (in addition to declaring any amusement equipment as required in clause a. (1) of this Rule) to his Section Committee, and apply for special permission to operate it, whereupon the Section Committee may either refuse permission or permit the member to operate such stall subject to his paying a charge of £2.22 per foot (measured over the longest measurement but not including the drawbar or steps). Such permission, if granted, shall remain valid unless and until the same shall be revoked as hereinafter stated; provided that in each year the stall is again declared to the Section Committee, and that the said sum is paid annually therefore. In considering whether permission should be granted, and, if so, what sum should be paid in respect of each such stall, the Section Committee shall have regard to the size and type of the same, and to the nature of the goods to be supplied thereat. The Section Committee may revoke such permission at any time if they consider that the operation of such stall is, or is liable to be, prejudicial to the interests of the Guild or the Members thereof.
- (2) A member to whom permission has been granted under the preceding sub-paragraph may acquire an established right of tenure to ground or position occupied by such stall, in the manner prescribed in Rule 23, provided:
 - (a) that ground or position at a Fair, which in the last year in which the Fair was held, was reserved or used for an amusement device, amusement stall or show, shall not be used for such a stall without the consent of the Section Committee having first been obtained.
 - (b) that the Lessee member concerned shall have power to vary any position established as above, subject as below:
 - (1) If the member objects to such variation of his established position, he may apply to the Section Committee, who shall decide whether or not such variation is reasonable in the circumstances. If they consider it is not reasonable they shall order that the variation shall not take place or shall be of no effect, as the case may be.
 - (2) The Lessee member shall also have power to refuse to let ground or position for such stall which differs materially in its type or description or in the nature of its goods from the stall in respect of which the said right was established.
 - (c) and further provided as appears in clauses (4) and (5) of this sub-rule that the person letting the Fair ground (not being a member of the Guild) has not forbidden Refreshment Stalls to operate thereat, or has not reserved to himself the provision of Refreshment Stalls as a condition of letting the grounds or made restrictive conditions regarding the operation thereof.
- (3) Every member who operates such a stall at a Fair is responsible for ensuring that the said stall and the operation thereof and the goods supplied thereat, comply with the provisions of all Acts of Parliament, Regulations made thereunder, and local Bye-laws, relating to such stalls or goods or the mode of supply of such goods; and further, if any Local or Government Authority, or any authorised officer of such Authority, shall object to the operation of any such stall at any Fair on the grounds that a breach of any such Act, Regulation or Bye-law has been committed or is apprehended, the member concerned shall have no right under these rules to operate the said stall at such Fair.

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- (4) No member at any Fair shall let or grant ground or position for the operation of such a stall by any non member, or by any member who has not obtained special permission under this rule for such operation, if such ground or position is required for occupation by a member who has obtained such permission, save that a lessee member may grant such ground or position to a non-member who has attended the Fair for any two consecutive years from 1955 to 1958 inclusive by virtue of having been a subscribing member under former Rule 6 (b) in preference to a member who has not acquired rights under clause (3) above.
- (5) No member shall acquire any rights under these rules in respect of or by reason of the operation at any Fair of any stall other than an amusement stall except as provided for in this Rule, or in a Section Bye-law. Notwithstanding anything contained in Rule 21 c. the rent charged to Members for ground for a stall other than an amusement stall shall be no higher than the charge made when the ground was last occupied by a stall of a similar description at a corresponding event, except by permission of the Section Committee. This restriction shall not apply unless the member concerned has permission under this rule to operate the stall in question.
- (6) No member shall refuse ground to another member who has permission to operate under this Rule a stall other than an amusement stall, so that he can have the sole rights for one particular type of stall. nor shall he grant such sole rights to another member. The above restriction is subject to:
 - (a) The member having no more ground available for such a stall than is reasonably required for his own use;
 - (b) Paragraph (2) (c) of this Rule.
- (7) The provision of Rules 7 and 23 b. shall apply to a member who has acquired a right of tenure under Clause (2) above.
- (8) In accordance with Rule 8 d. the provisions contained in clauses (1), (2), (3), (5), (6), (7) and (8) of this sub rule shall not apply to any person who is at the date of the passing of this Rule a full member of the Guild and who as such a full member owned, operated and paid for, according to the Schedule of Charges then current, such a stall before the 29th January 1954.
- (m) A member may resign his Membership at any time by giving notice in writing to the Section Secretary concerned and on resignation shall remain liable for his current annual subscription and if continuing under the terms of Rule 6(d) (5) any outstanding fine and/or fees.

9 - MANAGEMENT OF THE GUILD

- (a) The management of the Guild shall be deputed to a Central Council which shall have, and may exercise in the name and on behalf of the Guild, all such powers as may be exercised by the Guild and are not required by the Rules to be exercised by the Guild in General Meeting and such Central Council shall be deemed to be the General Committee of Management of the Guild.
- (b) The Central Council shall consist of the following persons, namely:-
 - (1) The President for the time being of the Guild, all Past Presidents who are full Members or Life Members of the Guild, two Vice Presidents for the time being thereof, the Treasurer, Sergeant-at-Arms and General Secretary for the time being thereof, the officers listed above are ex officio members of the Central Council.
 - (2) Delegates consisting of the Chairman and Secretary (if the Secretary is a member) and two Members, or Chairman and three Members (if the Secretary is not a member) from each Section. Such delegates shall be appointed annually by the Committee of each Section in the manner hereinafter provided.

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- (3) Any former Officer of the Guild appointed by the Central Council who has served as an Officer for not less than 15 years, and who is not an "ex officio" member under para. (1) above.
- (c) The Officers of the Guild shall consist of a President, two Vice Presidents, a Treasurer, a Sergeant at Arms, three Trustees and a General Secretary. With the exception of the General Secretary, all the said Officers shall hold office for one year and shall be elected annually by the General Council at the first meeting of the Central Council to be held after the appointment of delegates by the Sections as provided by sub-rule b. hereof. A retiring Officer shall be eligible for re-election. If he is an ex officio member of the Central Council such retiring officer shall be entitled to vote in the election of Officers for the ensuing year. A delegate of a Section may be elected to be an Officer of the Guild but if so elected otherwise than as a Trustee, the Committee of the Section of which he is a delegate shall appoint another member to be a delegate in his place in the manner provided by Rule 14 hereof. The Officers named above shall be the sole officers of the Guild for the purposes of Section 89 (1) of the Industrial Relations Act, 1971. If there are two or more nominations for the annual election of the Officers of the Guild the nominee receiving the lowest number of votes will drop out of the remaining ballots until such time that only two nominees remain and the final ballot will be determined by a simple majority of votes cast. Similarly if there are four or more nominations for the annual election of the three Guild Trustees, the same procedure detailed above will be followed.
- (d) Any Officer of the Guild or member of the Central Council may be removed from office at any time by a resolution passed at a General Meeting of the Guild by ballot representing not less than two-thirds of the Members of the Guild.
- (e) Any individual who is the recognised Guild representative of a private company or firm shall be eligible to hold office as a member of the Central Council either as a delegate or as an Officer of the Guild.
- (f) The Central Council may meet together for the dispatch of business, adjourn and otherwise regulate its meeting as it thinks fit provided that it shall not meet less than once in any one year and it may determine the quorum necessary for the transaction of business at such meetings. Unless otherwise previously determined at a Central Council Meeting, fifteen shall be a quorum. Questions arising at any meeting shall be decided by a majority of votes cast in the manner provided by Rule 11 hereof. In cases of an equality of votes the Chairman shall have a second or casting vote.
- (g) A Committee entitled the Management Committee shall be appointed by the Central Council to deal with any business that may arise. This Committee shall be composed of the President, two Vice Presidents and Treasurer together with one representative member from each of the ten Sections. Any of the four full or four Vice Central Council delegates of each section will qualify to attend and vote at Management Committee meetings. The meetings of the Management Committee shall be convened by any three members from the President, Senior Vice President, Junior Vice President, Treasurer and General Secretary and shall be held as often as the business of the Guild requires and five Members thereof shall form a quorum. The Management Committee shall have and may exercise all such powers as the Central Council may from time to time by resolution delegate to it.
- (h) The Central Council shall also have power from time to time to appoint such other Committees (consisting of 4 or more Members) as may be thought necessary to deal with any special work or matter concerning the Guild or any of its Members and to delegate to such Committees all or any of the

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powers of the Central Council. The Central Council by a two-thirds majority of those present and voting may remove a member of any Committee appointed by them under these rules, and appoint a successor by a majority resolution.

- (i) The necessary expenses incurred in convening all meetings of the Guild and of the Central Council and of all Committees thereof shall be paid by each Section. Each Section is to pay their own delegates' hotel expenses the limit of the hotel expenses should be left to the discretion of each Section. All officers and delegates attending meetings of the Central Council and of all Committees thereof shall be entitled to have their second class return fare or the mileage rate as legislated by Her Majesty's Revenue & Customs paid out of the funds of the Guild together with a subsistence allowance of £125 net for each day during which such attendance causes them to be absent from their business.
- (j) The President of the Guild shall be Chairman of the Central Council and of the Management Committee and shall preside at all meetings of the Central Council or Management Committee at which he shall be present, but if at any such meeting the President be not present within fifteen minutes after the time appointed for holding the meeting or shall be unwilling to preside one or other of the Vice Presidents of the Guild shall be Chairman, and if neither of the Vice Presidents be present or willing to preside then the Members of the Central Council or Management Committee shall choose someone of their number to be Chairman of the meeting.
- (k) The Sergeant-at-Arms may attend all meetings of the Central Council and any other meetings decided by the Central Council. His duty shall be to preserve order at such meetings in accordance with the directions of the Chairman thereof and to carry out such other duties as shall be committed to him by the Central Council.
- (l) The Central Council shall have the power to appoint a person with legal qualifications (who may be in addition to any solicitor employed under Rule (31) to advise the Central Council on any matter that may arise, and such person may attend and give advice accordingly at any meeting of the Central Council or of any Committee thereof, and may deal on their behalf with any matter arising therefrom.
- (m) Guild Deposit Fund – A fund to be known as the Guild Deposit Fund shall be set up and used for the following:
 - (a) To save on the high rate of overdraft interest and other bank charges.
 - (b) To supplement either Central or Section funds in the event of need.
 - (c) Any other purpose approved by the Management Committee.Funding shall be on a voluntary basis from Section funds or individual members. The Management Committee shall consider and deal, at their absolute discretion, with applications for loans from the fund. Lenders will be reimbursed at an agreed rate of interest. Deposits to be repayable on application by depositors giving 21 days notice of withdrawal.
- (n) In times of National Emergencies ONLY – each Section shall nominate one Central Council Delegate to act as its representative on an Emergency Committee. This Committee shall include and be chaired by the Officials of the Guild and shall have the power to override the Rules of the Guild for a period of two calendar months – after which it shall be reviewed. This Committee will ensure that in the event that it overrides any Guild Rules, the Guild continues to comply with Competition Law. The Section shall have the right to change its delegate at anytime.

10 - GENERAL MEETINGS OF THE GUILD

- (a) General Meetings of the Members of the Guild shall be held at such places and at such times as shall be decided by the Central Council.

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- (b) The Central Council may call a General Meeting whenever it thinks fit.
- (c) The Central Council shall call a General Meeting whenever a requisition in writing signed by not less than one-tenth in number of the Members of the Guild or by not less than three delegates of the Central Council representing separate Sections and stating fully the object of the meeting shall be deposited at the Registered Office of the Guild. Such General Meeting shall be convened within 28 days of the receipt by the General Secretary of the said requisition.
- (d) Seven days' notice specifying the place, the day and the hour of meeting and the general nature of such business to be discussed shall be given in the manner hereinafter mentioned, to such Members of the Guild as are under the provision of these rules entitled to receive notices from the Guild, but the accidental omission to give notice to, or the non-receipt of such notice by, any member shall not invalidate any resolution passed, or proceeding had, at any such meeting.
- (e) No business shall be transacted at any General Meeting unless a quorum is present when the Meeting proceeds to business. For all purposes the quorum shall be six Members personally present.
- (f) If within half an hour from the time appointed for the holding of a General Meeting a quorum is not present, the Meeting, if convened on the requisition of Members or delegates, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place or at such other place as the Chairman shall appoint, and if at such adjourned Meeting a quorum is not present within half an hour from the time appointed for holding the Meeting, the Members present shall be a quorum.
- (g) The Chairman with the consent of any Meeting at which a quorum is present, may adjourn a Meeting from time to time and from place to place, as the Meeting shall determine. Whenever a Meeting is adjourned for ten days or more, notice of the adjourned Meeting shall be given in the same manner as of an Original Meeting. Save as aforesaid the Members shall not be entitled to any notice of an adjournment, or of the business to be transacted at any adjourned Meeting. No business shall be transacted at any adjourned Meeting other than the business which might have been transacted at the Meeting from which the adjournment took place.
- (h) The President of the Guild shall preside at every General Meeting but if at any Meeting he shall not be present within fifteen minutes after the time appointed for the holding of the same, or shall be unwilling to preside one or other of the Vice Presidents of the Guild shall be Chairman, and if neither of the Vice Presidents be present or willing to preside then the members of the Central Council shall choose one of their number to preside, or if no such Members be present, or if all the Members of the Central Council decline to take the chair, the Members present at the Meeting shall choose one of their number to be Chairman.

11 - PROCEDURE AT CENTRAL COUNCIL AND GENERAL MEETINGS

- (a) Subject to the provisions of the Rules, at all General and Central Council Meetings a resolution put to the vote of the meeting shall be decided on a show of hands by a majority of the Members present in person and voting, unless before or upon the declaration of the result of the show of hands a Poll be demanded by the Chairman or demanded by at least six Members present in person and voting, and unless a Poll be so demanded a declaration by the Chairman of the Meeting that a resolution has been carried shall be conclusive and an entry to that effect in the Minute Book of the Guild shall be conclusive evidence thereof without proof of the number or proportion of votes recorded in favour of or against such resolution.

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- (b) If a Poll be so demanded it shall be carried out upon the Card Vote System either immediately or before the conclusion of the meeting at such time as the Chairman shall direct and three Scrutineers shall be appointed by the Chairman to conduct the same. The Secretary, or some other person present representing each Section, shall hand in to the Scrutineers a Voting Card recording the vote of the Section and the number of Members in the Section. The person representing the Section shall record the vote of the Section in accordance with the decision of the Section as expressed at a Section Meeting in accordance with Rule 14 c. provided that at the Section Meeting the Section may by resolution authorise the representative to record the Card Vote of the Section as he shall in his discretion think best. The Scrutineers shall subsequently report the effect of the Voting Cards handed in and the Chairman shall announce the result of the Card Vote to the Meeting.
- (c) In case of an equality of votes either on a show of hands or on a Poll, the Chairman of the Meeting shall be entitled to a further or casting vote.
- (d) The demand for a Poll shall not prevent the continuance of a Meeting for the transaction of any business other than the question on which a Poll was demanded.
- (e) Section Secretaries who are not Members of the Guild may by consent of the Central Council attend Meetings of the Central Council and General Meetings with their Section delegates but they shall have no powers and may only speak with the consent of the Chairman on matters relative to the interests of their Section. Where, however, a Poll is demanded such a Secretary shall be entitled to act as the representative of his Section for the purpose of recording the Vote of such Section pursuant to sub-rule b. hereof. The Section shall be responsible for the expenses of such Secretary irrespective of the number of delegates they send.
- (f) The right to demand a Poll shall not apply to meetings of the Management Committee or any other Committee appointed by the Central Council unless the Central Council shall by resolution expressly so provide.

12 - VOTES AT GENERAL MEETINGS

- (a) Subject as herein provided every full member shall have one vote.
- (b) Save as herein expressly provided no person other than a full member or a recognised representative of a Company or Firm who shall have paid every subscription and other sum (if any) which shall be due and payable to the Guild and/or his or its Section in respect of his or its Membership shall be entitled to be present and to vote (either in person or by a Section representative on a Card Vote) on any question at any General Meeting.
- (c) Notwithstanding anything hereinbefore contained it shall be permissible for Members' wives to attend the Annual General Meeting of any Section provided they take no part in the deliberations and have no power to vote.

13 - SECTION WORKING

For the purposes of more efficient organisation and administration the Guild shall be divided into ten Sections which shall respectively embrace the following areas:

- No. 1 Section - Northumberland, Durham, Tyne and Wear and that part of North Yorkshire defined by a line drawn from Hawes to Staithes and which shall include Leyburn, Richmond and Northallerton.
- No. 2 Section - Lancashire, Cheshire, Conway, Gwynedd, Wrexham, Flintshire, Denbighshire, Anglesey. Isle of Man.
- No. 3 Section - Yorkshire (except that part of North Yorkshire included in No. 1 Section) and that part of Lincolnshire north of a line drawn so as to include Gainsborough, Corrington, Caenby Corner, Glentham, West Rasen, Market Rasen, North Willingham, Ludford, Magna, Elkington, Louth, Legbourn, Withern, Maltby-le-Marsh & Mablethorpe.

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- No. 4 Section - The historical counties of Staffordshire, Leicestershire, Warwickshire, Worcestershire and Shropshire.
- No.5 Section - Norfolk, Suffolk, Cambridgeshire, Bedfordshire, Rutland, Huntingdonshire, Hertfordshire and Northamptonshire.
- No.6 Section - London, Kent, Surrey, Sussex, Essex, Middlesex, Buckinghamshire, Berkshire and Oxfordshire.
- No.7 Section - Gloucestershire, Wiltshire, Somerset, Dorsetshire, Hampshire, Devonshire, Cornwall, the former County of Avon and the Isle of Wight.
- No.8 Section - Derbyshire, Nottinghamshire and Lincolnshire (except that part included in No. 3 Section).
- No.9 Section - Dyfed, Bridgend County Borough, South Glamorgan, West Glamorgan, Gwent, Powys, Herefordshire and the six counties of Northern Ireland.
- No.10 Section - Scotland, Cumberland and Westmorland.

14 - MANAGEMENT OF SECTIONS

- (a) Each Section shall hold an Annual General Meeting of its Members not later than the end of November in every year. In addition to any other business at such Annual Meeting the Yearly Report of the Section and Statement of Accounts shall be presented and the Committee for the ensuing year shall be elected.
- (b) The Annual General Meetings shall be called Ordinary Meetings. All other meetings of Members of a Section shall be called Extraordinary Meetings. All business shall be deemed special that is transacted at an Extraordinary Meeting and all business shall be deemed special that is transacted at an Ordinary Meeting with the exception of the consideration of the Yearly Report and Statement of Accounts and the Election of the Committee for the ensuing year.
- (c) The Section Committee may call an Extraordinary Meeting of Members of the Section whenever it thinks fit and shall call an Extraordinary Meeting whenever a requisition in writing, signed by not less than twenty Members of the Section and stating fully the reason and objects of the meeting, is deposited with the Section Secretary.
- (d) No resolution at an Ordinary or Extraordinary Meeting of Members shall affect the duty of a Section Committee to determine disputes under Rules 17, 18 and 19, nor shall any resolutions reverse or alter any decision of a Section Committee against which a right of appeal to the Central Council is given to a member under Rule 20.
- (e) All meetings of Members of a Section shall be held at such place as shall be decided by the Section Committee. Seven days' notice specifying the place, day and hour of meeting, and in the case of special business, the general nature of such business, shall be given in the manner provided in Rule 36. Provided that emergency business may be dealt with at such meeting in accordance with sub-rule f. notwithstanding that no reference thereto has been made in the said notice.
- (f) Save as hereinafter provided, matters for inclusion on the Agenda of any meeting of Members of a Section shall be submitted to the Section Secretary in writing fourteen days prior to the date of the meeting. Questions arising at such meetings on matters submitted as aforesaid and included on the Agenda shall be decided by a majority of votes of those present and voting. In the case of an equality of votes the Chairman shall have a second or casting vote. Members shall be entitled to raise at such meetings, as emergency business, matters not submitted as aforesaid or included on the Agenda provided that no resolution shall be passed on any such emergency business unless at least two-thirds of those present and voting vote in favour thereof.

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- (g) No person other than a member or a recognised representative of a Company or Firm who shall have paid every subscription and other sum (if any) which shall be due and payable to the Guild and/or his or its Section in respect of his or its Membership shall be entitled to be present or vote on any question at a meeting of the Members of a Section.
- (h) The Accounts of each Section shall be audited each year by an Auditor who shall be a Chartered Accountant to be appointed by the Section Committee, and a Balance Sheet and Income and Expenditure Account shall be prepared and presented to the Annual Meeting of Members of the Section for approval. An audited copy of Accounts of each Section together with a copy of the Yearly Report and a complete list of the paid-up full Members of the Section with their addresses shall be forwarded to the General Secretary of the Guild. In addition, a complete list of the paid-up full Members of each Section with their address shall be forwarded by each Section to the other 9 Sections of the Guild not later than the 24th December of each year so that they can be presented to the Management Committee at the first practicable meeting thereafter, and the Treasurer shall so present them. The completed accounts, duly approved by the Section in General Meeting, shall be forwarded to the General Secretary by not later than the 31st December.
- (i) Each Section shall be managed by a Committee which shall be elected by the Members of the Section at their annual meeting. For the purposes of this sub-rule and sub-rule k. below, member shall be deemed to include representative member as defined in Rule 6 c. (2) and Rule 6 d.(3). This Committee shall consist of such number of Members as the Section in General Meeting shall, subject to sub-rule k. hereof determine. The said Committee when elected shall appoint its own Chairman, Vice Chairman, Treasurer, Secretary and/or Assistant Secretary, three Trustees and a Sergeant-at-Arms. The Section Committee shall have the power to co-opt the retiring Chairman to the Committee for one year should they so desire. The officials other than the Trustees and the Secretary and Assistant Secretary (if any) shall be appointed from Members of the Committee.
A person who has been elected to be a member of the Section Committee may be appointed to be a Trustee or Secretary or Assistant Secretary and in such case such person shall be entitled to vote at meetings of the said Committee but not otherwise. The Secretary and Assistant Secretary (if any) need not be Members of the Guild. A retiring officer shall be eligible for reelection. The Secretary shall be responsible for the administration of the Section under the direction of the Section Committee.
- (j) This Committee shall (subject to the provisions of the Rules and to any direction given by the Central Council) be responsible for the carrying out of the objects of the Guild within the area covered by its Section and for dealing with matters of a local nature which especially affect the Members within its Section. It shall also be responsible for the collection of the subscriptions of the Members of the Section and shall, unless otherwise determined by the Central Council, either generally or in any particular case be entitled to retain 55% of such subscriptions collected for local Section expenses to be reviewed annually. The remainder of the subscriptions collected shall be sent direct either to the General Secretary or Treasurer of the Guild, but the whole of the subscriptions collected shall be deemed to form part of the funds of the Guild. The sum due to the Central Office shall be sent in two instalments: the first on 1st August, being that sum due in relation to subscriptions collected as at 31st July; the second on 1st October, being the balance due according to the Section's audited accounts.

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- (k) Within one month preceding the annual Section Meeting, which shall be advertised in "The World's Fair" newspaper or other Guild approved system not less than 28 days before the date upon which it is proposed to hold the same, Members of the Section must submit in writing to the Section Secretary, the names of such Members who must be an individual member in his own right of the Section he is desirous to sit on the Committee of, as they desire to propose for election to and who are willing to serve on the Section Committee for the following year. A member may not nominate himself. Such nominations must be received by the Section Secretary at least fourteen days prior to the annual Section Meeting of Members.
- (l) At the annual Section Meeting of Members, ballot papers containing all the names of the nominations received shall be given to each full member attending such meeting, who will vote by placing an "X" opposite the names of the candidates he is desirous of electing. The number of elected Members to serve on such Committee shall be determined by a show of hands prior to the election of Members to the Committee but so that the minimum number of elected Members of the Committee shall not be less than eight. Each member of the Section shall have as many votes as there are vacancies to be filled. He shall not be entitled to give more than one vote to any one candidate. It shall not be permissible for any member to canvass or endeavour to induce Members to cast their vote in his favour, nor shall it be permissible for any member or number of Members to canvass or endeavour to induce Members to cast their votes in favour of any member or Members. If a Committee's number be depleted that Committee shall have power to co-opt the requisite number to bring it up to its original strength. If a Section Committee's number falls to below eight the Section shall be administered by persons appointed by Central Office until the next annual general meeting or an extraordinary general meeting can be called to elect a new Committee.
- (1) On completion of the election of the Section Committee referred to above, two Safety Liaison Officers shall be duly elected in the manner prescribed, from the body of that elected Committee to carry out clearly defined duties as laid down and determined by the Safety Committee of the Guild.
- (m) Any official or member of the Committee of a Section may be removed by a Resolution passed by a majority representing not less than two-thirds of the Members of the Section present and voting at a General Meeting of the Section.
- (n) Each Section Committee shall meet at least three times a year as and when convened by its Chairman and Secretary and five Members thereof shall form a quorum. The Chairman and Secretary may at any time, and shall upon the request in writing of any five Members of the Section Committee stating fully the objects of such meetings, convene a meeting thereof. Questions arising at any meeting of a Section Committee shall be decided by a majority of votes of those present and voting. In the case of an equality of votes the Chairman shall have a second or casting vote. The President, two Vice Presidents, Treasurer, if he is a member, and Past Presidents of the Guild for the time being shall be Members of every Section Committee and shall be entitled to attend and vote at meetings of any such Committee.
- (1) All agendas must, after apologies, have the agenda item:

Declaration of Interest

The Committee must receive any declaration of a personal or prejudicial interest of a member on any item on this agenda. This is to comply with the main principles of Natural Justice, i.e.

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- (a) **No man shall be a judge on his own cause.** A member must not conduct him or herself in a manner which could reasonably be regarded as bringing the Guild into disrepute. Any member must not use his or her position as a member improperly to secure or confer on him or herself or any other member any advantage or disadvantage to members of the Showmen's Guild of Great Britain.
- (b) **Any other personal interest must be declared.** No member knowing all the facts would think that any other interests was so significant that it may affect any judgement of the members' interests. To protect and uphold the Rights and interests of the members, i.e. Rule 3(a); whereas a decision on the matter might reasonably be seen as affecting the financial position or wellbeing of members of the Showmen's Guild of Great Britain. Failure to comply with the above will be an offence.
- (c) Each Section Committee shall have power to make, amend or revoke Bye-laws for the better working of its local affairs and for regulating its own procedure, but any such Bye-laws or any revocation or amendment thereof shall be approved by the Central Council before they come into operation.
- (p) A Section Committee may enter into any necessary arrangements with a public body or private individual respecting the control, taking, letting and working of Fairs within its area for the benefit of Members of the Guild provided that adequate guarantees are first obtained that no loss is incurred thereby and that such arrangements be in accordance with the Rules and Bye-laws of the Guild.
- (q) Each Section Committee shall from time to time appoint the Secretary, or some other member of the Section, to represent the Section for the purpose of recording the Card Vote of the Section at General or Central Council Meetings of the Guild.
- (r) Each Section Committee shall appoint from their number annually four principal delegates to include the Chairman and the Secretary, (if a member of the Guild), to serve on the Central Council and four vice-delegates to serve thereon in case any of the principal delegates shall be unable to attend any meeting of the Central Council or is appointed to be an officer of the Guild. Such vice-delegates shall not be Members of the Central Council and the Central Council vice delegates shall be authorised to attend Appeals Committee meetings as a principal Section representative in the event of the absence of the elected delegate as defined in Rule 20 k. (1), or in the event of any principal Section Council delegate not being able to attend, except when sitting at a meeting of the full Council. The Section Committee shall also have power from time to time to fill any casual vacancy caused by the inability of a principal or vice-delegate or otherwise to serve as a delegate by appointing from their number another delegate or vice-delegate in his place. In the event of any principal delegate being unable to attend a meeting of the Central Council, the Section Secretary shall be empowered to notify the vice-delegates, in order of sequence as decided by the Section Committee. Any one of the principal delegates to the Central Council can be called upon to serve as a deputy to any other delegate of the Section who is a member of any of the Council sub-committees. The appointment by the Central Council of delegates to the Management and Appeals Committees under Rules 9 g. and 20 k. made at the first Central Council meeting of the year, shall run up to, but not including the first day of the first Central Council meeting of the year next following, whether or not such delegates are renominated to such Committee or re-appointed to the Central Council at their Section's Annual General Meeting held under provided that should a member of the Central Council cease for any reason to be a member of his Section Committee, his Membership both of the Council and of any Committee thereof shall cease forthwith.

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- (1) It shall be an offence for any member who is found to have given false evidence as a witness against another member on complaint and will be subject to a complaint being laid against him under Rule 14(r)(1).
- (s) Each Section at its Annual General Meeting shall appoint from its Members as Committee to be called the "Vigilance Committee", which shall use its best endeavours to ensure that proper sanitary conveniences are provided and attended, that the provisions of Rule 21 g. are complied with, and that good order is maintained at all Fairgrounds and at all camping and parking sites run by Members. It shall be the duty of the Vigilance Committee to report to the Section Secretary particulars of any breaches or suspected to breaches of the Rules which come to its notice.
- (t) A member shall have the right to attend a meeting of a Section of which he is not a member and shall be entitled to speak at such Meeting. Such Member shall also be allowed to vote on any question by permission of the Chairman of the Meeting.
- (u) Given the importance and necessity for members who agree to abide by the Rules of the Guild every member (save for non-operating and privileged members) shall purchase a Year Book at the time they renew their membership of the Guild. Members who have multi memberships will only be required to purchase one Year Book per multi membership.

15 - DISQUALIFICATION

The office of a member of the Central Council or Section Committee be vacated:

- (a) If he be found lunatic or of unsound mind.
- (b) If he ceases to be a member of the Guild.
- (c) If by notice in writing he resigns his office.
- (d) If found to be guilty of gross misconduct.
- (e) Any member found guilty in a court of law of any serious sexual offence shall have their membership terminated.

16 - INDEMNITY OF OFFICIALS

If any legal proceedings of a civil nature or a criminal nature in relation to his responsibilities acting as a named individual under the terms of the Guidance on Safe Practice are brought against any officer of the Guild or member of the Central Council, or any officer of a Section or any member of a Section Committee or Steward as a result of or arising out of any action performed by him in his official capacity and in the proper discharge of his duty, or against any member of a Section as a result of any action properly taken by the Section in accordance with the Rules, the Guild, in the case of an officer of the Guild or member of the Central Council and the Section, in the case of any officer of a Section or a member of a Section Committee or member of a Section, shall arrange for the person concerned to be legally represented if he so desires and shall pay all legal costs which may be incurred and all damages which may be awarded against the person concerned out of the Guild or Section Funds as the case may be.

17 - COMPLAINTS

- (a) A member shall have the right to make a complaint against another member, provided such complaint is made in the manner set out below.
- (b) All complaints must be made by completing the forms obtainable from the Section Secretary in whose area the complaint arises, and sending the completed form together with a deposit of £25 (which may not cover the costs of the hearing of the Complaint and Rule 19.d may be exercised at the Section Committee's discretion) to the said Section Secretary whose Committee have power to deal with the same within 14 days of the date when the complainant first knew, or ought to have known, both the facts giving rise to the complaint and the identity of the member complained against: except that a Section

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Committee may hear a complaint sent outside the said 14 days provided they are satisfied special reasons exist for the delay.

- (1) Notwithstanding the 14 day time limit set out in Rule 17.b., when receiving Stewards or any Committee Members' reports, Section Committees shall have the authority to instruct their Sergeant-at-Arms or any Committee member to lay complaints arising from matters reported; provided that such complaints are laid within 14 days from the first meeting of the Section Committee following the alleged offence(s).
- (c) The complaint shall state:
 - (1) The name and identity of the member complained against (the complainant may request the full name and Guild number of such member from the Section Secretary when applying for the form, or he may inspect the register of Members kept at the Section Office). However, when a complaint is laid against a Section Committee in their capacity as Lessee (as laid out in Rule 23.a. (8)) it will be sufficient to name the relevant Section only.
 - (2) When and where the cause of complaint arose.
 - (3) The number and clause or any sub clause(s)/paragraph(s) of the Rule and/or Bye-law alleged to be broken.
 - (4) The reason why it is considered that a breach of such Rule and/or Bye-law has occurred.
- (d) Should the Section Committee at the hearing consider that the member complained against has been materially prejudiced in preparing his defence because the complaint does not fully comply with sub-rule c. above, or because there is an error or omission in the same, they shall either:
 - (1) dismiss the complaint or
 - (2) order that the complainant amend his complaint, and adjourn the hearing subject to the complainant paying such expenses, if any, as the Committee think fit.

If they consider the member complained against has not been so prejudiced they shall proceed to deal with the complaint.

- (e) The Appeals Committee and Tribunal on the hearing of an appeal or Reference shall have power to alter or reverse any decision of the Section Committee taken under sub-rules b., c. or d. above whether or not the matter is expressly referred to by either party to the appeal.
- (f) It shall be the duty of the Section Secretary, within 14 days of the receipt by him of a complaint, to give notice in writing to the member complained against, and to send him a copy of the complaint. It shall be the duty of the Section Committee to deal with the complaint within a reasonable time thereafter.
- (g) Hearing of Complaint by another Section
 - (1) A Section Committee may make application to the Appeals Committee that any complaint made to them under this rule should be heard by the Committee of another Section. Such application should include the completed Complaint Form together with a deposit of £25 which shall be forwarded to the Section office appointed to hear the Complaint upon the granting of the application. The Appeals Committee may grant such application and appoint another Section Committee to hear the case provided that they are satisfied that by reason of the special circumstances of that case the interests of justice so require. The decision of the Appeals Committee on such application shall not be the subject of Appeals to the Appeals Tribunal.

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- (2) Where a Section Committee appointed by the Appeals Committee under this sub-rule to hear complaints made to another Section Committee imposes any fine, such fine shall be remitted to the Section where the complaint originated, except where a complaint is held up against a Section Committee under Rule 23(a) (8) or Section Stewards under Rule 19(a) (7), then section hearing the complaint shall retain the fine. The Section Committee hearing the complaint shall also have power to impose expenses on either party involved in said Complaint as they think fit. Where a fine is removed on Appeal, or where any dispute arises on such expenses, the Appeals Committee shall determine the matter.
- (3) Upon application by a Section Committee to Central Office, any two of the three principal Officials of the Guild shall be empowered to direct that any complaint made to them should be heard by the Committee of another Section. Any two of the three principal Officials of the Guild may grant such application and appoint another Section when the matter is considered urgent and the Appeals Committee will not be sitting for two months or more Committee to hear the case, provided that they are satisfied that by reason of the special circumstances of that case the interests of justice so require.
- (h) The deposit shall be refunded if:
 - (1) The complaint is successful, or
 - (2) The Section Committee considers that the circumstances so warrant. The Section Committee may also order that the whole or any part of the deposit shall be retained in part payment of any fine.
- (i) A complaint lodged may be withdrawn on application to the Section Committee, who shall give consent, subject to forfeiture of deposit and payment of expenses as they think fit, unless they consider the complaint affects the interests of Members not involved in the dispute when they shall have discretion.
- (j) A complaint will be dealt with in the Section where lodged unless the complaint is laid against a Section Committee in their capacity as a lessee, as laid out in Rule 23.(a)(8)
- (k) Unless a Complainant states a reason on the Complaint form he would like a case to be heard in a different Section, or a defendant contacts the Section Office within 14 days of receiving notification a case has been laid, stating a reason and requesting it is heard in a different Section.

18 - DISPUTES AND RIGHTS OF MEMBERS

- (a) Subject to the provisions of Rule 37 the Committee of each Section shall have the power to adjudicate on and decide any question or dispute which may arise as to the rights of any member under any Rule or Bye-law (including rights which arose or were granted by virtue of any Rule or Bye-law which shall previously have been in force but which has ceased to be in force) and in particular to decide whether and to what extent the rights of any member shall have priority over or be sub-ordinated to the rights of any other member.
- (b) Any decision given under this Rule by a Section Committee or by the Central Council on appeals or an Appeals Tribunal shall be final and binding on all Members of the Guild.

19 - FINES AND PENALTIES

- (a) The Committee of each Section shall have power to expel from the Guild or to impose fines and/or penalties and/or conditions and/or any other decisions on any member who, in the opinion of the Committee:-
 - (1) Wilfully or otherwise breaks, evades or violates any of the provisions contained in the Rules or Bye-laws of the Guild.

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- (2) Wilfully or otherwise disregards or acts in any manner contrary to or inconsistent with any decision, resolution, ruling or direction of the Guild or of any Committee referred to in the Rules, providing such decision is one authorised to be made under these Rules and Bye-laws. This sub-rule shall not apply to a decision made following a complaint or appeal to which the procedure within the Rules 19 e. or 20 j. apply.
- (3) Acts, in the opinion of the Section Committee or Appeals Committee, in a manner prejudicial to the legitimate interest of the Guild or its Members. The Section Committee, or on appeal the Central Council, shall be the sole judge whether any act is prejudicial as aforesaid. A prejudicial act shall include conduct that is liable to prejudice the rights and privileges of Members of the Guild.
- (4) Makes an incorrect return of the amount or extent of equipment owned and operated by him.
- (5) Is guilty of unruly or unseemly conduct, or such other conduct or behaviour as in the opinion of the Section Committee or Appeals Committee on a reference to them is liable to hinder the orderly running of any Fair or other event within the scope of this sub rule. This sub rule shall apply only to conduct or behaviour in relation to the conduct of a member's business, or on any Fairground, winter quarters sites, parking sites, or at any meeting of the Guild or any Section or Committee thereof, or at any social function which is promoted by either the Central Council and/or a Section of the Guild, or at any place where Members of the Guild foregather for the purposes of business or pleasure, by their action(s) bring and/or put the business into disrepute; and a member shall be held responsible under this sub-rule for any such conduct or behaviour as aforesaid committed at any such place or on any such occasion as aforesaid by himself, his wife or companion, any member of his family resident with him or any relative working in his business and not being a member in his or her own right and also for such conduct or behaviour committed by any non-member employee within the boundaries of a Fairground at which the member is currently operating. Firms and Limited Companies who are Members shall be responsible under this rule for such conduct committed by individual Members of the Firm or Company, whether or not such persons are Members of the Guild in their own right. It shall be an offence for any member who is found to have given false evidence as a witness against another member on complaint and will be subject to a complaint being laid against him under Rule 19(a)(5).
- (6) Misappropriates any of the funds of the Guild or any Section thereof.
- (7) Being an Officer of the Guild or of a Section, or a member of a Section Committee or a Steward at a Fair appointed by a Section Committee refuses or neglects or otherwise fails properly to perform any duty imposed on him. The aforesaid power shall include the power to give directions to a member as to any matter connected with his business and power to impose a fine to be paid in default of the member carrying out any decisions of the Committee.
- (8) Is found, following the investigation by complaint of any involvement by way of dealing, procuring, selling or taking of any opiate based substance or any other similar substance, be it addictive or otherwise, other than when prescribed by a doctor of medicine for proven medical grounds, irrespective of the fact that current legislation may regard such substance as being categorised in law as a class of substance not illegal in its use. Any proven offence shall attract the severest of penalties allowed by Guilds Rules including termination of membership.

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Additionally if a member is found guilty in a court of law of money laundering, dealing or attempting to deal in any drugs as mentioned above, the minimum fine should not be less than £5000 [five thousand pounds].

- (9) Any member found guilty in a court of law of any serious sexual offence shall have their membership Terminated.
- (b) The fine, penalty, condition and decision shall be in proportion to the nature of the offence, and no fine or penalty shall exceed the sum of £15,000 in respect of any one offence.
- (c) A Section Committee shall not exercise the powers under sub-rule a. of this rule unless:-
- (1) A complaint has first been lodged according to Rule 17 and the Committee are satisfied that the provisions of that Rule have been complied with. A Section Committee may investigate under this rule any alleged breach of a Rule or Bye-law by means of a complaint laid under Rule 17 by their Sergeant-at-Arms or any other member of the Committee. The complainant in such cases shall not sit on the Section Committee at the hearing, and the Section Committee must be satisfied that an offence is proved before making any order under Rule 19 a. (1) above. Any such order is hereby expressly stated to be subject to the right of appeal.
 - (2) The member concerned has been given an opportunity of appearing before the Committee and if he so wishes making representations on his own behalf. With the consent of the Section Committee but not otherwise the member concerned may be accompanied by, or may appear by his wife, husband, son or daughter or a member of the Guild who may make representations on his behalf. A Section Committee may adjourn the hearing and may instruct either or both parties or the Section Secretary to obtain further information, provided they are satisfied this course is necessary to come to a decision. Such information shall be produced at the adjourned hearing, to which all parties shall be given an opportunity to attend.
- (d) If a Section Committee is called upon to deal with a complaint made by one member (in this rule referred to as "the complainant") against another member (in this Rule referred to as "the respondent"), the Committee, in addition to the powers conferred by sub-rule a. shall have power to order either the complainant or the respondent to pay such sum as the Committee shall fix towards expenses incurred by Members of the Committee and/or by the other party in connection with the investigation of the complaint. The said sum is referred to in these Rules as "expenses" which may also be awarded to the other party against a member who has withdrawn a complaint if the Section Committee are satisfied he has not given sufficient notice for the other party to be notified in time to avoid his journey.

(e) Compliance

- (1) All decisions of the Section Committee under this rule shall be carried out within 14 days from the notification of the decision in writing or within such other greater or lesser time that the Section Committee may, at their discretion, direct. If it appears that any such decision has not been complied with within 14 days, or such other period as may have been directed as aforesaid, the member concerned shall be summoned to appear before the Section Committee and on his appearance may give such explanation as to his compliance or lack of compliance with the decision as he may desire. If, after hearing such explanation, the Section Committee are satisfied that the member concerned has not complied

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with the decision, they shall declare his Membership at an end and refer the relevant paperwork to the Appeals Tribunal, through Central Office who shall give the member an opportunity to appear before them to give just cause as to why his membership should not be terminated, following which the Tribunal shall grant or otherwise for confirmation to proceed. If the Section Committee are satisfied, having regard to all the circumstances of his case or non-compliance that some penalty or order less than cessation of Membership would be just, in which event they shall impose such lesser penalty or order without reference to the Appeals Tribunal. The Section Committee may exercise their powers under this sub-rule if the member fails to appear provided he has been given not less than seven days' notice at his registered address, and no satisfactory explanation is received as to his absence.

- (2) Any penalty or order (including cessation of Membership) made by the Section Committee under this sub-rule shall not be capable of reference to the Central Council under Rule 20 a. but shall be final.
- (3) If, within 14 days of his being notified of a decision of the Section Committee other than a decision made under clause (1) above the member refers his case to the Central Council under Rule 20 a. the Section Committee shall take no action under this sub-rule unless and until the said appeal has been withdrawn.
- (f) If a member travels for the purpose of his business or temporarily resides in the area of a Section other than that to which he belongs he can only be dealt with under this rule by the Section in the area in which he is so travelling or temporarily residing in respect of any act or omission done or omitted by him within the area of that Section.
- (g) While a member is travelling for the purpose of his business or temporarily residing in the area of a Section other than that to which he belongs he shall be subject to and shall observe the Bye-laws of the Section in which he is so travelling or temporarily residing. The Secretary of the Section concerned shall furnish such member with a copy of the Bye-laws on request.

20 - APPEALS

- (a) Subject to the provisions of these Rules:
 - (1) any member upon whom a fine, penalty, condition, decision or order to pay expenses has been imposed by a Section Committee following a complaint;
 - (2) any member who is a complainant before a Section Committee;
 - (3) any member whose rights or interests have been otherwise directly affected by a decision of a Section Committee;
 - (4) Any person who has been offered membership under Rule 8.g. (5) upon conditions and/or who has been offered or granted membership but in respect of whom the Section Committee has made no order under Rule 8.g. (4) shall have the right of Appeal to the Central Council.
- (b) A member who wishes to appeal shall, in all cases refer his appeal (which may include any grievance he may have against the Section Committee) directly to the Appeals Committee of the Central Council under this Rule, and if such appeal is under clause (3) above shall state in his grounds of appeal either:-
 - (1) that the Section Committee have broken a stated rule or Bye-law; or
 - (2) that the decision in question followed an application made to the Section Committee under a stated rule or Bye-law; or
 - (3) how his rights or interests have been otherwise directly affected by the decision in question.

The above procedure, and not that under Rule 17 shall be applicable to any alleged default of a Section Committee.

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- (4) If both parties having gone to Section Level on Complaints and if both parties agree and apply in writing to the General Secretary of the Showmen's Guild within 21 days of receiving notification from the Section of the decision the parties bypass the Appeals process and proceed straight to Tribunal. The losing party at Section level shall pay the deposit and the decision of the Tribunal will be final with no recourse to Appeal.
- (c) The right of appeal shall be by way of a re-hearing irrespective of the specific grounds of Appeal quoted, but shall not be exercisable unless the member concerned gives notice by completing the appropriate forms obtainable from the Secretary of the Section concerned, and sending a completed form both to the General Secretary and to the Secretary of the Section concerned, within 14 days of his being notified of the decision provided that the Appeals Committee shall have power to hear an appeal, notice of which has been given outside 14 days if they are satisfied that special reasons exist for the delay.
- (1) Notwithstanding the 14 days time limit set out in Rule 20.c., when receiving decisions with regard to Section complaints having been heard by another Section, Section Committees shall have the right to instruct their Sergeant-at-Arms or any committee member to appeal against such a decision providing that appeals are laid within 14 days from the first meeting of the Section Committee following the receipt of such notification of the decision.
- (d) A member who wishes to appeal against the decision of a Section Committee shall at the time of giving Notice of Appeal deposit £75 with the Central Office. The £75 may not cover the cost of the hearing of the Appeal, and Rule 20.i.(3) may be exercised at the discretion of the Appeals Committee. If the appeal is unsuccessful the deposit shall be retained by the Central Office, save that the Central Council may direct that the whole of any portion thereof shall be remitted to the Section concerned in part payment of a fine.
- (1) Notwithstanding the foregoing, where the Tribunal reverse an Appeals Committee decision, the Appellant at a Tribunal hearing shall have his Appeal deposit returned. Save that in cases where fresh evidence is introduced by the successful Appellant at the Tribunal hearing, the Tribunal shall decide whether the Appeal deposit or any part thereof shall be returned.
- (e) An appeal lodged may be withdrawn on application to the Appeals Committee who shall give consent, subject to forfeiture of deposit and payment of expenses as they think fit; unless they consider the appeal affects the interests of Members not involved in the dispute, when they shall have discretion.
- (f) The Notice of Appeal shall state the grounds of the appeal fully and comprehensively not losing sight the Appeal is a re-hearing as referred to in Rule 20(c) (failure to do so may result in the Appeal being struck out by default at the absolute discretion of the Appeals Committee) and the address at which the member making the Appeal may be found. At the time of giving Notice of Appeal the appellant shall send to the General Secretary copies of all correspondence and other relevant documents bearing on the appeal.
- (g) Upon receiving the Notice of Appeal, the Secretary of the Section concerned shall notify the General Secretary of the names and addresses of all parties to the appeal and the General Secretary shall notify all parties and the Section Secretary of the date, time and place of the hearing of the appeal. It shall be the duty of all parties, who have been given proper notice, to attend the hearing at the time notified, and in default of such attendance or an adequate explanation of absence or lateness, the Appeals Committee shall have power:
- (1) to proceed with the appeal in his absence, or
 - (2) to treat his case as in default, and determine the Appeal accordingly.
 - (3) to adjourn the appeal to a later date.

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They may order the absent or late party to pay such sum towards the expenses of the other party and/or the Appeals Committee, as they think fit, irrespective of the result of the case.

- (h) The Section Secretary will be responsible for ensuring that the Section Minute Book, or a copy of the relevant extracts therefrom (including any previous Minutes relating to the case) is certified correct by the Section Secretary and a member of the Section Committee, and all other relevant documents in the possession of the Section, are produced on the hearing of an appeal.
- (i) Upon the hearing of an appeal the Central Council Appeals Committee may:
 - (1) Affirm, reverse, alter or amend the decision of the Section Committee, or give any decision or make any order which the Section Committee might have given or made.
 - (2) Refer the matter back to the Section Committee for further consideration. Upon a matter being so referred back the Section Committee shall have the power to enquire further into the matter and to affirm, reverse, alter or amend its previous decision.
 - (3) At their discretion order any party to an Appeal and/or any Section concerned therewith, to pay expenses to the Appeals Committee that shall be an average of the annual case costs for the previous year and/or to any other party and/or any other Section Committee concerned.
 - (4) The Central Council Appeals Committee shall not exercise its powers under this sub-rule unless the parties to the appeal have been given an opportunity of appearing on the hearing of the appeal and if they so wish, making representations on their own behalf. With the consent of the Central Council Appeals Committee, but not otherwise, the parties to the appeal may be accompanied by, or may appear by their wife, husband, partner, son or daughter or a member of the Guild who may make representations on their behalf.
- (j) **Compliance**
 - (1) All decisions of the Central Council on appeal shall be complied with within 21 days from the notification of the decision or within such other time that the Central Council may, at their discretion direct. If it appears that any such decision has not been complied with within 21 days, or such other period as may have been directed as aforesaid, the member concerned shall be summoned to appear before the Central Council, and on his appearance may give such explanation as to his compliance or lack of compliance with the decision as he may desire. If, after hearing such explanation, the Central Council are satisfied, that the member concerned has not complied with the decision, they shall declare his Membership immediately at an end, refer the relevant paperwork to the Appeals Tribunal, who shall give the member an opportunity to appear before them to give just cause as to why his membership should not be terminated, following which the Tribunal shall grant or otherwise confirmation to proceed. If the Central Council are satisfied, having regard to all the circumstances, of his case of non-compliance, that some penalty or order less than cessation of Membership would be just, in which event they shall impose such lesser penalty or order without reference to the Appeals Tribunal. The Central Council may exercise their powers under this sub-rule, if the member fails to appear, provided he has been given not less than seven days' notice at his registered address and no satisfactory explanation is received as to his absence.
 - (2) Any penalty or order (including cessation of Membership) made by the Central Council under this sub-rule shall not be capable of reference to the Appeals Tribunal, but shall be final.

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- (3) If, within 21 days of his being notified of a decision of the Central Council on appeal other than a decision made under clause (1) above the member refers his case to the Appeals Tribunal under Rule 20 m., the Central Council shall take no action under this sub-rule unless and until the said reference has been withdrawn.

(k) Appeals Committee

The Central Council shall have power to appoint a Special Committee to be known as the Appeals Committee to exercise all or any of its powers in relation to appeals, save its powers under Rule 8.g. (6) in respect of an appeal against refusal of Membership. This Committee shall be composed of the President, two Vice Presidents, together with ten other Members (namely, one representative from each Section) appointed annually from its Members by the Central Council. Any five Members of this Committee shall form a quorum and may act as the Committee.

On hearing an appeal the Appeals Committee may exercise all the powers of the Central Council and may in addition refer any appeal to the Central Council.

(m) Appeals Tribunal

- (1) Any member being a party to an appeal who is aggrieved by a decision of the Appeals Committee or any member not being a party to an Appeal but whose rights or interests have been otherwise directly affected by a decision of the Appeals Committee may refer his case to a Tribunal constituted in accordance with the provisions of this sub-rule.
- (2) The Tribunal shall consist of a Chairman, who shall be a practising Barrister of not less than five years' standing and who has not advised or acted for the Guild in a professional capacity otherwise than as Chairman of a Tribunal, and two Assessors who shall be Past Presidents of the Guild or members of the Management Committee or past serving Section Chairmen not previously concerned with the case. In cases of exceptional circumstances, to be solely approved by the Chairman Barrister, one Assessor together with the Chairman Barrister will constitute the members of the Tribunal. Decisions of the Tribunal shall be determined by the Chairman.
- (3) The Central Council shall cause to be prepared a list of persons so qualified who have agreed to serve on the Tribunal, and the President and the General Secretary shall have power to constitute the Tribunal from such persons who shall be called together at such times and places as may be convenient, having regard to cases outstanding.
- (n) A member wishing to refer his case to the Tribunal shall, within 21 days of his being notified of the Appeals Committee's decision, deposit with the Central Office the sum of £300, which may not cover the cost of the hearing of the Tribunal and Rule 20 (o) may be exercised at the discretion of the Tribunal, together with a written statement of the full and exact grounds of his reference, and in default of his so doing the right of reference shall not be exercisable. Provided that either the Appeals Committee or the Management Committee shall have power, at their discretion, to extend the time for reference if they are satisfied that special reasons exist. The said deposit shall be returned to the member if his reference is successful but otherwise may be retained by the Central Council on account of the costs of the Tribunal. On receipt of the deposit and the grounds of reference, the General Secretary shall send to the other party to the appeal and to the Section Secretary concerned a copy of the said grounds of reference, and the Section Committee may instruct one of their number to attend the hearing.

- (o) The reference shall be by way of re hearing and all parties may appear personally or be represented in such manner as they think fit and may call witnesses who may be examined and cross examined, and may produce documents in support of their case. The Tribunal shall have power to require the attendance at a hearing of any member or servant of the Guild to give evidence and/or produce documents. The Tribunal may award expenses as defined in Rule 20 i, (3), and 20.g. at their discretion.
- (p) The General Secretary shall notify all parties and the Section Secretary by post, not less than seven days from the date fixed for the hearing, of the names of the Chairman and Past President or other officer appointed, and the date, place and time of the hearing. He shall also notify all parties and the Section Secretary by post of the Tribunal's decision not later than seven days from the receipt thereof by him.
 - (1) Notwithstanding the 21 day time limit set out in Rule 20, p., when receiving the Appeals Committee decisions with regard to Section Complaints, Section Committees shall have the right to instruct their Sergeant at Arms or any Committee member to refer the case to the Appeals Tribunal provided that such referrals are made within 21 days from the first meeting of the Section Committee following notification of such Appeals Committee decisions.
- (q) The Tribunal may hear the case in the absence of either party if they are satisfied that proper notice has been sent to him at his registered address of the time, date and place of hearing, and may exercise its powers under sub-rule r. below.
- (r) The Tribunal may affirm, reverse or amend the decision of the Appeals Committee and may make any order or decision the Appeals Committee might have made, and may give any directions necessary to implement their decision, and, unless they otherwise direct, their decision shall be complied with within seven days of notification, such notification to include a copy of the Tribunal's decision and written reasons. If it appears that any such decision has not been complied with within seven days, or such other period as may have been directed as aforesaid, the member concerned shall be summoned to appear before the Tribunal, and on his appearance may give such explanation as to his compliance or lack of compliance with the decision as he may desire. If, after hearing such explanation, the Tribunal are satisfied that the member concerned has not complied with the decision they shall declare his Membership immediately at an end, unless they are satisfied, having regard to all the circumstances of his case, of his non-compliance, that some penalty or order less than cessation of Membership would be just, in which event they shall impose such lesser penalty or order.
- (s) A Section Committee shall have no right of reference unless one of the following conditions is fulfilled:-
 - (1) The decision of the Appeals Committee in question follows an application made to the Section Committee under one of the following rules: 7 a., b., and h.-retention and transfer of rights; 8.g.- election to Membership 21 c.- increase of rents; 23 b. (1), (3) or (6)-preservation of rights; or
 - (2) The Management Committee have given prior approval at their absolute discretion where the Section concerned satisfy them that it is desirable in the interests of the Section Members.
 - (3) The Section Committee are Lessees of the Fair concerned under 20 m. (1) above.
- (t) The Management Committee may exercise all the powers given to the Central Council under this sub-rule.
- (u) "Member" shall include a "person refused Membership"

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21 - FAIRS, FEASTS, WAKES AND WINTER QUARTERS**(a) Letting Ground**

- (1) Subject to clause (2) below, there is no prohibition on Lessees, Sections or members letting or sub-letting ground to any Amusement Operator who is not a member, save that there shall be a prohibition on letting or sub-letting ground to:
 - (i) any person who has a criminal conviction (excluding any spent convictions) or
 - (ii) any person where the member letting Ground has evidence, on an objective assessment, showing that that person fell short of the standards of conduct to be expected of a showman dealing with the public or
 - (iii) with respect to non-members who have been expelled from the Guild, and with respect to former members who have resigned with outstanding fines for breach of Rule 19 (a)(5) any person where the reason for their expulsion was an infringement of Rule 19 (a)(5) or of Rule 19 (e)(1) or of any other Rule that indicates dishonesty or a lack of care for public safety.
- (2) Where a Landowner makes an express request in writing to a Lessee or Section to have a Fair attended by Members only (an 'all-Guild' Fair):
 - (i) that Lessee or Section shall not let ground to any Amusement Operator who is not a member;
 - (ii) no member shall sub-let ground to any Amusement Operator who is not a member;
 - (iii) Provided that a member may let ground to a local trader who is not a member to enable the local trader to sell goods usually sold by him in the course of his normal business. For the purposes of this Rule a "local trader" is a person who is a ratepayer, resident or one who usually carries on business in the town or place in which the Fair is held.

Taking Ground

No member shall take ground from any person who is not a member and who has been expelled from the Guild, where the reason for their expulsion was:

- (i) Criminal conviction - provided that the conviction remains unspent at the time the member is seeking to take ground;
- (ii) unruly behaviour;
- (iii) infringement of Guild rules that indicates dishonesty, lack of care for public safety, or some other reason showing that the person fell short of the standards of conduct to be expected of a showman dealing with the public; or
- (iv) non-payment of fines.

Otherwise, members are not prohibited from taking ground from non-members.

(b) Undesirable Activities

- (1) No member shall operate any game or conduct any business of an undesirable nature or by an undesirable method, and a member permitting such activity on his Fairground shall be jointly responsible under this Rule.
- (2) The following activities are hereby declared to be "undesirable business" within the meaning of clause (1) above:
 - (a) Palmistry; Fortune Telling; Character Reading; Run-out Working; Swing Ball; Roving Camera Workers; the sale of toy balloons filled with hydrogen or other dangerous gases, and the sale of all glass bottles; and revolvers used in shooting saloons/stalls and using live ammunition. It is an offence to use any apparatus that emits fog, smog or smoke whether it be by chemical, dry ice or any other method. It shall be an offence to offer as prizes or for sale or display any paraphernalia that may be used for the taking of recreational drugs.

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- (b) Any business or method of working that in the opinion of the Section Committee or Appeals Committee is:
 - (1) dishonest or indecent; or
 - (2) in breach of Section 49 of the Betting and Gaming Act, 1963, where they are satisfied that such breach is both material and prejudicial to the interests of the Guild or its Members; or
 - (3) Involves the display or distribution of money prizes that are not of a trivial nature. The Section Committee shall have regard to subparagraph (2) above if a complaint is laid under this paragraph (3).
 - (4) The display on any stall of Bank or Treasury Notes or of any document representing money of a greater denomination than £20 and of a greater total value than £500.
 - (5) On all Fairgrounds all dart games shall use dart boards or target surfaces made out of a material so as to allow the dart to stick in with a normal throw. All prizes displayed on any stall must be able to be won by a member of the public and the Rules of the games must be prominently displayed when in operation. Any member operating a pick-a-straw game or any game of a similar nature, shall not be permitted to display on the stall any prize which cannot be won by a member of the public. The operator when called upon by two or more Members of the Section Committee shall demonstrate to the satisfaction of the said committee Members that such displayed prizes are able to be won.
 - (6) Gas Containers. A member shall be guilty of an offence if the Section Committee (or Appeals Committee/Tribunal on Appeal) are satisfied that a spent gas container(s) used by him has been discarded on the fairground where he operated following the vacating of the fairground site.
- (3) The Central Council may, by resolution according to Rule 34, alter, add or subtract from the activities above listed, and such amendments shall thereafter be deemed to be included in such list, and shall be printed in the next edition of the Year Book. Until such amendment is so printed a member shall first be informed of the Central Council's resolution before a complaint is laid against him under this Rule.
- (4) No alcoholic drinks shall be offered or given as prizes on Fairgrounds.
- (5) Fuel Oil. A member shall be guilty of an offence if the Section Committee (or Appeals Committee on appeal) are satisfied on one or both of the following matters:
 - (a) that rebated fuel has been found in the road tank of any vehicle operated by him, or has been used to propel such vehicle.
 - (b) that he has used rebated fuel in the propelling engine of a licensed road vehicle when such engine is employed for generating electricity, unless the propeller shaft of such vehicle is disconnected by removing the coupling bolts, and the engine draws the rebated fuel from a tank or drum not mounted on the vehicle.
 - (c) The Section Committee may authorise any two Members of the Committee to inspect and report on any particular vehicle in relation to matters in paragraphs (a) and (b) above, but the Committee shall impose no penalty based on such report unless and until a complaint has been laid and determined against the member concerned. A Section Committee or Appeals Committee shall have power to act under this clause, whether or not a prosecution in a Court of Law has

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- been brought against a member, but conviction by such Court may be treated as proof of an offence under this Rule.
- (6) All guns displayed as prizes and can be won by the public on any type of staff, should not be able to fire any sort of object either ball bearing or plastic pellets that could cause injury to any person.
 - (7) No member is permitted to empty water from water games or machine ballast directly onto fairgrounds. Also to include other rides using water such as Log Flumes.
 - (8) Playing of music on any amusement ride or stall containing foul or abusive language shall be an offence. It shall also be an offence to encourage members of the public to use unsuitable foul language.

(c) Rent Increases

- (1) (a) When a member who is a Lessee of ground, sub-lets or agrees to sub-let apart of that ground for occupation by Fairground equipment, for the purposes of holding a Fair, and which has previously been sub-let for that purpose, he shall not, without the consent of the Section Committee, demand or accept from his sub-tenant in respect of that sub-letting a rent in excess of the rent at which that part of the ground was last previously sub-let for the same or a corresponding event. The Section Committee shall not give its consent to such excess rent being demanded or accepted unless it is satisfied that the lessee has himself paid or agreed to pay an increased rent for that ground since the date of the last previous sub-letting, and that the excess rent to be demanded or accepted is reasonable, having regard to the increased rent the Lessee has himself paid or agreed to pay. If the Section Committee is unable to form a quorum or for any other reason is unable to make a decision, the matter should be directed to a different section for consideration.
 - (b) Where a Lessee has incurred additional costs in the running of a Fair or where the ground has been curtailed and the expenses not correspondingly reduced, he shall lay the facts before the Section Committee within 6 weeks of the fair concerned who may allow such a permanent or temporary increase in rent as they shall deem just in the light of such facts.
 - (c) A ground shall be deemed to have been previously sub-let when established rights of tenure apply thereto under Rule 21 e. below (Fair moved to new site).
- (2) No member shall, without the prior consent of the Section Committee offer or pay for any ground, piece of ground or position, a price which is an increase on the price paid when the ground, piece of ground or position was last occupied by a member at the same or a corresponding event. The Section Committee, or on appeal the Central Council shall have power to decide whether any two events are corresponding within the meaning of this Rule. The above prohibition applies whether the price in question was payable to a member or non-member and whether it was offered by tender or by any other method. For the purposes of clause (1) and this clause, a "corresponding event" is any Fair held or proposed to be held on the same ground for the same or any greater or less duration as the previous Fair held thereon. If the duration is greater or less than the previous Fair, the maximum rent offered or paid without the consent of the Section Committee shall be similarly greater or less in direct proportion.

- (3) If a member wishes to offer or to pay any increased price as aforesaid and should he consequently wish to increase his tenants rents he shall lay all the facts before a Sub Committee of three independent Committee Members concerned within fourteen days from the date when he received final notification that such increase was required by his Landlord, or forthwith if such notification was received a lesser period before the Fair. The Sub Committee, having considered the facts laid before them shall then make a recommendation to the Section Committee or on Appeal to the Central Council, who shall have power if it considers that the circumstances so warrant, to sanction the paying or offering of such increased price.
- (4) No member shall offer or give for any ground, piece of ground or position any concession or material inducement in addition to the price offered or paid.
- (5) Notwithstanding anything in clauses (1), (2), (3) and (4) above, where it is the custom of a Section to vary the rents of positions occupied by stalls using competitive, automatic or other games to which the custom applies, the amount of such rents may be fixed by agreement between the parties or failing agreement, by reference to the Section Committee. Notwithstanding anything contained in sub-rule c. where a tenant with an Adult Riding Machine changes his machine, the Lessee shall have the right to vary the rent payable in respect of such machine, provided always that the tenant shall have the right if he objects to the altered amount of rent as being excessive, to bring the matter before the Section Committee who-or the Central Council on appeal, shall fix a Fair rent.
- (6) No member shall advertise or cause to be advertised in any newspaper or other publication on sale to the general public or social media site, details of the rents which he proposes to charge for any type of equipment at any Fair. Nor shall any member advertise in such publication that rents for certain types of equipment are "By Arrangement," irrespective of whether it is customary in the Section under whose jurisdiction the Fair is to be held to vary the rents for certain types of equipment, as provided by clause (5) above. Any applications for or notifications of rent increases to be advertised by the appropriate Section at the cost of the applicant as Applications under Rule 21 c. or Rule 21 c. (6).
- (7) Where the circumstances are such that a Section Committee are by virtue of clause (8) of Rule 23 a. to be treated as if they were a member who is a Lessee, such Section Committee shall also be treated for the purpose of this Rule 21 c. as if they were a member who is a Lessee, and words referring in this Rule 21 c. to such Section Committee shall, for the purposes of such circumstances as aforesaid only, be deemed to be references to the Appeals Committee, and this Rule 21 c. shall, for that purpose only be construed accordingly. Any decision made by the Appeals Committee in pursuance of this clause (7) shall be subject to such further appeal by way of Reference as is provided in sub-rules m. to r. and u. of Rule 20, and in respect of any such Reference the Section Committee concerned shall be treated as if they were in all respects a member being a party to an appeal under Rule 20 m.
- (8) The Section Committee shall have power when dealing with applications under this Rule 21 c. to pass on increases in rental, to vary the proportions of such increases to be paid for different classes of equipment.

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- (d) No member shall refuse ground to another member so that he can have the sole rights of any particular type of amusement stalls, swings, juvenile Rides, Shows, games either for himself or for any member of Members of his family, nor shall any member grant the sole rights of having such stalls, swings, juvenile Rides, Shows or games to any one member. The restriction put upon the Members by this sub-rule shall not apply where the member has not any more ground available than is reasonably required for his own use.
- (e) New Sites**
- (1) Where a Fair is moved to a new site, Members who had acquired any established rights to occupy ground or position as against other Members at the old site shall, subject as is hereinafter provided, have the same rights to occupy ground or position at the new site.
 - (2) If the area of the new site is smaller than that of the old so that ground or positions are not available for all Members with established rights who wish to exercise them, the Section Committee concerned shall arrange for lots to be drawn in the presence of not less than five Members to decide which of such Members with established rights shall have the ground or positions available.
 - (3) If the area of the new site is larger than that of the old, so that more Members can be accommodated then, if the member who is the Lessee of the site is not paying an increased rent for the new site or incurring increased expenses in connection therewith, the Section Committee shall fix a new scale of rent to be paid by Members taking ground from him.
- (f) Dogs**
- Dogs owned by Members or their families shall be kept under proper control on Fairgrounds or winter quarters sites, so that no danger or nuisance is caused to any person or persons thereon. For the purposes of this sub-rule, a Fairground shall include any area designated for the purpose where Members' cars, caravans and generators are parked.
- (g) Sanitation**
- It shall be an offence not to comply with sub paragraphs 1 to 7 of this Rule.
- (1) Every member who sub lets ground or position under sub-rule j. below shall ensure that a sufficient supply of wholesome water is available for his tenants.
 - (2) Every member operating any equipment shall provide a chemical or other approved lavatory for himself, his family and staff in a suitable structure; a metal dustbin with lid, and efficient fire fighting equipment which shall be displayed in a prominent position on his equipment.
 - (3) Every member operating any equipment shall remove and properly dispose each day of all rubbish in the vicinity of the space occupied by his equipment.
 - (4) All members are responsible for clearing and disposal of all litter within a 10ft radius of their own particular equipment on all grounds whether fairground or winter quarters. In addition all members operating Rule 8 I. equipment shall have a litter bin attached to their stall available to the public.
 - (5) All Members shall provide drip trays for their vehicles and generating sets, containing absorbent material adequate to prevent oil dripping on the ground.
 - (6) At all Fairgrounds and parking sites, waste water from living wagons shall either be contained in buckets or similar suitable receptacles or, alternatively, shall be transferred into proper drains or similar suitable water disposal facilities by means of hoses.
 - (7) No member is permitted to empty water from water games or machine ballast onto a fairground.

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- (h) (1) Members operating competitive games shall not be allowed to give a free run, free ticket, any money prize or consolation prizes. Competitive games are games in which two or more Members of the public compete against each other. All prizes given for multiple wins must have a ticket, not less than 3 inches square, with letters/numbers not less than 1 inch high, clearly displayed on the particular prize or group of prizes, indicating the number of wins required.
- (2) All members shall display price tickets in a prominent position on all rides, shows, stalls and 8(l) equipment.
- (i) **Cancelled by Central Council July 2021**
- (j) Any member who takes ground for the purpose of holding a Fair, shall be permitted to sub-let space at that Fair to other Members.
- (k) **Fairground "Out of Order"**
 - (1) A Fairground used by a member for his business may be put out of order by Resolution made at an Extraordinary General Meeting of members of a Section specially and solely called for the purpose of considering the Fair in question in relation to this rule, and advertised as such in "The World's Fair" newspaper. The Section shall call an extra-ordinary meeting whenever a requisition in writing, signed by not less than twenty members of the Section and/or Established tenants of the fair in question if they are from another Section, stating fully the objects of the meeting, is deposited with the Section Secretary. The Section shall not call an Extraordinary General Meeting unless the Fair Organiser has attempted in good faith to negotiate with the Landowner to resolve the dispute without an Out of Order decision being required. If it appears to the satisfaction of two thirds of the Members present and voting at such meeting that either:
 - (a) The person letting or seeking to let, the Fairground is charging or seeking to charge at the date of the meeting, a price which is an increase on the price paid when the Fairground was last occupied by a member at a corresponding event; or
 - (b) The said person is imposing or seeking to impose conditions at the date of the meeting, relating to the occupation or control of the Fairground that are contrary to the interest of Members of the Guild - or
 - (c) The member concerned has in relation to the Fairground, being proved following a complaint (or appeal if appropriate) to have broken any rule or Bye-law relating to the established rights of tenure, the taking or letting of ground, or the price which may be paid or offered for the taking or letting of ground.
 - (d) A motion by a member, at an Extraordinary General meeting, that does not receive the satisfaction of two thirds of Members present and voting shall not again be brought forward within the same year where the circumstances and objects of the meeting are the same.
 - (2) "Person" shall include a local authority, limited company, firm, association or individual who is not a member of the Guild.
 - (3) Any out of order Resolution made at such meeting shall be advertised by the Section Committee as soon as is practicable thereafter in "The World's Fair" newspaper, but failure to insert such advertisement or any defect therein shall not affect the validity of the Resolution. Where a fair is part of a larger event and that fair is placed out of order under the terms of Rule 21(k), it shall be an offence for a member to accept a lease, licence or agreement on ground or position/s within the boundaries of such event. This sub-rule shall not apply to members who hold Guild Rights as defined in Rule 23(a) on ground or position/s at the event, which are separate from the

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out of order fair, at the time when the out of order resolution becomes effective. Provided that such member/s shall not acquire any additional space or positions at the event for the duration of the out of order resolution. Under this sub-rule members who hold Rule 23 Rights at the out of order fair are not entitled to take up replacement position/s within the area of the larger event.

- (4) After the "out of order" Resolution has been passed by the Members they may, by further Resolution, delegate powers to the Section Committee to carry on negotiations and thereafter the Section Committee may, at its discretion, make a settlement with those concerned.
 - (5) A Fairground put "out of order" by a Section shall so remain until the Members of the Section or the Section Committee, if duly authorised by a Resolution of the Members, shall put it "in order" again. As soon as practicable after a Fair has been put "in order" the Section Committee shall advertise the fact in "The World's Fair" newspaper.
 - (6) All Resolutions made under this rule shall be carried by a two-thirds majority of Members present and voting.
 - (7) Where any member has applied for or booked a Fairground and such Fairground is subsequently put "out of order" he shall, within seven days, notify the Section concerned of his interest therein.
 - (8) Notwithstanding anything contained in Rule 23, Rights of Tenure existing at the date of an 'out of order' Resolution, shall remain unaffected during the continuance of the same without the need for an application for preservation.
 - (9) To opposition an out of order Fair shall be an offence without the prior consent of the Section Committee.
 - (10) The implementation of any resolution made under this Rule shall not be put into effect until a person with legal qualifications of not less than that of a practising Solicitor who is familiar with Guild Rules, has certified that the resolution is consistent with Guild Rule. This person shall have details of all correspondence and minutes of relevant meetings made available to him before giving consideration to the matter. The requirement set out in sub-rule (3) above shall not be put into effect until written clearance has been obtained from the person referred to above.
 - (11) Any "out of order" Resolution shall apply to a specific Fair. A Section Committee must review such order annually, and shall have authority to renew such order for a further year. Failure to renew such order would render the original out of order Resolution at an end.
- (l) All internal combustion engines running as stationary engines for the purpose of generating lights or power on the Fairground shall be fitted with an exhaust pipe so constructed that all the exhaust gases are effectively discharged into the air at a point not less than ten feet from the ground. Such exhaust pipe shall be secured in such a manner that it cannot accidentally move from its permanent position, and shall be fitted with a safety guard.
- (m) Winter Quarters Site (including "Parking grounds" used as Winter quarters).
- (1) It shall be an offence for any member to occupy any site for winter quarters unless the following conditions are observed:
 - (a) Sufficient hygienic lavatory accommodation shall be on the site. Where W.Cs are not available chemical lavatories shall be provided as in Rule 21 g. (2), and proper arrangements made for the disposal of soil.
 - (b) Water shall be laid on at sufficient points for health and reasonable convenience, and waste water shall be disposed of in a hygienic manner.
 - (c) Dustbins with lids shall be provided and kept for rubbish as in Rule 21 g. (2), and the site shall be kept clean and free from refuse.
 - (d) Fire fighting equipment shall be provided as in Rule 21 g. (2).

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- (e) No trade or business (apart from repairs to Fairground equipment) shall be carried on, on the site, in breach of Planning regulations.
 - (f) All reasonable requirements as to good order and layout made by any Section Committee, or any person authorised to act on its behalf, or a member of a Section Vigilance Committee shall be complied with. The opinion of the local Sanitary Inspector shall be relevant to any complaint heard or order made, under this Rule, and the Section Committee, or Appeals Committee on appeal, shall be the sole judge of what is sufficient or reasonable in the circumstances disclosed to them.
 - (2) A Section Committee may be granted a Bye-law giving power to make additional regulations for the conduct of sites used as winter quarters under their direct control, but the requirements of (1) above shall be applicable to every site in every Section of the Guild, whether such a Bye-law is in force or not. A Section Committee shall have discretion as to who shall occupy such sites and any member occupying without authority shall be guilty of an offence.
 - (3) Breaches of this rule, or of Bye-laws made thereunder, will be severely dealt with in the interests of Members. The Section Committee or Appeals Committee, shall have power on hearing a complaint or appeal, to make any special order or condition relative to the occupation of the site in question, either instead of, or in addition to any penalties imposed, and in particular may declare it unsuitable for occupation by Members of the Guild. All Members on a winter quarters or parking site shall be jointly and individually responsible under this rule, but the Section Committee or Appeals Committee, shall take into account that some Members may have greater responsibility than others.
 - (4) In conformity with the Caravan Sites Act, 1960, it is hereby declared that a site loses exemption from the licensing requirements of the Act, and becomes subject to full control by the local authority if in particular:-
 - (a) any non-Members are thereon.
 - (b) it is used beginning on or after 20 September in any year and continuing until no later than 16 April in the following year.
 - (5) The above rule is inserted for the protection of well conducted Winter quarter sites occupied by Members, and does not give any rights or privileges under the rules in respect of caravans.
 - (6) Failure to pay rent lawfully due for parking on Winter quarters sites at any period during the year shall be an offence.
- (n) Safety**
- (1) The provisions of this sub-rule shall apply only to Members when operating at travelling Fairs with equipment registered with the Guild under Rule 8 b. The Management Committee may issue any instructions and render any assistance to Sections that may be required in connection with the administration of this sub-rule.
 - (2) Members are expected to comply with the provisions of the Guidance on Safe Practice (Fairgrounds & Amusement Parks), published by the Health and Safety Executive in 1997, as amended, so far as is reasonably practicable. A Section Committee shall have power to act under this clause for breaches of the Guidance reported to the Guild by a responsible authority, whether or not a prosecution has been brought against a member in a court of law, but conviction by such a court may be treated as proof of an offence under this clause. It shall be mandatory for operating members and all Lessee members to be in possession of a copy of the Guidance on Safe Practice.

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(3) Testing and Examination of Devices

- (a) Amusement devices shall be subject to such testing and thorough examination as is laid down in the Guidance on Safe Practice and it shall be an offence not to do so. It is the duty of all Members to make arrangements through the Section Secretary for the thorough examination of their equipment as required by the Guidance, and failure to do so without proper excuse shall be an offence.
- (b) Subject to the provisions of paragraph (1) below members shall use Inspection Bodies as prescribed in Section D of the Guidance on Safe Practice to carry out the Thorough Examination of amusement devices belonging to them or operated by them.
- (c) Every member responsible for the operation of an amusement device shall:
 - (1) give facilities for the thorough examination of the device;
 - (2) comply with any requirement of the appointed person for repair or replacement;
 - (3) cease to operate the device if so ordered in writing by the appointed person until such work specified by the appointed person has been carried out, including dismantling, as required by the appointed person
 - (4) On the return to the U.K. after periods of operating abroad, except with in the Republic of Eire, members must arrange, through their Section Office, for the amusement device which has travelled abroad, except within the Republic of Eire, to be subject to a thorough examination prior to operating the equipment in the U.K. irrespective of the expiry date appearing on any existing safety certificate or thorough examination report.
- (d) There shall be no Appeal under the Rules against any order of the appointed person.
- (e) Where a duty is imposed on a member who has had any amusement device examined under any relevant paragraph of this Rule 21 n. (3) they shall pay the charge in respect of the examination or re-examination of his equipment to the Inspection Body, failure to pay such charge without reasonable excuse shall be an offence.
- (f) Certificates
 - (1) Following the thorough examination of a member's equipment, a Certificate shall be issued by the appointed person, in addition to the Report required by the Guidance of Practice. The Certificate shall be in the form determined by the HSE approved Committee from time to time. This Certificate together with an Electrical Inspection Certificate shall be produced with the annual Declaration Form to the Section Secretary, in default of which the device in question will not be registered with the Guild until the Certificate is produced, or at the discretion of the Section Committee, where a firm date for examination has been arranged.
 - (2) The member shall also display on the device where it is clearly visible, the examination Certificate or a photocopy thereof, contained in a protective cover.
 - (3) It shall be an offence to make available to the public an amusement device that is subject to thorough examination without a current Certificate.

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- (g) Power to make a Bye-Law
A Section Committee may by Bye-law vary the procedure of annual examinations set out in paragraph (3) (b) above by accepting as valid for all purposes under Rule 21 n. a Certificate issued by a person appointed by the Section Committee who is instructed by the member concerned, subject to the conditions set out in such Bye-law.
- (4) Electrics
In addition to the amusement devices which are required to be tested and thoroughly examined in accordance with the Guidance on Safe Practice, coin operated amusement devices and amusement arcades using electrics in excess of the extra low voltage limits laid down in the Terms used in the Guidance shall be subject to thorough examination as laid down in clause (3)(a) above. All electrical installations and equipment should be maintained in a safe condition, and inspected and electrically tested at sufficiently regular intervals to achieve this (but not more than a period of 12 months).
- (5) Registration Numbers
Every member owning and operating an amusement device subject to thorough examination under this sub-rule 21 n. shall fix in a prominent position on the device and/or Arcades a plate showing the Guild registration number, such number to be allocated by the Section Committee and shall remain with that device whilst it is registered with the Guild. If the device ceases to be operated by a Guild member, the registration number shall be returned to the Section Office concerned. The plate shall be of metal or plastic with white numerals on a black background not less than 2in. high. The member shall also display on the device, where it is clearly visible the Registration Bodies ID number and shall also keep at all times a copy of the valid DOC with the equipment.
- (6) Every Lessee shall ensure that all Members operating amusement devices at his Fair, which are liable to thorough examination under this sub-rule 21 n. shall have in their possession a current Certificate or Certificates of fitness. In of default, he shall be guilty of an offence but he shall not be guilty of a breach Rule 23 a. (3) if he refuses ground to a member without such a certificate.
- (7) All reasonable steps shall be taken to prevent dangerous practices on amusement devices by Members of the public: but a member shall not be found guilty of a breach of this rule if the alleged dangerous practice was a deliberate act of the person concerned and not condoned by the member.
- (8) On all Fairground and other places where Members assemble with showmen's equipment and Living Vans, the speed of all vehicles or other means of transport, including private motor cars, shall not exceed walking pace.
- (9) Any one of the three Senior Officers of the Guild plus the Section Chairman concerned; or any two of the said Officers acting alone shall have authority to order the immediate closure of any amusement device or of all devices of a particular type, that they reasonably consider to be a danger to the public, in the light of an accident or accidents incurred by such device or devices. Such order shall be valid for 72 hours unless extended for a further period by authority of an Inspection Body or by the H.S.E. If the cause of the immediate closure is addressed and rectified, followed immediately by a Thorough Examination of the Amusement Device, arranged through the Section Office (Rule 21.n.(3) (a)), the amusement device will be allowed to re-commence operation within the 72 hour closure period referred to in this sub-rule, on the authority of any one of the three Senior Officers of the Guild the

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- Section Chairman concerned; or any two of the said Officers plus acting alone. A member who considers himself aggrieved by an order made as above may refer to the Management Committee, but such references shall not affect the validity of the order, and any member operating in breach of such order shall be guilty of an offence under this sub-rule. The authority contained within this Rule may also be actioned if information is submitted to the Guild by a Registered Inspection Body or any other authoritative source that a particular component of an Amusement Device is evidenced to be unsafe and requires investigation to ensure that the required safety to the public is maintained. Before imposing closure of an Amusement Device the evidence submitted by an Inspection Body or any other authoritative source shall be submitted to two Registered Inspection Bodies who must confirm in writing that the said evidence is proven and that the closure action referred to in this Rule may be used.
- (10) Every member owning and operating riding devices shall have available at all times a First Aid Box, the contents of which should comply with Health and Safety (First Aid) Regulations 1981.
- (11) Age limits of operator/attendants on passenger carrying amusement devices.
- (1) All passenger carrying amusement devices (excluding static and fixed coin-operated devices specifically designed to be operated by members of the public) should at all times when they are available for use by the public be in the immediate charge of an operator who is capable of working the device in a safe manner.
 - (2) The operator of the following types of amusement device shall be at least 18 years old:
 - (a) Any passenger carrying device other than a simple slow moving device designed primarily as a juvenile ride (but see (c) below):
 - (b) A shooting gallery where live ammunition or crossbows are used: or
 - (c) An enclosed structure which is an amusement device, accommodating more than 30 people or which is intended primarily for the amusement of children.
 - (3) In all other cases, the operator of the device should be at least 16 years old.
 - (4) Where the operator of a device has to be at least 18 years old, the attendant of the device should be at least 16 years old.
- (12) Every member of the Guild shall comply with and adhere to the contents of the Guild prepared document titled "Fairground Safety & Training Document" so far as is reasonably practicable. The Training section of the document must be strictly adhered to and followed. Failure to do so shall be an offence and a Section Committee shall have power to act under this clause for breaches of the content of the document reported to the Guild.
- (13) It shall be an offence for any member of his/her staff in charge of a ride to use a mobile telephone while the ride is in motion.

(o) Accidents

It is the duty of every member to report to the local Section Secretary, in which the Accident occurred as soon as possible, but not later than 36 hours, any accident involving his equipment which occurs on a Fairground. The Accident Report Form must be fully completed and returned to the local Section Secretary within 14 days from the date of the Accident. In the event of an accident caused by a mechanical or electrical fault resulting in death or major injury, the equipment shall be inspected by a qualified engineer registered with a body who has agreed to assume responsibility for the Registration procedure before it may reopen, such inspection to be arranged by the Section in whose area the accident occurred.

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(p) Noise

- (1) Noise from any amusement equipment which in the opinion of the Section Committee is unreasonable or excessive is forbidden. A member operating equipment at a Fair shall be responsible for ensuring that noise, however caused, coming from it is not a breach of this Rule. Failure to comply shall be an offence.
- (2) It shall be conclusive evidence to Rule 21(p) (Noise) if a decibel reading taken exceeds 80db at a distance of 20 feet from the source of the sound.
- (3) The above shall not affect the discretion of the Section Committee to find that noise is excessive based on other relevant evidence.
- (4) Section Committees may make Bye-laws to give greater effect to this sub-rule, including the power to control the number, location and volume of loudspeakers, if any, permitted on all types of equipment in their area.
- (5) In the interests of the business a breach of this Rule shall be treated as a serious offence under Rule 19 b., and the minimum penalty imposed shall be a fine of £500, subject to any special circumstances brought to the attention of the Section Committee.

(q) Conditions of Letting

- (1) It shall be permissible for a Lessee to impose conditions of letting ground provided such conditions are reasonably necessary for the conduct of the Fair. Failure to comply shall be an offence.
- (2) It shall be stated in any document or advertisement containing such conditions that such conditions are subject, where appropriate, to the Rules of the Guild.
- (3) A member who considers his interests adversely affected by such conditions may apply, before the Fair in question, to the Section Committee who shall determine if such conditions are reasonably necessary.

- (r) The Central Council** shall have power to approve any advertising scheme, and the conditions attached thereto, promoted by a commercial concern and involving the use of vouchers entitling the holders to free rides at members' fairs. In the event of such approval it shall be the duty of every member to honour such vouchers, and failure to do so shall be an offence.

22 - SHOOTING SALOONS/STALLS AT FAIRS

- (a) No live ammunition used in Shooting Saloons/Stalls shall exceed 22 shot.
- (b) Each Shooting Saloon/Stall shall not be of less than 18ft. in depth from the front of the Gun Table to the Targets.
- (c) The Proprietor of each Shooting Saloon/Stall using live ammunition shall provide, for the protection of the public, metal screens not less than 1/8 in. thickness at the rear, top and sides of the stall, capable of withstanding shots fired from the guns used on the stall; or such material at the rear, top and sides capable of absorbing the shot and of sufficient thickness to prevent any possibility of penetration.
- (d) A Shooting Saloon/Stall must be in the charge of a responsible person of not less than eighteen years of age. All Shooting Saloon/Stall Proprietors must be insured against damage by effecting a Public Liability Policy to cover an amount of £1million.

23 - RIGHTS

(a) Established Right of Tenure at Fairs

(1) Establishment of Rights

- (a) Subject to the provisions of these Rules and Bye-laws, a member who has held and occupied ground and/or a particular position at a Fair in the two immediately successive years (or in the immediately preceding year if a Section Committee by Bye-law so provide) shall have a right

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(called “an established right of tenure”) to hold and occupy ground or such particular position as the case may be, at that Fair in the immediately following year; save that a Section Committee may by Bye-Law exclude altogether the operation of this sub-clause in respect of any specified floating position or positions within their jurisdiction, and a member (commonly called a “Lessee”) who has held ground for the purpose of holding a Fair and has held a Fair thereon, in two immediately successive years (or in the immediately preceding year if a Section Committee by Bye-law so provide) shall have a right to hold such ground for such purpose in the immediately following year. This Rule shall not apply to private events where members of the public are excluded and the event is held solely for invited guests of the person/organisation booking the funfair entertainment after January 2008.

- (b) Where a Fair which would otherwise be a Fair as defined in paragraph (2) below is habitually held at intervals of more than one but less than four years, a Lessee member who has held ground for the purpose of holding the said Fair for the two previous occasions on which the Fair was held may apply to the Section Committee for an order that he shall have an established right to hold the said Fair on the subsequent occasions (each occasion being not more than three years from the last occasion) on which the Fair shall be held. Such Order, if made, shall apply to his tenant Members who may also apply individually to establish their right. The Section Committee shall advertise in the “The World’s Fair” or other Guild approved system all applications received under this paragraph (b) at the cost of the applicant.
- (c) Such established rights of a Lessee member shall extend to any addition to the existing ground or to any alternative site that may be available for holding the said Fair or any part thereof, and on which established rights do not already exist.

(2) Definitions of “held” and “occupied” and “Fair”.

For the purpose of this Rule:

- (a) a member shall be deemed to have held ground or position at a Fair only if he has held the same with the consent of, or under a contract with the person, whether member or not, who has the right to allow him to hold the same;
 - (1) where a member makes a legitimate move with the approval of the Lessee from his Established position to a new position his Established Rights move with him.
- (b) a member shall be deemed to have occupied ground or position at a Fair only if he has occupied the same with his own equipment as declared and paid for according to the Schedule of Charges, and was not at the time of such occupation, in arrears in payment of the subscription due in respect of such equipment under Rule 8 a. and h. A Section Committee may, by Bye-Law, relax the requirement for a member to occupy an Established position with his own equipment in order to retain Rule 23 Rights.
- (c) a member may preserve his Rights to any ground not occupied, following substitution of equipment where the equipment that occupies the ground is smaller than the position to which the member holds Established Rights to.

- (d) A "Fair" shall mean such a Fair as is, or is proposed to be normally held annually either in the same period in each year, or on a date which is fixed by reference to custom of two or more immediately successive years, Charter, Holiday, Festival or local event. A member shall not alter the date of a Fair so fixed without consent of the Section Committee who may grant such consent for the next occasion on which the Fair is proposed to be held. The Section Committee shall advertise in the "The World's Fair" or other Guild approved system all applications received under this paragraph (d), which shall be submitted not less than six weeks before the proposed date of the Fair, (or such lesser period as the Section Committee may consider reasonable) at the cost of the applicant. Should any member object to an application to change dates they should put their objections in writing within 14 days of the advert and send to the Section Secretary along with a deposit of £25. This deposit to be returned if the objection is upheld. A Fair shall not cease to be a Fair for the purposes of this Rule by reason only of its being moved to a different site, provided that it is a continuation of the same event.
- (3) The nature of the right**
- (a) Where a member wishes to occupy ground or position, or if a Lessee member, to hold ground in respect of which the said member has an established right of tenure, or a right to occupy under any rule or Bye-law, no other member shall take any step to prevent or hinder the said member from so doing, whether by refusing to let the same to him, by accepting any licence therefore, by making any offer or bid for the same, or otherwise howsoever subject as provided below.
- (b) Notwithstanding anything contained in Rule 38 (Definition of Equipment) a member shall be deemed to prevent or hinder another occupying his established position if he refuses space or otherwise hinders the operation of any generating set necessary to the working of equipment on such established position.
- (c) Notwithstanding anything contained in paragraph (a) above, where sidestall footage is required for a fire break under Appendix 5, Sections 12 to 18 of the Guidance on Safe Practice, issued by the Health and Safety Executive in 1997, as amended, Lessees shall have the right to move tenants with established positions on such sideground, up to a maximum distance of three metres, to provide such a fire-break. Tenants whose established sideground footage or any part thereof, if thereby lost, shall have the right to any suitable alternative ground that may be available for letting or may become so available during the next three years, in order to accommodate his full entitlement to footage.

(4) Defences to a complaint of a breach of Rule 23 a. (3) and the Power to lay a Complaint for Failure to Pay Rent.

A member shall not be found guilty of a breach of Rule 23 if he shall satisfy the Section Committee that the member whose established right of tenure is alleged to have been infringed:

- (a) had failed to take reasonable steps to safeguard such rights; or
- (b) had sub-let the ground or position in question at the Fair in the preceding year, without the prior consent of the Section Committee having been obtained under clause (6) of sub-rule b. of this Rule, or
- (c) had, without reasonable excuse, failed to pay rent lawfully due from him for the occupation of the ground or position in the preceding year. But no complaint shall be brought against a member under paragraphs (a) and (b) of this clause, save that a Section Committee may by Bye-law

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provide that the sub-letting of ground or position without the consent of the said Committee shall be an offence, in which event any member to whom ground is sub-let in breach of such Bye-law shall acquire no Right of Tenure in respect thereof, and a complaint may be laid under Rule 17 against the member who so sub-lets.

(1) Leasing as referred to in Rule 8a. (3) is regarded as ownership for the purposes of all Rules.

(d) had no current certificate of fitness for his amusement device.

(e) Failure to pay or accept rent lawfully due shall be an offence.

(5) Power to deprive a member of established rights of tenure in cases of certain default

(a) If a Section Committee shall find, on hearing a complaint against a member, that he has broken any of the following Rules, namely:

19 a. (3) (conduct prejudicial to the Guild).

19 a. (5) (unruly conduct)

21 b. (undesirable business)

21 c. (1), (2), (3), (4) (overbidding)

the Committee may instead of, or in addition to, any other penalty, order that the member shall forfeit his right of tenure at the Fair where the breach occurred, or that the year in which the breach occurred shall not count towards the member's establishment of a right of tenure at that Fair, provided they are satisfied that such an order is desirable to safeguard the Fair or the interests of other Members thereat. A member who is proved to have held a Fair or occupied ground or position at a Fair in breach of Rule 23 a. (3) shall not count such occupation towards the establishment of any rights of tenure to that Fair or ground or position; or shall forfeit any such rights as the case may be. A member whose rights are proved to have been infringed shall retain such rights for the following year without any further order.

(b) Where a Landowner chooses to replace an incumbent Fair Organiser and/or any Amusement Operator with Established Rights (an "Incumbent") at the following year's Fair on grounds of the Incumbent's poor performance at a previous Fair, the Incumbent's Established Rights shall not apply so as to prevent his replacement by another showman (a "Replacement Showman"). Poor performance means performance falling below the standards which the Landowner could reasonably expect in terms of (i) the raising of revenue and/or (ii) quality standards (including innovation) and/or (iii) compliance with relevant legislation including but not limited to consumer protection and health and safety legislation. Poor performance is a matter to be judged by the Landowner.

Following the replacement of an Incumbent with a Replacement Showman who is a member on grounds of poor performance, a complaint by the Incumbent against the Replacement Showman pursuant to Rule 17 may only be made on the basis that the Landowner had no reasonable grounds for regarding the Incumbent's performance as 'poor', and the complaint (and any subsequent appeal to the Appeals Tribunal) shall be determined accordingly.

(6) Occupation of ground by a non-member: effect on established rights

If a Fairground or ground or position at a Fair, in respect of which a member has established a right of tenure, shall thereafter be occupied by a non member of the Guild for any period up to five years without the consent of the member concerned, the member concerned may make an annual application to the Section Committee to preserve his rights, and the Section Committee may grant such application if they are satisfied that the member concerned has taken reasonable steps to safeguard his rights, and that such preservation is in the interests of Members generally. If the member concerned has rights as Lessee, any preservation thereof shall apply to all his tenants who had established rights at the Fair, without individual application by them; but they are advised to apply separately so that if the Lessee fails to apply for, or obtain, preservation, their rights may not be lost.

(7) Substitution of riding devices

A tenant member who has an established right of tenure to ground or position at a Fair shall not at any time substitute for any riding device operated by him, on such ground or position in the previous year in which the Fair was held, any other type or description of riding device (or any amusement stall or show) on such position if the Lessee member objects to such substitution, unless he has both notified the Lessee member of his intention, and has applied for permission to the Section Committee, not less than 6 weeks, or such lesser period that the Section Committee may consider reasonable, before the opening of the Fair, and such permission has been granted. Nor shall any tenant member with such established rights to ground or position substitute any riding device for any type of amusement stall or show operated thereon by him in the previous year in which the Fair was held if the Lessee objects, unless the procedure set out above for application to the Lessee and Section Committee has first been carried out and permission has been granted accordingly.

(1) The Section Committee shall advertise in the "The World's Fair" or other Guild approved system all substitutions made under this Rule at the cost of the applicant of £25.00, and may take into account any representations received. In particular they may take into account whether or not the proposed substitution has approval or otherwise of the Lessee concerned. It is the duty of a member making a substitution to send the Lessee and Section Committee details of such substitution within the time specified above. Should any member object to a substitution they should put their objections in writing within 14 days of the date of the advert and send it to the Section Secretary along with a deposit of £25.00. The deposit to be returned if the objection is upheld.

(8) Section Committee as Lessee

Where a Section Committee have entered into arrangements with a public body or private individual under Rule 14 p. and where their powers and duties under such arrangements are those of a Lessee, such Section Committee shall be treated for the purposes of this Rule 23 a. as if it were in all respects a member who is a Lessee. Should any dispute arise between such Section Committee and another member on any matter in respect of which such Section Committee are to be treated as aforesaid as if they were a member who is a Lessee, such disputes (unless resolved by agreement) shall be referred by either party to the Appeals Committee or to any two of the three principal officers of the Guild who shall appoint another Section to hear the case. Any decision made by the Section Committee in pursuance of this clause (8) shall be subject to such further Appeal by way of a Reference as is provided in sub-rules a. to k. of Rule 20 and in respect

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of any such Reference the Section Committee concerned shall be treated as if they were in all respects a member being a party to an appeal under Rule 20.a.

(b) Preservation of an established right of tenure

(1) Preservation of established rights where the times of two Fairs overlap.

If two or more Fairs overlap in point of date in a particular year, a member who has established rights to tenure at both Fairs and who wishes to preserve the same must, not less than six weeks (or such lesser period as the Section Committee may consider reasonable) before the opening of the said Fairs or the earlier of them, notify the Section Committee concerned which of the two said Fairs he will attend, and apply to preserve his established rights of tenure in respect of the other, stating the name of the Lessee concerned and confirming that he has advised the lessee of such application, and provided further that not more than three successive applications (or such other number of annual applications as the Section Committee may by Bye-law provide) shall be so granted.

(2) Upon such application being made the Section Committee may order that the member's established right of tenure be preserved at such other Fair.

Any other member who occupies the ground or position in question at that other Fair shall acquire no rights of tenure in respect of such occupation.

(3) Applications for preservation of established rights of tenure where a member is unable to attend a Fair or when a Fair is not to be held.

If a member who has an established right of tenure at a Fair is unable to attend such Fair, or if a Fair at which a member has such a right is not to be held in a particular year, such member must apply to the Section Committee concerned for the preservation of his said right, if he wishes to preserve the same.

A Member shall only be regarded as unable to attend a Fair on one or more of the following grounds:

- (i) Ill-health of that Member or of a member of their immediate family;
- (ii) Bereavement;
- (iii) Unavailability of equipment due to malfunction;
- (iv) Where a tenant member wishes to operate a new business venture other than at travelling fairgrounds, in which case subsection (a) below applies;
- (v) Other circumstances beyond the relevant member's control (excluding circumstances where negotiations to hold/attend a Fair between a Landowner or Fair Organiser and an Amusement Operator, and negotiations to attend a Fair between a Fair Organiser and an Amusement Operator have failed).

If a tenant member, he shall state the name of the Lessee member concerned (confirming that he has advised the Lessee of such application) whereupon the Section Committee may order that the said right shall be preserved provided that any such application shall be made not less than six weeks before the date of the said Fair, unless the Section Committee shall in the circumstances of the case deem a lesser period before the said date to be reasonable; and provided further that not more than three successive annual applications (or such other number of annual applications as the Section Committee may by Bye-law provide up to a (maximum of five) shall be so granted. This clause shall not apply in cases where a member cannot attend a Fair due to occupation by a non-member (see a.(6) above). If a non-member Lessee's Fair is not held in any particular year it shall be the duty of the Section Committee concerned, to make an order preserving the established rights of all the

tenants concerned, without prior application from the tenants. Not more than three successive annual orders for preservation of established rights may be made under this Rule in respect of any one Fair. If an application is made under clause (1) above or this clause within six weeks after the opening date of a Fair the Section Committee may, nevertheless, order that the member concerned shall have an established right to the ground or position in question for the following year; provided they are satisfied that for any special reason he could not reasonably have applied before the Fair. The Section Committee may, if the circumstances so warrant, grant Preservation of Rights in excess of three years, but not exceeding five. Where a Section is a party to an objection it shall be referred by that Section to the Appeals Committee or to any of the three principal Officers of the Guild who shall appoint another section to hear the objection.

(a) Where a tenant member wishes to operate a new business venture, other than at travelling fairgrounds, a Section Committee shall have the authority to grant Preservation of Rights for a period covering no more than one calendar year. A member applying under this sub-rule shall comply with the time laid down in (1) above and shall supply with the application a list of the plots, Lessee names and fairs involved. He shall also confirm that he has notified all Lessees of the application. Such Lessees shall have the option to take the responsibility of re-letting the plot/s himself or herself or requiring the applicant to find a member or members to occupy the plot/s concerned. It is the responsibility of the applicant to ascertain which option the Lessee chooses. As provided elsewhere in the Rules the applicant shall be responsible for the payment of rent for unoccupied plots where he fails to find a sub-tenant.

(4) Effect of an order for the preservation of rights of tenure

If a Section Committee orders that a member's established right of tenure shall be preserved, the member shall be in the same position as if he had attended the Fair in question, and had held and occupied ground or position thereat; or (if the Fair was not to be held), as if the Fair had been held and he had attended it; and no other member who may hold and occupy the ground or position to which the preservation order is referable shall acquire any rights of tenure therein by reason of such holding and occupation.

(5) Effect of an order for the preservation of a Lessee member's rights of tenure upon his sub-tenants

If a Lessee member's established right of tenure is ordered to be preserved, such order shall be deemed to grant the preservation of the established rights (if any) of his tenant Members, as if they had applied individually for the preservation of such rights. (But tenant Members are advised to apply separately for preservation of their rights, in order that, if the Lessee member should fail to apply for or obtain preservation, their rights may not be lost).

(6) Permission for sub-letting

A member who proposes to sub-let ground or position to which he has an established right of tenure, and who wishes to ensure the continuance of his said right for the following year, must apply to the Section Committee concerned for formal permission to sub-let within the time stated in clause (1) above, stating the reasons for the application such reasons being consistent with the requirements of clauses (1) and (3) above, and enclosing the written approval of the Lessee member concerned. If the Lessee member refuses approval, the applicant shall so inform the Section Committee when the Lessees concerned shall be entitled to receive written notice of the date, time and place of the hearing of the application, and to appear before and to make written

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and/or oral representations to the said Section Committee who shall consider such representations before granting or refusing their permission. If the Section Committee grant such permission (which shall be in their absolute discretion) the member's rights shall be preserved without further application by him.

- (7) The Section Committee shall advertise in "The World's Fair" or other approved Guild system all applications received under this sub-rule (b) at the cost of the applicant of £25.00, and it shall be the duty of a Section Committee to notify any Lessee concerned, in writing, as soon as any order for Preservation of Rights or for permission to sublet is made by them under this sub-rule (b). Should any member object to a Preservation of Rights or a permission to sublet they should put their objections in writing within 14 days of the date of the advert and send it to the Section Secretary along with a deposit of £25.00. The deposit to be returned if the objection is upheld. The £25.00 deposit will not be required if a member applies for Preservation of Rights on a fair that has been cancelled due to the Covid-19 pandemic.
 - (8) Any member granted preservation of established rights or permission to sub-let under this sub-rule b. shall remain responsible to the Lessee for the rent for the ground or position in question, without prejudice to any right, and said member may have to recover the said rent or any part thereof from the Lessee.
 - (9) A tenant member shall not be granted Preservation of Rights under clause (3) above unless he satisfies the Section Committee that at the date of application he has declared and paid for, under Rule 8 sub-rules a. to e. equipment with which he would be entitled to occupy the position.
 - (10) If any ground is curtailed at an Established Fair, the Lessee must advise the Section Secretary at least 28 days before the opening or a lesser time as circumstances permit, when the Section Committee may at their discretion investigate the circumstances in the interests of the Established tenants.
 - (11) In the event of any curtailment of ground arising at any Established Fair, Members who have lost their ground through curtailment, and who held Rights on their positions must be given the opportunity to take up their Rights on new positions. The method of allocation for positions shall be decided by the Section Committee at their absolute discretion, taking into account the Lessee's view.
- (c) Holding Rival Fairs**
- (1) A member shall not within a period of four weeks before the opening of a Fair (at which established rights exist) or within 22 days after the opening, if the Fair is still open, hold, occupy, let or take ground or position at a Fair (at which he does not have established rights) proposed to be held within one mile of that Fair, save that a Section Committee may by Bye-law reduce, but not increase, the times and distance prescribed by this sub-clause, and/or exclude altogether the operation of this subclause in respect of any specified area or areas within their jurisdiction. It shall also be an offence to contract or negotiate at any time for the holding of a Fair that would, if held, contravene the above times and distances.
 - (2) Where a Section Bye-law, at any time since 1 July 2017 has applied a time and/or distance less than those set out in sub-clause (1) above, that Section may not increase the time and/or distance set out in that Bye-law without first publishing its reasoning on its website(s) as to why the proposed increase in time and/or distance is necessary and proportionate in any specified area or areas within their jurisdiction to ensure the continued viability of the Fair or Fairs in question in the context of prevailing

local circumstances, in particular taking into account whether a greater number of Fairs could be sustained within the time and/or distance in question and the written views of the relevant Local Authority and the emergency services.

- (3) A Section that has not amended the time and distance set out in subclause (1) above by Bye-law, as well as a Section that has done so pursuant to sub-clause (2) above, shall review the matter of time and distance from time to time (and at least every five years) and decide whether in any specified area or areas within their jurisdiction such time and/or distance remain necessary and proportionate to ensure the continued viability of the Fair or Fairs in question in the context of prevailing local circumstances, in particular taking into account whether a greater number of Fairs could be sustained within the time and/or distance in question and the written views of the relevant Local Authority and emergency services.
- (4) A Member wishing to challenge a decision taken pursuant to sub-clause (2) or (3) above may appeal directly to an independent barrister at the Appeals Tribunal in accordance with Rule 20(m). The Appeals Tribunal may affirm, reverse or amend any decision taken under sub-clause (2) or (3) above."
- (5) The distance between two Fairs shall be deemed to be the distance between the respective entrances of such Fairs by which vehicles draw on and off the Fairground and shall be measured over the shortest route by which vehicles owned by Members may lawfully travel along the crown of the public highway.
 - (a) For the purposes of this Rule the distance between the respective entrances shall be that which the majority of members' equipment attending i.e. Rides, Shows, Juveniles, Caravans etc, may lawfully travel on a public highway.
- (6) The operation of any Equipment (without established rights to do so) outside the boundaries of a Fair, at which established rights exist, and within the time and distance above set out, shall constitute a Fair for the purpose of this sub-rule.
- (7) Notwithstanding anything in sub-rule (6) above, the attendance of Members with Equipment at events, festivals, galas, carnivals and local celebrations for the period of the event organised by a bona fide local council, committee or similar body, which do not have as their primary purpose the holding of a Fair, shall not constitute a Fair for the purposes of Rule 23 c., but the attendance of Members at such events, festivals, galas, carnivals and local celebrations which are within the time and distance of an established Fair will not entitle a member to any rights under Rule 23(a). Nothing in sub-rule (7) shall affect the right of a member with established rights to protect such rights under Rule 23(a).

24 - INVESTMENT OF FUNDS

- (a) All moneys of the Guild in possession of and controlled by the Central Council which for the time being are not required by it shall be paid to the Trustees who shall invest any moneys for the time being in their hands belonging to the Guild in the names of the Trustees in or upon any investments for the time being allowed by law for the investment of Trust Funds. The Trustees shall, in respect of any such funds, have all the statutory powers of Trustees. The Trustees shall also have power to advance moneys to the Trustees of any Section of the Guild for the purpose of buying, leasing or developing land used or to be used as Fairgrounds or Winter Quarters, provided that the Central Council shall first approve the object, the amount and conditions of such advance.

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- (b) All moneys in possession and control of each Section of the Guild (as defined in Rule 13) which for the time being, are not required by it shall be paid to the Trustees of that particular Section who shall invest it in the names of the Section Trustees in or upon any investments for the time being allowed by law for the investment of Trust Funds. The Section Trustees shall, in respect of any such funds, have all the statutory powers of Trustees.
- (c) Any freehold or leasehold property acquired by the Guild by purchase, lease or otherwise shall be conveyed, granted or assigned to the Trustees of the Guild upon the trust to sell the same, with full power to postpone the sale thereof, and to hold the net proceeds of sale thereof and the net rents and profits thereof until sale in trust for the Guild, as the Central Council shall direct.
- (d) Any freehold or leasehold property acquired by a Section by purchase, lease or otherwise shall be conveyed, granted or assigned to the Trustees of such Section upon trust to sell the same, with full power to postpone the sale thereof, and to hold the net proceeds of sale thereof and the net rents and profits until sale in trust for the Section, as the Section Committee shall direct.
- (e) Notwithstanding the provisions of sub-rule a. and b. hereof any investments for the time being held by the Trustees of the Guild or of a Section may at the direction of the Central Council or the Section Committee concerned as the case may require, be realised and the proceeds thereof applied in the purchase of freehold or leasehold property of any tenure in Great Britain and such property shall be deemed to be an authorised investment. Any property so purchased shall be conveyed, granted or assigned to the trustees concerned upon trust for sale in manner herein before provided.
- (f) The Trustees of the Guild or of any Section in whom the title to any freehold or leasehold property is vested under the provisions hereinbefore contained, shall have and may exercise in relation thereto, subject to the general directions of the Central Council or of the Section Committee concerned, as the case may require, full powers of management as if they were absolute owners thereof including power to mortgage or charge the said property provided that the said power of mortgaging or charging the said property shall be exercisable only by the direction of the Central Council or the Section Committee concerned and for purposes authorised by these rules but so that a Purchaser or Mortgagee or Chargee shall not be concerned to see that such direction has been given nor shall he be concerned to see to the application of the moneys so raised.

25 - BENEVOLENT FUNDS

- (a) The Central Council may create a Central Benevolent Fund (to be known as "The Central Benevolent Fund of the Showmen's Guild of Great Britain") and may from time to time raise money by subscription or otherwise for such Benevolent Fund. This Fund shall be under the management and control of the Central Council and shall be kept separate from the ordinary funds of the Guild. The Central Council shall also have power from time to time to make Rules and Regulations for the purpose of administering the Benevolent Fund in a proper and efficient manner and for defining the objects for which the Fund may be used.
- (b) Each Section of the Guild shall have power to create a separate Benevolent Fund for the objects defined in the Rules of the Section Benevolent Funds as approved by the Central Council and to raise money by subscription or otherwise for such Benevolent Fund. This Fund shall be kept separate from the Section General Fund and shall be under the management and control of the

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Section Committee. The Section Committee shall also have the power from time to time to make Rules and Regulations with regard to the administration of the Section Benevolent Fund subject to such Rules and Regulations first being submitted to and approved by the Central Council.

26 - CUSTODIAN TRUSTEES

- (a) The Central Council may at any time resolve that a Custodian Trustee be appointed of the property of the Guild and may by such Resolution direct the Trustees to appoint a body corporate nominated by the Central Council and having among its objects power to act as a Custodian Trustee whether a body corporate previously in existence, or one promoted by the Guild for the express purpose of holding the property of the Guild and the Trustees of the Guild shall there upon execute a Deed of Appointment of the said body corporate to be the Custodian Trustee of the Guild and shall take all such other steps as may be necessary to vest in such Custodian Trustee the investments and real and leasehold property of the Guild then held by them.
- (b) In like manner, a Section Committee may at any time resolve that a Custodian Trustee be appointed of the property of the Section and in such case the provisions of sub-rule a. hereof shall apply to such appointment with the substitution of the word "Section" for the word "Guild" save that where a Custodian Trustee has previously to such Resolution been appointed by the Guild, a Section Committee shall not be at liberty to resolve that any body corporate or other than the body corporate which has been appointed Custodian Trustee of the Guild, shall be appointed Custodian Trustee of such Section without the consent of the Central Council.
- (c) As from the date of appointment of a Custodian Trustee whether of the Guild or of a Section the management of the real and personal property of the Guild or Section, as the case may be, and the exercise of any power or discretion by these rules or by statute exercisable by the Trustees, shall remain vested in the Trustees other than the Custodian Trustee and the rights, duties and liability of the Custodian Trustee and of such other Trustees respectively shall be regulated by Section 4 (2) of the Public Trustee Act, 1906, or any other enactment relating to Custodian Trustees for the time being in force.
- (d) A Custodian Trustee shall be entitled to charge and be paid such reasonable remuneration for its services as may be agreed on between it and the Central Council or the Committee of the Section concerned.

27 - APPOINTMENT OF A CORPORATION AS SOLE TRUSTEE

Notwithstanding the provisions hereinbefore contained for the appointment of the three Trustees of the Guild and of each Section annually, it shall be lawful for the Guild, by a resolution passed by ballot by a majority of Members at a General Meeting of the Guild, or for any Section by a resolution passed by a majority of those present and voting at a meeting of the Section concerned, to resolve that the Central Council or Section Committee concerned be authorised in lieu of appointing three Trustees annually to be Trustees of the Guild or Section concerned to appoint any body corporate referred to in Rule 26 hereof to be the sole Trustee of the Guild or Section concerned. Such body corporate shall be appointed by Deed executed under the hands and seals of the President, Vice Presidents and General Secretary of the Guild, in the name and on behalf of the Central Council of the Guild or by the Chairman, Vice Chairman and Secretary of the Section concerned, in the name and on behalf of the Committee of the Section concerned and shall not be liable to submit itself for re-election, but shall hold office permanently until it retires or is wound up,

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and while it so holds office as Trustee of the Guild or Section concerned, it shall have and may exercise all the powers, liabilities, rights and duties by these Rules or by Statute vested in three Trustees of the Guild or Section concerned. Such body corporate shall be appointed upon such terms as may be agreed upon between it and the Central Council or Committee of the Section concerned as to remuneration for its services as such Trustees as aforesaid. In the event of a body corporate being appointed to be sole trustees of the Guild, no Section shall appoint as sole trustee of such Section a body corporate other than the body corporate appointed to be sole trustee of the Guild, without the consent of the Central Council.

28 - REMOVAL OF A CORPORATION FROM THE OFFICE OF CUSTODIAN OR SOLE TRUSTEE

Notwithstanding the provisions hereinbefore contained it shall be a condition of every appointment of a body corporate to be either a Custodian Trustee or a Sole Trustee of the Guild or of a Section that such body corporate shall undertake to retire from office and appoint such other persons or body corporate as the Central Council or Committee of the Section concerned shall direct, to act in its place, within three months after service upon it by the General Secretary or Secretary of the Section Committee concerned of a Notice in writing that a resolution has been passed by a ballot at a General Meeting of the Guild by a majority representing not less than two-thirds of the Members of the Guild or that a resolution has been passed at a General Meeting of the Section concerned by a majority representing not less than two-thirds of the members of the Section present and voting, as the case may require that the said body corporate be called upon to resign from the said office of Custodian Trustee or Sole Trustee as the case may be.

29 - GENERAL SECRETARY

The General Secretary of the Guild shall be appointed by, and shall be under the control of the Central Council who shall have power to enter into a service agreement with him for such period and on such terms and conditions as to remuneration and otherwise as the Central Council shall think fit. The duties of the General Secretary shall include attendance regularly at the Registered Office of the Guild and dealing with all correspondence relating to Guild matters, keeping the Books and Accounts of the Guild, attendance at all meetings of the Guild and the Central Council, and the keeping of a record of the Minutes taken at such meetings and a complete register of Members of the Guild and attendance at such Section Meeting as the Central Council or Management Committee think fit.

30 - BANKERS

A Bank Account shall be opened and kept in the name of the Guild at such Bank and place as shall be decided upon by the Central Council and all moneys received on behalf of the Guild from whatever source (other than moneys retained by the Committees of the Sections in accordance with Rule 13 and moneys received on behalf of the Benevolent Fund under Rule 25) shall be paid into this Bank Account. The Officers of the Guild, authorised by mandate lodged with the Guild's Bankers, shall sign all cheques issued by the Guild in accordance with the mandate, in amounts not exceeding the sum defined within the mandate. A Bank Account shall also be opened and kept by each of the Sections of the Guild at such Bank and place as shall be decided upon by the Section. All moneys received by a Section of the Guild from whatever source (other than the moneys received on behalf of a Section Benevolent Fund under Rule 25) shall be paid into the Section Bank Account and all cheques drawn thereon shall be signed by the officers of the Section authorised by mandate lodged with the Section's Bankers shall sign all cheques issued by the Section in accordance with the mandate in amounts not exceeding the sum defined within the mandate.

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31 - SOLICITORS

The Central Council shall have power to employ a Solicitor to deal with any legal matters concerning the Guild or any of its Members. The Committee of each Section shall have power to employ a Solicitor to deal with any legal matters relating to the work of its Section provided that the Committee of a Section may not employ a Solicitor to take part in any suit action or Guild complaints procedure without the consent in writing of the Central Council or the Management Committee. In the event the written consent is required as a matter of urgency, such written consent shall be given by any two of the three principal Officials of the Guild as well as the Guilds' Solicitor who shall, at their discretion, determine the urgency of the matter.

32 - AUDITORS

The Accounts of the Guild shall be properly kept and audited each year by an Auditor who is a Chartered Accountant to be appointed by the Central Council at their Annual Meeting. He may be removed at any time by a resolution of the Central Council passed by a two-third majority of those present and voting. The Auditor shall hold office for one year only but may offer himself for re-election. A Balance Sheet and Income and Expenditure Account shall be prepared by him each year in time to be presented to the Annual Meeting of the Central Council.

33 - INSPECTION OF BOOKS

The Accounting Records of the Guild and Register of Members shall be open at all reasonable times at the Principal Office for inspection by any member.

34 - ALTERATION OF RULES

(a) None of the rules herein contained shall be altered by addition, subtraction, amendment or rescission, except by a resolution of the Central Council passed by a poll by Card Vote representing a majority of the Members of the Guild who are represented by one or more elected delegates at the relevant meeting of the Central Council.

(b) The Central Council shall not pass such resolution unless and until:

- (1) A proposal for alteration has been made by any three or more Members, or by a Committee of the Guild or any Section comprising three or more Members; and the text of such proposal has been received in writing by the General Secretary at least five weeks before the Central Council Meeting: Any proposal for alteration to Rule put forward by any three or more Members as defined earlier in this sub-paragraph shall be referred and submitted to the Section Committee concerned, as well as being submitted in writing to the General Secretary as detailed earlier herein; and
- (2) The General Secretary has sent notice to the Secretary of each Section, at least 28 days before the Central Council Meeting, stating which rule is proposed to be altered; and the General Secretary has both advertised the full text of such proposal in "The World's Fair" newspaper or other Guild approved APP and sent the full text to each Section at least 14 days before the said Central Council Meeting; and
- (3) Subject to the clause (4) below, the Members of each Section have had an opportunity of considering the text of such proposal at an Extraordinary Members' meeting, and of instructing their delegates at such meeting as to how the Members' votes shall be cast at the Central Council. Such instructions may be:
 - (a) To support.
 - (b) To oppose.
 - (c) To vote upon their discretion.

It shall be the duty of each Section Committee to call such Extraordinary Meeting before the Central Council Meeting provided that it shall not be held until the text of the proposal has been advertised according to clause (2) above.

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- (4) Should any Section state at the meeting of the Central Council that their Members have had no such opportunity of considering the same or of instructing their delegates, the Central Council, after hearing the reasons given by the Section, shall determine either:
 - (a) to defer the proposal to the next Central Council Meeting; or
 - (b) to proceed with the proposal at the current meeting.

35 - DISSOLUTION

The Guild may be dissolved:

- (a) With the consent of three fourths of the Members testified by their signature to an instrument or instruments of dissolution, or
- (b) By a resolution passed by ballot at a General Meeting of the Guild (of which notice specifying the intention to propose such resolution has been duly given) by a majority representing not less than three-fourths of Members of Guild. Upon such dissolution the funds, investments and property of the Guild and of the Sections thereof shall be applied first in paying or making provision for the costs, charges and expenses of the administration of the Guild and the dissolution thereof and other expenses properly payable there out by the Guild or the Sections respectively and subject thereto shall be applied in such manner as shall be directed by such instrument or instruments or shall be directed by such resolution as aforesaid.

36 - NOTICES

- (a) Notices of a General Meeting of the Guild or a Section may be served by the Guild or Section upon any member by advertising the Meeting in "The World's Fair" newspaper or other Guild approved system and in such other newspaper or newspapers as may be decided upon by the Guild or a Section in General Meeting.
- (b) Except as provided in sub-rule a. of this Rule with regard to calling a General Meeting of the Guild or a Section, every notice shall be served by the Guild or a Section upon a member either personally or by sending it through the post in a pre-paid letter addressed to such member at his registered address as appearing in the Register of Members, or the last address supplied by him in writing. It shall be the duty of every member to make arrangements for the receipt by him of notices sent to the last registered address notified by him to the Guild, and failure to notify in writing such address to his Section Secretary shall be an offence.
- (c) Any Notice if served by post shall be deemed to have been served, where the respective addresses of the sender and recipient are situated within the same member state of the E.E.C, on the 7th day following that on which the letter containing the same is put into the post, but where such addresses are not so situated, on the 14th day after posting and in proving such service it shall be sufficient to prove that the letter containing the Notice was properly addressed and put into the post as a pre-paid letter. Any Notice if served by advertisement shall be deemed to have been served on the 7th day following that on which such advertisement first appears in any newspaper. This means that the advertisement must appear 14 days before the advertised meeting is held.
- (d) Any Notice required to be, or which may hereunder be served upon the Central Council or Section Committee, may be served by sending the same through the post in a pre-paid letter addressed to the General Secretary at the Registered Office or the Section Secretary (at his office or permanent address) of the Section concerned and in proving service of such Notice it shall be sufficient to prove that the letter containing the Notice was properly addressed and put into the post as a pre-paid letter.

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- (e) Where a given number of days Notice or Notices extending over any other period is required to be given, the day of service shall be counted in such number of days or other period.
- (f) When a person ceases to be a member of the Guild-otherwise than as the result of death-the Secretary of the Section concerned shall cause notification thereof to be inserted in "The World's Fair" newspaper.

37 - APPLICATION OF THE RULES

- (a) Nothing in these rules or in the Bye-laws made pursuant to the rules, shall apply to any permanent amusement park except for Insurance purposes, (i.e. mainly occupied by static equipment not travelling the Fairs) and suitable administrative buildings in connection therewith hall or shop or to anything done or omitted by any member at, or in connection with any permanent amusement park, hall or shop, save as provided for under Rule 19 a. (5.), or Rule 21 n.
- (b) The said rules and Bye-laws shall apply to every other type of amusement site attended by Members with their equipment, but the Committee of a Section shall have no power to enquire into, adjudicate on, or decide any complaint, question or dispute relating to anything done or omitted or alleged to have been done or omitted by any member at, or in connection with, any permanent amusement park as described above, hall or shop, save as provided for under Rule 19 a. (5) or Rule 21 n.

38 - INTERPRETATION OF THE RULES

In these Rules, unless the context otherwise requires, the following words shall have the following meanings:-

- (a) "Year" means calendar year.
- (b) The "Rules" means the Rules of the Guild for the time being in force.
- (c) "Lease" in relation to ground, piece of ground, place or position includes a licence or permission to use or occupy such ground, piece of ground, place or position and "Lessee" and "rent" shall be construed accordingly. See also sub-rule m. below.
- (d) Words denoting the masculine gender include the feminine gender.
- (e) Words in the singular include the plural and words in the plural include the singular.
- (f) "Member" means a full member of the Guild.
- (g) Any reference to a member or applicant for Membership shall be construed as including, with the necessary adaptations a company or firm which is a member or applicant for Membership.
- (h) "Person" shall include a company or firm.
- (i) "Stall" means a stall used solely for Fairground games or amusements and does not include a stall used for the sale of any commodity.
- (j) "Stallholder" means a person, firm or company who operates a stall as herein before defined.
- (k) "Fair" includes a Feast or Wakes but does not include a permanent amusement park, hall or shop or any event or activity taking place, or to take place at any permanent amusement park hall or shop.
- (l) "Equipment" means riding devices, stalls and Shows as set out in the Schedule of Charges (Rule 8 b), and does not include vehicles, caravans or generating sets.
- (m) A "Lessee" shall mean a member who has held or holds under a lease or licence from the person entitled to grant the same, and has held a Fair thereon. It shall be evidence that a member is a Lessee if he is entitled to sub-let the land or a portion thereof with the authority of the Lessor or Licensor to other Members who attend the Fair.
- (n) "Charge" as mentioned in Rule 8 l. (1) shall mean subscriptions for the purpose as referred to in Rule 14 j.

Unbroken line at left denotes rules under which complaints can be laid, subject to Section Bye-laws. However, members are advised the unbroken line is not exhaustive and they may wish to quote other rules or Bye-laws when laying complaints which do not have an unbroken line appearing against them.

STANDING ORDERS

- 1 - It shall be lawful for the President of the Guild, together with the General Secretary thereof, to sign for and on behalf of the Guild, all legal documents, petitions and otherwise which are in accordance with the Rules other than documents relating to property which is for the time being vested in Trustees.
- 2 - **Constitution of Meetings of Central Council**
Before proceeding with the business of the meeting, steps shall be taken to see that the meeting is properly and legally constituted.
- 3 - **Delegates**
The delegates appointed should be in attendance at the commencement of the Council Meetings, and continue to be in regular attendance at the several meetings. It shall be permissible for an authorised delegate during a meeting of the Council to withdraw and his place to be taken by another by consent of the Chairman of the Meeting. No delegate may leave the Council Chamber during a meeting without the consent of the Chairman of the Meeting.
- 4 - **Resolutions**
 - (a) Any resolution passed at the meetings of the Council requiring to be dealt with following such meetings shall be reported upon at the succeeding meeting, appearing upon the Agenda as "Business arising out of the Minutes."
 - (b) A Motion or Recommendation by a member of the Central Council or by a Section which has been negated or referred back (except for further report) shall not again be brought forward until after the expiration of thirteen calendar months, except with the leave of the Council, preceded by a certificate signed by not less than three delegates on the Central Council representing three Sections, to the effect that the subject may again reasonably be considered by the Council.
- 5 - **Matters for Inclusion in Agenda**
 - (a) Any Section having special business requiring the attention of the Council must forward notice thereof to the General Secretary at least one month before the holding of the meeting of the Council at which the business is to be considered and no business shall be considered or discussed which does not appear upon the Agenda. If a Section has business which it considers is urgent and which has arisen within the period of notice specified, it shall submit such business to the officials of the Guild who shall determine at their absolute discretion whether or not business shall be considered by the Council.
 - (b) Any Section having special business requiring the attention of the Management Committee must forward notice to the General Secretary at least one month before the holding of the meeting of the Management Committee at which the business is to be considered and no business shall be considered or discussed which does not appear upon the agenda. If a Section has business which it considers is urgent and which has arisen within the period of notice specified, it shall submit such business to the Officials of the Guild who shall determine, at their absolute discretion, whether or not the business shall be considered by the Management Committee.
 - (c) An item appearing on the Central Council Agenda may only be withdrawn by permission of the Central Council.
 - (d) The procedure under Rule 34 b. (4) shall apply to all items on the Agenda.

Unbroken line at left denotes rules under which complaints can be laid, subject to Section Bye-laws. However, members are advised the unbroken line is not exhaustive and they may wish to quote other rules or Bye-laws when laying complaints which do not have an unbroken line appearing against them.

6 - Minutes

Minutes shall be kept of all meetings held under the rules, and shall contain the substance of the matters dealt with. Any member may inspect, and make a copy of the Minute affecting him, by appointment with the Secretary concerned, but shall not be otherwise entitled to receive a copy thereof, save by authorisation of the appropriate Committee.

7 - Management Committee

Each Section representative on the Management Committee shall, on receiving his Agenda for a Management Committee Meeting, report to his Section Committee and after the Management Committee Meeting has been held, he shall report back to his own Committee on all matters that have taken place.

8 - Financial Year

The Financial Year shall end on the 30th September.

9 - Rescission of Minutes

If a motion to rescind a resolution within the minutes of a previously held Guild meeting or a part thereof is proposed, the Members who comprised the body of the original Committee shall be advised of the proposal to rescind the resolution or part thereof, as should any member who is involved in the content of the minute, or part thereof. Following such notification, the constitution of the Committee who resolve to rescind any minute or part thereof shall be comprised of at least two thirds of the Members of the Committee who initially attended the meeting which discussed the subject matter of the rescission. Additionally, if deemed appropriate, the member involved in the subject matter of the minute or part thereof shall be in attendance at the meeting to discuss the aforesaid rescission. However if the subject matter of the minute and/or resolution is as a result of action by invoking Rules 17 or 20, the result of which has been communicated to the parties involved, the power of rescission vested in this Standing Order shall not be exercisable.

10 - Control of the Financial Entries of all 10 Sections of the Showmen's Guild and the Central Office

- (a) All cheques requiring signatures must have the necessary documentation proving the amount requiring cheques, preferably Company headed invoices, or the source of the payee giving details of the amount due on either. Under no circumstances should a cheque(s) be signed by an authorised bank mandate signatory in blank.
- (b) All Sections must appoint a sub-committee entitled the Finance Committee and shall not include the named bank mandate authorised signatories and one of the other Section Trustees shall be included in the Finance Committee.
- (c) All monies received from members in connection with their membership should be entered daily in the relevant Section ledger and receipted by the Section Secretary, and should be banked on a regular basis.
- (d) The Finance Committee referred to in (b) above shall, without fail, meet once quarterly and check the issuing of cheques issued, and shall further check the content of (a) and (c) above, and report their findings to the full Committee. The Finance Committee for the Central Office should be made up by the three National Trustees of the Guild.
- (e) The Section Secretary shall put before the Finance Committee at their quarterly meeting all relevant ledgers showing entries in connection with monies paid into the Section by members together with a carbon copy of the issued receipts, see (c) above.

The Section Secretary shall also exhibit to the Finance Committee all proofs of payments made, see (a) above, together with the relevant ledger in which the issue of cheques are entered.

All bank statements should be available to the Finance Committee at their meetings in order to reconcile the receipts and withdrawals of all monies received into the Section office. If the Finance Committee finds a discrepancy they should immediately instigate a mini-audit by the Section auditors. The auditors must advise the Finance Committee of the result of the mini-audit immediately it has been finalised.

- (f) References and Criminal Records Bureau Checks.
 - (i) Applicants who apply for the job of Section Secretary must provide references from their previous employers. Sections should speak to the writer of the reference in connection with their application where possible.
 - (ii) Sections must also undertake a search of the Criminal Records Bureau in the name of the applicant. Central Office has already advised Sections of the procedures to carry out these checks.
- (g) The various references to the Financial Standing Orders referring to the signing of cheques on behalf of the Guild must appreciate that Guild Officers included in bank authority mandates must not be a declared existing bankrupt, unless he can produce evidence to prove that his bankruptcy has been withdrawn and cleared.
- (h) If Guild Sections cannot present their accounts at their A.G.M. then within 2 weeks of the A.G.M. date the Guild's National Treasurer, 2 of the Guild's Trustees and the Section's auditor should inspect the books of the Section to ascertain why the audited accounts have not been presented at the Section's A.G.M.
- (i) No cash payments shall be paid out of Central Office funds. Any cash received shall be paid as soon as possible into the Guild's bank account. All payments are to be made by cheque or bank transfer.

Unbroken line at left denotes rules under which complaints can be laid, subject to Section Bye-laws. However, members are advised the unbroken line is not exhaustive and they may wish to quote other rules or Bye-laws when laying complaints which do not have an unbroken line appearing against them.

RULES OF THE CENTRAL BENEVOLENT FUND OF THE SHOWMEN'S GUILD OF GREAT BRITAIN.

1 - TITLE, NAME, OBJECTS AND CONSTITUTION

The Benevolent Fund being an Auxiliary Fund to the General Fund of The Showmen's Guild shall be known as the "Benevolent Fund of The Showmen's Guild of Great Britain."

2 - OFFICE

The Office shall be at the Registered Office of the Showmen's Guild.

3 - OBJECTS

(a) The Central Benevolent Fund may be used for any or all of the following purposes and for no others:

- (1) To make donations to Members of the Guild and to widows and/or children of deceased Members who may be in need of financial assistance.
- (2) To make financial grants to the Committee of a local Section to enable or assist them to purchase, lease or otherwise acquire suitable properties and to carry out necessary works thereon for use as Fairgrounds or winter quarters for Members of the Guild, or parking places for aged Members and those who are no longer able to follow their business of travelling Showmen.
- (3) To make financial grants or loans to the Committee of a local Section to enable or assist them to purchase, lease or otherwise acquire sites or properties suitable for Guild purposes, and to carry out necessary works thereon.
- (4) To further and assist any charitable, religious, educational or social scheme for the benefit of Members and their families and to acquire property in connection therewith.

(b) Property acquired by the aid of a grant made under clauses (2) or (3) above shall be conveyed to the Trustees of the Section concerned and shall not form part of the assets of the Central Benevolent Fund.

(c) Any such grant shall be returned to the Fund in full if the purpose for which it was made is not commenced within 12 months from the date of such grant.

(d) The Executive Committee shall not make any grant under clauses (2), (3) or (4) above unless and until the Central Council have, by resolution, approved thereof, and the Central Council, before approving the same, shall satisfy themselves that the amount of such grant is reasonable having regard to the purpose of the grant and to the financial state of the Fund.

4 - MANAGEMENT

The Management of the Benevolent Fund shall be vested in the Central Council of the Showmen's Guild. The Officers of the said Guild shall be the Executive Committee, who will deal with all applications for relief or assistance, and the Treasurer of the Guild who shall act as Treasurer of this Fund. All applications for relief or assistance shall be made to the General Secretary of the Showmen's Guild, who will place same before the Executive Committee for consideration. In the event of urgent necessity, the Secretary of the Showmen's Guild, together with the President, shall be empowered to deal with necessitous cases, but not to exceed the sum of £1000.

5 - MEMBERSHIP

The Membership shall consist of all those who have been enrolled as Members of the Showmen's Guild and who are in actual Membership at any time any application has been made for relief or assistance.

6 - SUBSCRIPTION

All Members shall contribute to the said Benevolent Fund by way of Subscription as detailed and referred to in Rule 8 a. (1)

7 - INCOME

The Income of the Benevolent Fund shall be derived from the Membership Subscriptions, Collections, Benefits, Private Donations or Bequests.

8 - PROPERTY

All property belonging to or coming to the Benevolent Fund and all cash balances shall be vested in the three Trustees of the Guild who shall hold same for and on behalf of the Benevolent Fund, and in no case whatever shall the Fund be employed other than the purpose for which it is created.

9 - ACCOUNTS

A Book of Accounts of all money received and from what source shall be properly kept, also all payments or disbursements recorded and the investments made be shown. The Books shall be Audited by the Auditors of the Showmen's Guild and an Annual Balance Sheet shall be prepared and certified by them.

10 - ANNUAL MEETING

At the Annual Meeting of the Showmen's Guild the Audited Balance shall be presented to the Members, after which it shall be incorporated with the issue of the Year Book.

RULES OF THE BENEVOLENT FUND OF THE SEVERAL SECTIONS OF THE SHOWMEN'S GUILD OF GREAT BRITAIN

1 - TITLE, NAME, OBJECTS AND CONSTITUTION

The Benevolent Fund created by the Section of the Showmen's Guild shall be an Auxiliary Fund to the General Fund of the said Section and shall be known as the "Section Benevolent Fund".

2- OBJECTS

(a) The Section Benevolent Fund may be used for all or any of the following purposes and for no others.

- (1) To make donations in special cases to any of the Members of the Section and to widows and/or children of deceased Members who may require pecuniary help by reason of necessitous circumstances.
- (2) To purchase, lease or otherwise acquire suitable properties and to carry out necessary works thereon for use as Fairgrounds or winter quarters for Members of the Guild, or for use as parking places for aged Members and those no longer able to follow their business as travelling Showmen.
- (3) To make financial grants or loans to the Committee of another Section or to the Central Council to enable or assist them to purchase, lease or otherwise acquire sites or properties suitable or Guild purposes, and to carry out necessary works thereon.
- (4) To make donations or loans in special cases to any other Section Committee to purchase, lease or otherwise acquire suitable properties for the purposes set out in (2) and (3) above.

(b) Before any money is expended on any of the above objects, the Section Committee shall satisfy themselves that the amount is reasonable having regard to the purposes of the expenditure and the state of the Fund, and any proposed expenditure under Clauses (2), (3) and (4) above shall be approved by the Management Committee.

3 - MANAGEMENT

The Management of the Benevolent Fund shall be vested in the Officers and Local Committee of the Section who will deal with all applications for relief or assistance, and the Treasurer of the Section shall act as Treasurer of this Fund. All applications for relief or assistance shall be made to the Secretary, who will place same before the Committee to be dealt with, but in the event of urgent necessity the Secretary of the Section together with the Chairman, shall be empowered to deal with such necessitous cases but not to exceed the sum of £500.

4 - MEMBERSHIP

The Membership shall consist of all those who have been enrolled as Members of The Showmen's Guild, and who are in actual Membership at the time any application has been made for relief or assistance.

5 - SUBSCRIPTION

All Members shall contribute to the said Fund such minimum subscription as the local Section, in General Meeting, may determine, save that a member in possession of a current Privilege Card issued under Rule 8 j. shall be exempt from the obligation to pay any subscription to the said Fund.

6 - INCOME

The Income of the Benevolent Fund shall be derived from the Membership Subscriptions, Collections and Benefits.

7 - ACCUMULATED FUND

Not less than two or more than five Trustees shall be appointed who shall invest such money as shall not reasonably be required for the purposes of relief or assistance, and any property acquired under the Objects of the Fund shall be conveyed to them.

8 - ACCOUNTS

A Bank Account and a Book of Account of all moneys received, and from what source shall be properly kept, also all payments or disbursements recorded and the investments shown. The Books shall be properly Audited and Certified and a Balance Sheet prepared, a copy of which shall be sent to the General Secretary of the Guild for the purpose of publishing same.

9 - ANNUAL MEETING

At the Annual Meeting, the Audited Balance Sheet of this Fund shall be presented to the Members.

ANIMALS AS PRIZES ON FAIRGROUNDS

The following Resolution was passed by the Central Council at a meeting held in May, 1958:

No member shall, for display or as a prize, use tortoises, chicks, kittens, puppies, young rabbits and/or any other animal or bird with the exception of goldfish and recognised cage birds.

Any member who shall give goldfish as prizes, shall keep the fish in suitable containers used for display purposes only.

Fish shall be passed to a successful competitor housed in a suitable container of not less than 4 in. diameter. Polythene bags may be used for this purpose only, and shall not be used for the display or storage of fish. With each fish a member shall give a pamphlet setting forth advice on the care and feeding of goldfish as supplied by the RSPCA. No globe, or container into which a competitor may throw balls, coins or other articles shall contain fish. A member shall only be permitted to display birds on a stall or other structure, provided that the birds are placed above the direct glare of any light. Birds passed to a successful competitor shall be housed in a container of adequate size for their conveyance home. Failure to observe the terms of this Resolution may be treated as conduct prejudicial to the Guild and may be dealt with under Rule 19a. (3).

CIRCUS MEMBERSHIP

The following Resolution was passed by the Central Council at a meeting held on the 11th June, 1991.

Circus Members of The Showmen's Guild of Great Britain are subject to the following restrictions:

1. Elephants must receive substantial periods of free exercise each day, i.e. they are walked around by their trainer or allowed to graze in a secure compound. The most significant recent breakthrough has been the introduction of a portable barrier of a plastic mesh construction which is mildly electrified as with cattle, this allows the elephants complete freedom of movement.
2. Caged animals, including bears, must have adequate exercise areas to which they have access at all reasonable times of the day. They cannot be kept solely in their travelling cages.
3. Performing dogs must be kept on a domestic basis and allowed freedom of exercise.
4. Chimpanzees must not be kept beyond the age of seven years.
5. Animals such as camels and llamas must be kept in stall arrangements similar to horses, and during the day must be allowed freedom of grazing.
6. Members cannot travel with "display animals", i.e. cages of monkeys or non performing bears.
7. Members can travel only with animals which are performing or are in the process of being trained and are receiving constant exercise.

Failure to comply with the above and current veterinary programme of the Association of Circus Proprietors of Great Britain shall be an offence.

Unbroken line at left denotes rules under which complaints can be laid, subject to Section Bye-laws. However, members are advised the unbroken line is not exhaustive and they may wish to quote other rules or Bye-laws when laying complaints which do not have an unbroken line appearing against them.

BYE-LAWS OF THE SEVERAL SECTIONS OF THE SHOWMEN'S GUILD OF GREAT BRITAIN DERBY, NOTTS., MID AND SOUTH LINCS. SECTION

The Bye-laws hereinafter appearing under the heading "Derby and Notts. Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 8 Section.

1 - Previous BYE-LAW 1. cancelled and new BYE-LAW granted by Central Council, January 2018

All members of the section excluding privileged members shall contribute annually with their subscriptions a minimum sum of £20.00 to a Section Administration Fund.

**2 - Granted by Central Council, January 1947
Amended by Central Council, January 1980**

All Members shall make application in writing for grounds or positions at Fairs they regularly attend not later than fourteen days prior to such Fair taking place unless otherwise advertised in the "The World's Fair" for two consecutive weeks, specifying a closing date for booking of ground.

3 - Cancelled by Central Council, January 1980

4 - Cancelled by Central Council, January 2015

5 - Granted by Central Council, January 1956

The minimum distance of the shoot on all Airgun Shooters (pellet, cork or dart) shall be seven feet from the front of the gun table to the target.

6 - Cancelled by Central Council, January 2015

7 - Granted by Central Council, January 1969

No member shall interfere with any game not disapproved of by this Section Committee or the Central Council on appeal, and not objected to by the Local Authority.

8 - Granted by Central Council, January 1969.

**Amended by Central Council, May 1973; January 1980; January 1989;
January 1992, 2004**

- (a) All Members shall contribute to the Benevolent Fund by way of subscription a minimum of £20 per annum, the same to be payable with the Guild Subscription.
- (b) In addition they shall contribute annually the sum of £10 to be allocated to a fund for the Section's widows and aged Members to be used at the absolute discretion of the Section Committee.

9 - Granted by Central Council, January 1971

On all Fairgrounds, after the established tenants have been allocated their usual positions, if a position(s) becomes vacant or a new position(s) is created, the established tenants in seniority shall have the option of moving on to the said position(s) in rotation. In the event of two or more tenants having equal seniority it shall be decided by ballot. After the established tenants have been allocated the position, all new tenants shall draw for the remaining space, such draw to include Lessees.

10 - Granted by Central Council, January 1972

All Members are responsible for the clearing and disposal of all litter within a ten feet radius of their own particular equipment on all grounds in this Section, whether Fairground or winter quarters.

DERBY, NOTTS., MID AND SOUTH LINCS. SECTION

11 - **Granted by Central Council, January 1980**

Upon all new Fairgrounds every tenant shall draw for position. Where on a Fairground a position becomes vacant, or a new position becomes available for letting, the established tenants will have the option of moving up or down in rotation, which if necessary can be decided by ballot. This shall not include adult riding machines and Shows.

12 - **Cancelled by Central Council, January 2015**

13 - **Granted by Central Council, June 1987**

Mechanical, electrical or petrol driven motor cycles and "go carts" are forbidden to be used on all Fairgrounds and winter sites in the Derby, Notts., Mid. and South Lincs. Section including the Guildhall Estate Accommodation Park, Selston. This does not apply to equipment listed under the Schedule of Charges.

14 - **Granted by Central Council, June 1990**

Amended by Central Council, January 1992

All Members of the Notts. & Derby Section, excluding Privileged Members shall donate the sum of £20 per annum to a fund to be known as the Public Relations Fund.

15 - **Granted by Central Council, January 1995**

No ride operating member shall refuse to participate in promotional offers which have been approved by the Section Committee and the general Members of the fair. Each ride must display at least two notices in prominent positions accepting promotional offers at all times of the promotion of the fair.

16 - **Granted by Central Council, January 2004**

Amended by Central Council, January 2016

Every piece of equipment operated at fairs in the section shall provide a litter bin for use by the public no smaller than 18" in diameter and 36" high and be placed in a prominent position.

17 - **Granted by Central Council, January 2010**

At all Section fairs organised by the Derby, Notts. Mid. & South Lincs. Section where floating positions have been designated by the Section Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position(s) and the occupation of such site(s) shall not count towards Established Rights of Tenure.

18 - **Granted by Central Council, January 2016**

New Bye-Law No. 18 - 'The use of Goldfish as prizes will only be allowed in the Derby, Notts, Mid & South Lincs. Section if they are given as prizes in games of skill; they must not be allowed to be given as prizes in games of chance or as prizes every time and may never be given to anyone under the age of 16 years of age unless accompanied by an adult. Fish should never be displayed in plastic bags. A leaflet on caring for the fish should also be given. Failing to comply with the RSPCA Guidelines and the Animal Welfare Act 2006 can lead to a fine of up to £20,000 and/or up to 12 months imprisonment.'

19 - **Granted by Central Council, January 2020**

It shall be an offence for a Lessee member to operate a token system or armband system at a fair at which Established Rights exist unless: (a) All Established tenants of the fair agree or, (b) He (they) has (have) applied for permission to the Section to do so. Agreement with the Established tenants or application to the Committee must be made not less than six weeks before the fair is due to take place. The Section Committee shall advertise in 'The World's Fair', or other Guild approved system, all applications received at the cost of the applicant. Should any member object, they must put their objection in writing within 14 days of the date of the advertisement and send to the Section Secretary along with the deposit of £25 - this deposit to be returned if the objection is upheld.

LANCASHIRE, CHESHIRE & NORTH WALES SECTION

The Bye-laws hereinafter appearing under the heading "Lancashire Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 2 Section.

1 - Cancelled by Central Council, January 2018

2 - Cancelled by Central Council, January 2018

3 - Granted by Central Council, January 1936

Amended by Central Council, January 2014, January 2019, January 2020

All Members, other than Privileged Members and the wife of a Life Member, shall contribute the following amounts annually in conjunction with their subscriptions: £5 to the Section Benevolent Fund; £20 to the Public Relations Fund; £24 to the Aged Members Fund; £15 to the Office Administration Fund.

4 - Cancelled by Central Council, January 2018

5 - Cancelled by Central Council, May 1985

6 - Granted by Central Council, January 1937

Where a Lessee of this Section enters into an agreement with a Carnival Welfare Hospital Committee or any other Committee to provide Fair Ground amusements and fails to meet his obligation in respect of the place in question he shall not be protected by the Bye-law granted to this Section, 23rd January 1929. This shall not take effect when the Lessee can prove to the Section Committee that the Carnival or other Committee has broken their part of the contract and the Lessee passes on to the tenants any reduction obtained by him through the breaking of the said contract.

7 - Granted by Central Council, June 1951

Amended by Central Council, January 1956

(a) On all grounds where Members have the right to attend by virtue of two years' tenancy (Rule 23) applications for the Fair must be made by the Lessee not less than 14 days prior to the date of opening, and applications for space must be made by the tenant not less than 7 days prior to the date of opening unless otherwise advertised for two consecutive weeks in the "The World's Fair".

(b) Where a Lessee has a moveable date on any Fairground he notifies the tenant who has a right to attend the date he is opening same so that the old tenant has the right of refusal

8 - Cancelled by Central Council, January 2018

9 - Granted by Central Council, January 1954

On all grounds nothing shall protrude over the building line of the side stalls and Shows except overhead canopies which must be at least 6ft. 6in. from the ground and unsupported by uprights outside the building line.

10 - Cancelled by Central Council, January 2019

11 - Granted by Central Council, May 1954

No member shall interfere with any game not disapproved of by this Section Committee, or the Central Council on appeal, and not objected to by the local authority.

12 - Cancelled by Central Council, January 1995

13 - Cancelled by Central Council, January 2001

14 - Granted by Central Council, January 1969

No round stalls converted to an elongated shape shall be larger than 30ft. long and 22ft. wide, this to include the canopy.

15 - Cancelled by Central Council, January 2018

LANCASHIRE, CHESHIRE & NORTH WALES SECTION

16 - Cancelled by Central Council, May 1985

17 - Granted by Central Council, 1960

The minimum distance of the shoot on all air-gun shooters (pellet, cork or dart) shall be not less than seven feet from the front of the Gun Tables to the Target, and that all guns be chained to the table.

18 - Cancelled by Central Council, January 1986

19 - Cancelled by Central Council June 1987

20 - Granted by Central Council, May 1968

Where it is the custom for a draw to be held for positions among established tenants on any Fair ground, no tenant shall have the right to stand on the position he occupied the previous year unless he draws it in the ballot.

21 - Granted by Central Council, May 1970

Amended by Central Council, January 2010

Noise. The total volume of sound, whether mechanical, amplified or vocal, coming at any time from any ride, stall or show shall not exceed 80DBs as measured by meter at any distance beyond the structure of the equipment (which shall not include any steps); except that the Section Committee may take into account, before imposing any penalty that in their opinion the proportion of mechanical to total noise is exceptional due to the design of the equipment concerned.

22 - Granted by Central Council, January 1975

On all Lessee Members' ground, all tenants shall be allotted their positions so as to enable them to commence building up not later than 2.00 p.m. on the day prior to the opening of the Fair in question.

23 - Granted by Central Council, June 1981

The Section Committee shall have power, when dealing with applications for increased rental, to vary the proportion of such increases to be paid for different classes of equipment.

24 - Granted by Central Council, May 1985

All nominations under Rule 14 k. must contain the Guild number of all nominees and proposers. Failure to observe this Bye-law will disqualify nomination cards.

25 - Cancelled by Central Council, January 2014

26 - Granted by Central Council, January 2006

No Member shall refuse to allot space to an Established tenant for his living van or vans, provided that no offence shall be committed if the members charged satisfies the Section Committee on any of the following matters:

- (1) That no space is, or can reasonably be made available for the living vans in question.
- (2) That it has not been customary in the past for members caravans to be accommodated at the fair
- (3) That to accommodate the living vans in question would be prejudicial to the fair or other members attending it.
- (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the member's equipment.

No charge shall be made for the accommodation of the living vans under this Bye-law except where it has been customary to make such a charge at the fair in question. In this case the charge shall not be increased without the sanction of the section committee.

LANCASHIRE, CHESHIRE & NORTH WALES SECTION

27 - Granted by Central Council, January 2009

At all section fairs operated by Lancashire, Cheshire & North Wales Section where floating positions have been designated by the Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position(s) and the occupation of such site shall not count towards Established Rights of Tenure.

28 - Granted by Central Council, January 2010

Under the terms of Rule 23(c)(2) where a fair with Established Rights operates on a site/park where the distance between the two gates used can be 1 mile or over, it shall be an offence to operate a rival fair within the boundaries of that same site.

29 - Granted by Central Council, January 2013

No ride operating member shall refuse to participate in promotional offers which have been approved by the Section Committee and the general members of the fair. Each ride must display at least two notices in prominent positions accepting promotional offers at all times of the promotion of the fair.

30 - Granted by Central Council, January 2015

Amended by Central Council, January 2018

Notwithstanding the provisions of rule 23(b)(3) the Section Committee may, if they are satisfied that the circumstances so warrant, continue to deal with successive annual applications for Preservation of Rights in excess of the three successive applications provided by the Rule, but not exceeding a total of five such successive applications.

31 - Granted by Central Council, January 2019

At the Annual General Meeting of the Lancashire, Cheshire and North Wales Section, members may cast their Ballot, for the election of the Section Committee, at any time. Should any Ballot paper contain more votes than the agreed size of the Committee, the Ballot paper will be void.

LONDON AND HOME COUNTIES SECTION

The Bye-laws hereinafter appearing under the heading "London Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 6 Section.

- 1 - Granted by Central Council, June 1938**
Amended by Central Council, June, 1953; January 1954; January 1956;
May 1959; June 1961; January, 1972; May 1985; January 1987;
January 1991; January 2009, January 2010, January 2018

 - (a) No member shall apply for, accept or occupy a Fair Ground or Position which another Member has held for two previous consecutive years providing such Member desires to occupy the same . A Ground which has been so held by a Member for two immediate previous consecutive years becomes an acknowledged Fair Ground.
 - (b) No member shall open a fairground within one third of a mile and/or four weeks (28 days) of another acknowledged fairground on the same date as he is holding a fair thereon, inside of the North and South Circular Roads. Outside the North and South Circular Roads the time and distance will be as per Rule (one mile and four weeks).
 - (c) The protection granted under this Bye-law in respect of a ground or position shall be unaffected by the occupation of the ground or position by a non-member for any period not exceeding three years, provided the member concerned can prove that he has at all material times endeavoured to re-take the ground or position at not less than the prevailing rent or price.
 - (d) The first paragraph of this Bye-law shall not apply to Newbury Michaelmas Fair.
- 2 - Granted by Central Council, January 1945**
Amended by Central Council, January 1972; May 1977; January 1983,
January 1991, January 1996.

 - (a) All Members shall contribute annually a minimum sum of £1.00 to the Section Benevolent Fund.
 - (b) In addition they shall contribute annually a minimum sum of £10.00 to the Section's Aged Members' Fund to be used at the absolute discretion of the Section Committee.
- 3 - Granted by Central Council, January 1952**
Amended by Central Council, January 1989
Nothing, including a Roundabout, machine, etc., shall protrude over the building line of side stalls; this not to apply to overhead canopies which must be at least 6ft. 6ins from the ground.
- 4 - Granted by Central Council, January 1962**
On all Fairgrounds or other places where Members assemble with showmen's equipment and Living Vans, a speed restriction of 5 m.p.h. shall be applicable to all vehicular or other means of transport.
- 5 - Granted by Central Council, January 1957**
All Members shall so protect the exhaust pipes of stationary engines used on Fairgrounds that they shall not constitute a danger to any person.
- 6 - Granted by Central Council, January 1964**
Members shall at any Fair in the London Section area see that their equipment is open during the period of opening as laid down by the Lessee, whether a member or not.

LONDON AND HOME COUNTIES SECTION

7 - Granted by Central Council, 1964

Amended by Central Council, January 1987

Members who are tenants of the London County Council or their successors at Bank Holiday Fairs held at Easter, Whitsun and August, shall at all times see that the ground let to them is occupied by their own equipment, or some other member's equipment, in accordance with Rule.

8 - Granted by Central Council, May 1968

No member shall interfere with any game not disapproved of by this Section Committee, or the Central Council on appeal.

9 - Granted by Central Council, May 1969

Amended by Central Council, January 1983

No member shall have on display prizes over the value of £25.00 on any game of chance. All prizes on any stall must be able to be won.

10 - Granted by Central Council, 1975

At all Section Fairs organised by the London Section where a floating position has been designated by the Committee for types of machines approved by the Committee, no Member may claim an established right to such position and the occupation of such site shall not count towards establishment of rights of tenure. The said floating position shall be drawn annually.

11 - Granted by Central Council, May 1975

(a) No charge shall be made for the accommodation of caravans, lorries, or trucks or the emptying of toilets and dustbins at a Lessee Member's Fair previously held, except:

(1) By consent of the Section Committee who may fix a reasonable amount.

(2) Where it has been customary to make such charge before 1st June 1975; in that case the charge shall not be increased without the consent of the Section Committee.

(b) At any new Fair any such charges shall form part of the inclusive rent for the position.

12 - Granted by Central Council, May 1975

All tenants who have booked space at a Lessee Member's Fair shall be allowed to pull on to the site with their equipment no later than 24 hours after the Lessee himself has commenced to pull his own loads on to the site. Where the Lessee considers that this Bye-law is not workable at a particular Fair, he must make application to the Section Committee who shall have the authority to order that this Bye-law shall not apply to that particular Fair.

13 - Granted by Central Council, January 1979

The Section Committee shall have power, when dealing with applications under Rule 21, to pass on increases of rental to vary the proportion of such increases to be paid for different classes of equipment.

14 - Granted by Central Council, January 1979

The sub-letting of ground or position without the permission of the Section Committee is an offence in the London and Home Counties Section subject to Rule 21 j.

15 - Granted by Central Council, January 1979

Amended by Central Council, January 2008

All Members (other than privileged Members) shall pay a minimum of £20.00 to a fund to be designated "Property Fund" (such payment to be due with the annual subscription). The purpose of such fund shall be the purchase and development of suitable land for showmen's parking and/or Section premises. Such monies that are raised and are for the time being not used for this purpose shall be invested by the Section Trustees in suitable short-term securities.

LONDON AND HOME COUNTIES SECTION

16 - Granted by Central Council, June 1979

- (a) Where on any Fairground a position becomes vacant the established tenants shall have the option of moving up or down, which if necessary can be decided by ballot. Afterwards the Lessee shall allot vacant spaces at his discretion. Any member who shall take advantage of the aforementioned option shall not thereby adversely affect his rights under the Rules.
- (b) For the avoidance of doubt it is hereby declared that "vacant" shall mean vacated by the member who occupied the position in the previous year in which the Fair was held.

17 - Granted by Central Council, June 1979

Where a new ground or Fair is opened and the Lessee does not inform the tenants of the Rent when booking, he, the Lessee, cannot charge any more than 10p per foot per week.

18 - Granted by Central Council, June 1984

No member shall refuse to allot space at any Fair to an established tenant for his living van or vans; provided that no offence shall be committed if the member charged satisfies the Section Committee on any one of the following matters:-

- (1) That no space is, or can reasonably be made available for the Living Vans in question.
- (2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.
- (3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.
- (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the Members' equipment.

No charge shall be made for the accommodation of Living Vans under this Bye-law, except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

19 - Granted by Central Council, June 1989

Amended by Central Council, January 2018

Notwithstanding the provisions of Rule 23 b. (3) the Section Committee may, if they are satisfied that the circumstances so warrant, continue to deal with successive annual applications for Preservations of Rights in excess of the three successive applications provided by Rule, but not exceeding a total of five such successive applications.

20 - Granted January, 2002 amended by Central Council January 2015, January 2019

Notwithstanding anything to the contrary written above or contained elsewhere in the Rules or Bye-laws, it shall be in order for a member who holds Rights at Guild run fairs to allow another member to occupy his Established position/s with the same type of equipment, provided that the substituted equipment can build within the Established site, and no additional vehicles have to be accommodated on site. For Rule 23 Rights to be retained it is an express requirement of this Bye-law that the member holding the Rights notifies the Section Secretary concerned of his intention, stating the name and Guild number of the member to whom he is subletting and remitting £25.00 to cover administration costs, the member

LONDON AND HOME COUNTIES SECTION

must forward all relevant paperwork to the Section Office and obtain written acknowledgement of the arrangements from the Section Secretary at least five working days before the pulling on day of the fair. Provided that the above requirements are carried out in full, the member's Guild Rights to the subject position/s will be preserved without further application or need to advertise. In an emergency situation a Section Chairman shall have authority to allow a sub-let described above in the fourteen-day period to the fair opening day. The member requiring this Bye-Law will also be responsible for any late fees imposed by the appropriate local authority. For the purposes of this Bye-law "same type of equipment" shall mean stall for stall, 8(l) equipment for 8(l) equipment, dodgem track for dodgem track, twist for twist, etc. etc.

21 - Granted by Central Council, January 2007

At London Section run fairs no ride operating member [or other devices but excluding games with prizes or 8(1)] shall refuse to participate in promotional offers that have been approved by the Section Committee. This includes the opening of Juveniles and other suitable children's equipment especially for the entertainment of the Special Needs Children attending a fair as an organised party.

22 - Granted by Central Council, January 2007

It shall be conclusive evidence to Rule 21(p) (Noise) if a decibel reading taken exceeds 80db from 20 feet around the perimeter of the device.

23 - Granted by Central Council, January 2012

A member may make arrangements with a Registered Inspection Body [as determined in Rule 21(n)(3)(b)] for the annual inspection of devices belonging to him, subject to the following conditions:

- (a) the member gives prior notice to his Section Secretary of his intentions and obtains the appropriate Safety Certificate from the Inspector [which shall be valid for the purposes of Rule 21(n) before he operates the equipment as determined by Rule 21(n)(3)(h)(1) and the Guidance on Safe Practice at Fairgrounds and Amusements Parks [Section D paragraph 102]
- (b) he complies with the requirements set out in Rule 21(n)(3)(b), (c), (f), (g) & (h)
- (c) he accepts full responsibility for the payment of the Engineer's fees.

24 - Granted by Central Council, January 2012

All members of the Section, excluding Privileged members, shall contribute annually with their subscriptions a minimum sum of £10 to a Section Administration Fund.

25 - Granted by Central Council, January 2014

It shall be an offence for a Lessee member to operate a token system or armband system at a fair at which Established Rights exist unless:

- (a) All Established tenants of the fair agree or,
- (b) He (they) has (have) applied for permission to the Section to do so. Agreement with the Established tenants or application to the Committee must be made not less than six weeks before the fair is due to take place. The Section Committee shall advertise in "The World's Fair" all applications received at the cost of the applicant. Should any member object, they must put their objection in writing within 14 days of the date of the advertisement and send to the Section Secretary along with the deposit of £25 - this deposit to be returned if the objection is upheld.

26 - Granted by Central Council, January 2015

Every tenant at Section run fairs to be instructed to have a minimum of one standard size rubbish bin on all pieces of equipment operated.

LONDON AND HOME COUNTIES SECTION

**27 - Granted by Central Council, January 2016
Amended by Central Council, January 2018**

New Bye-Law No. 27 - 'Under the terms of Rule 23(c)(2), where a fair with Established Rights operates on a site, park, heath or common, where the distance between the two fairs used are, as mentioned in London & Home Counties Section Bye-Law No. 1(b), it will be an offence to operate a rival fair within the boundaries of the same site, park, heath or common.

28 - Granted by Central Council, January 2016

New Bye-Law No. 28 - 'The use of Goldfish as prizes will only be permitted in the London & Home Counties Section if they are given as prizes in games of skill; they must not be allowed to be given as prizes in games of chance, or as a 'prize every time' and may never be given to anyone under the age of 16 years of age, unless accompanied by an adult. Fish should never be displayed in plastic bags. A leaflet on caring for the fish should also be given. Failing to comply with the RSPCA Guidelines and the Animal Welfare Act 2006 can lead to a fine of up to £20,000 and/or up to 12 months imprisonment.

29 - Granted by Central Council, January 2020

It will be an offence, should any members using the parking sites/Winter quarters under the control of the Section fail to pay any rents, which fall under the Schedule of Charges. It will also be an offence to leave the site without paying any rents lawfully due, to include parking on a casual/overnight basis. Should any member's rent fall into arrears to the tune of £750.00 a complaint will be laid automatically.

MIDLAND SECTION

The Bye-laws hereinafter appearing under the heading "Midland Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 4 Section.

- 1 - Granted by Central Council, January 1937**
Amended by Central Council, June 1964, January 1971; January 1972; May 1975; May 1977; January 1982; June 1991; January 1999; January 2003.
 - (a) All Members shall contribute annually a minimum sum of £5 to the Section Benevolent Fund.
 - (b) All Members shall contribute annually the sum of £9.00 to be allocated to a fund for the Section's widows and aged Members to be used at the absolute discretion of the Section Committee.
 - (c) All Members other than Privileged Members shall contribute annually a minimum sum of £5 to a Section Administration Fund.
- 2 - Granted by Central Council, June 1939**
Amended by Central Council, May 1954
 - (a) No roundings shall be dropped to stalls or roundabouts until the machines are closed each night.
 - (b) Fire extinguishers of not less than two gallons capacity shall be provided by every lorry owned by a member.
 - (c) No member shall interfere with any game not disapproved of by this Section Committee or the Central Council on Appeal and not objected to by the local authority.
- 3 - Cancelled by Central Council, June 1987**
- 4 - Granted by Central Council, June 1945**

In all cases where the date of a Fair is governed by the date upon which Easter falls, the Fair shall be deemed to be a fixed Fair, and shall be entitled to all the benefits and protection afforded to Fairs of fixed date.
- 5 - Granted by Central Council, January 1955**
Amended by Central Council, June 1955

On any Fairground in this Section, lighting sets shall be turned off thirty minutes after closing time except in exceptional circumstances, when a member of the Committee will have the power to grant permission for a set to continue running after the stipulated time.
- 6 - Cancelled by Central Council, June 1987**
- 7 - Granted by Central Council, January 1959**
Amended by Central Council, January 1979
 - (a) All Members travelling within the Midland Section and using electric current (AC or DC) above 110v DC must erect their wiring properly supported at least 18ft. above the ground or fitted into conduits at least 12in. below the ground.
 - (b) All Living Vans, lorries, trucks, stalls, Shows or Rides using electric current (AC or DC) above 110v DC must be fitted with a separate fuse box.
 - (c) All wiring carrying electric current (AC or DC) above 110v DC must be in good order and open to inspection by any Section Committeeman.
 - (d) The foregoing does not apply to amplifiers or similar apparatus working through a converter.
- 8 - Granted by Central Council, January 1960**
Amended by Central Council, May 1960

The sub-letting of ground or position without the permission of the Section Committee is an offence in the Midland Section, subject to Rule 21 j.
- 9 - Granted by Central Council, January 1963**

The use on Fairgrounds of sirens, klaxons, hooters and other mechanical sounding devices of a similar nature is only permitted subject to no noise nuisance being caused thereby and the Section Committee or Appeals

MIDLAND SECTION

Committee shall be the sole judges as to whether the use of any such devices constitutes noise nuisance.

10 - Granted by Central Council, January 1964

No generating sets, trucks, lorries or compressors will be allowed in the centre area of any Fairground during opening hours except under exceptional circumstances when the permission of the Committee must be obtained.

11 - Granted by Central Council, May 1965

It is an offence in the Midland Section for a member to book ground and then not occupy the said ground, or to cancel the booking within 14 days of opening; but a member shall not be found guilty of a breach of this Bye-law if he shall satisfy the Section Committee (or Appeals Committee on appeal) that exceptional circumstances caused him to cancel his booking or prevented him from occupying the said ground.

12 - Granted by Central Council, January 1969

- (a) No member shall refuse to allot space at any Fair to an established tenant for his living van or vans; provided that no offence shall be committed if the member charged satisfies the Section Committee on any of the following matters:
- (1) That no space is, or can reasonably be made available for the Living Vans in question.
 - (2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.
 - (3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.
 - (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the Members equipment.
- (b) No charge shall be made for the accommodation of Living Vans under this Bye-law except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

13 - Cancelled by Central Council, January 2018

14 - Granted by Central Council, January 1971

On all Lessee Members' grounds, all tenants shall be allotted their positions so as to enable them to commence building-up not later than 1 p.m. on the day prior to the opening of the Fair in question: except in exceptional circumstances, when the permission of the Committee must be obtained.

15 - Granted by Central Council, January 1972

Amended by Central Council, January 1981

All Members of the Midland Section, excluding Privileged Members, shall donate the sum of £4.00 per annum to a fund to be known as the Public Relations Fund.

16 - Granted by Central Council, June 1972

Where a position has been created by the Lessee the increase in rent for this position should not exceed 25% of the rent charged for similar equipment at the Fair.

17 - Granted by Central Council, January 1977

Upon all new Fairgrounds every tenant shall draw for position. Where on a Fairground a position becomes vacant, or a new position becomes available for letting, the established tenants will have the option of moving up or down in rotation, which if necessary can be decided by ballot. This shall not include adult riding machines and Shows.

18 - Granted by Central Council, May 1977

Where a new ground or Fair is opened and the Lessee does not inform the tenants of the Rent when booking, he, the Lessee, cannot charge any more than 10p per foot per week.

MIDLAND SECTION

19 - Granted by Central Council, January 1982

All Members using parking ground or winter quarters within the Midland Section area shall be subject to the Rules, conditions and regulations made from time to time by the Section Committee relating to such parking grounds administered by the Section.

20 - Granted by Central Council, January 1994

No Lessee member shall, without prior consent of the Section Committee demand more than 10% of the full rent from his sub-tenants prior to 28 days before the opening of the Fair.

21 - Granted by Central Council, January 2002

No ride operating member shall refuse to participate in promotional offers which have been approved by the Section Committee and the general members of the Fair.

22 - Granted by Central Council, January 2005

No member is permitted to empty water from water games or machine ballast directly onto a Fairground.

23 - Granted by Central Council, January 2006 Amended by Central Council, January 2014

The use of Goldfish as prizes will only be allowed in the Midland Section if they are given as prizes in games of skill; they must not be allowed to be given as prizes in games of chance or as a prize every time and may never be given to anyone under the age of 16 years of age unless accompanied by an adult. Fish should never be displayed in plastic bags. A leaflet on caring for the fish should also be given. Failing to comply with the RSPCA guidelines and the Animal Welfare Act 2006 can lead to a fine of up to £20,000 and or up to 12 months imprisonment.

24 - Granted by Central Council, January 2007

It shall be conclusive evidence to Rule 21(p) (Noise) if a decibel reading taken exceeds 80db from 20 feet around the perimeter of the device.

25 - Granted by Central Council, January 2009

At all fairs organised by the Midland Section, where floating position(s) have been designated by the Committee for types of equipment approved by the Committee, no member shall claim an Established Right to such position(s) and the occupation of such site shall not count towards Established Rights of Tenure. The said floating position(s) shall be drawn annually.

26 - Granted by Central Council, January 2011

It shall be an offence for a Lessee member to operate a token system, or armband system, at a fair at which Established Rights exist, unless he has applied for permission to the Section Committee to do so. The application to the Committee must be made not less than six weeks before the fair is due to take place. The Section Committee shall advertise in 'The World's Fair' all applications received at the cost of the applicant. Should any member object, they must put their objections in writing within 14 days of the advertisement and send to the Section Secretary along with a deposit of £25. This deposit is to be returned if the objection is upheld.

27 - Granted by Central Council, January 2013

Members travelling within the Midland Section must have a litter bin for their equipment for use by the general public, no larger than 18" diameter and 36" high (one bin per member).

MIDLAND SECTION

28 - Granted by Central Council, January 2014.

The product known as silly string or similar products will not be allowed to be given as prizes or sold at fairgrounds.

29 - Cancelled by Central Council 2016

30 - Granted by Central Council, January 2018

On the death of a Midland Section Member, excluding Honorary Members and Associate Members, the sum of £2,000.00 will be awarded to the family towards the cost of the funeral at the sole discretion of the Midland Section Committee.

NORTHERN SECTION

The Bye-laws hereinafter appearing under the heading "Northern Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 1 Section.

1 - Granted by Central Council, May 1929

Amended by Central Council, January 2008

- (a) All Members shall contribute annually a minimum sum of £1.00 to the Section Benevolent Fund.
- (b) In addition they shall contribute annually a minimum sum of £14.00 to the Section's Aged Members' Fund to be used at the absolute discretion of the Section Committee.

2 - Granted by Central Council, June 1939

Amended by Central Council, May 1954

No member shall interfere with any game not disapproved of by this Section Committee or the Central Council on appeal and not objected to by the local authority.

3 - Granted by Central Council, January 1946

Exhaust pipes from all internal combustion engines used for generating purposes shall be extended vertically to a height above the driver's cab of not less than 10 feet from ground level.

4 - Granted by Central Council, May 1954

Amended by Central Council, May 1977 January 1992, January 2014

In accordance with the provisions provided for in Rule 23 this Section has been granted the following amendments by the Central Council in respect of Rights of Tenure at Fairs:

- (a) Rule 23 a. (1. Instead of "in the two immediately successive years" read "in the immediately preceding year."

5 - Cancelled by Central Council, January 2015

6 - Cancelled by Central Council, January 2015

7 - Granted by Central Council, June 1955

Amended by Central Council, January and May 1976

- (a) No member shall use apparatus of any description for the purpose of amplifying recorded speech.
- (b) The use of microphones, tapes or recorded speech on all riding devices via amplifiers for speaking purposes is hereby expressly prohibited save that essential announcements only may be made for public safety when circumstances warrant it.

8 - Granted by Central Council, June 1955

All living wagons and lorries must be parked on Fairgrounds and parking sites as directed by the Lessee or his representative.

9 - Granted by Central Council, June 1956

The minimum distance of the shoot on all Air Gun Shooters (pellet, cork or dart) shall be seven feet from the front of the gun table to the target.

10 - Granted by Central Council, May, 1957

No member shall be allowed to exchange positions with another member on any Fair ground where a draw has taken place unless sanctioned by the Lessee and the majority of Members attending the Fair.

11 - Granted by Central Council, May, 1962

On all Lessee Members' grounds all tenants shall be allotted their positions so as to enable them to commence building up not later than 2 p.m. on the day prior to the opening of the Fair in question.

NORTHERN SECTION

12 - Granted by Central Council, May 1960

Amended by Central Council, January 2015

- (a) All Members travelling within the Northern Section and using electric current (AC or DC) above 110v DC, must comply with HSG175 Appendix (1) Electricity at Work Regulations.
- (b) All Living Vans, lorries, trucks, stalls, Shows or Rides using electric current (AC or DC) above 110v DC must be fitted with a separate fuse box and also be wired with a circuit-breaking trip switch and adequate earth.
- (c) All wiring carrying electric current (AC or DC) above 110v DC must be in good order and open to inspection by any Committeeman.
- (d) The foregoing does not apply to amplifiers or similar apparatus working through a converter.

13 - Granted by Central Council, May 1960

Amended by Central Council, January 1980

- (a) All Members using any parking ground within the area of the Northern Section shall be subject to the Rules, conditions and regulations made by the Section Committee relating to such parking grounds from time to time.
- (b) Any member may obtain on application to the Section Office a copy of the Rules, conditions and regulations in force at the time of the application.
- (c) All Members on parking grounds in the Northern Section using electricity meters, etc., shall be responsible for any damage caused to them and for the cost of any electricity passing through this equipment.

14 - Cancelled by Central Council, January 1992

15 - Cancelled by Central Council, January 2015

16 - Cancelled by Central Council, January 2015

17 - Cancelled by Central Council, January 2015

18 - Granted by Central Council, January 1963

At all Lessee Members' Fairs no rent shall be payable for caravans, lorries, trucks, etc., by Members who are operating equipment at such Fair without the consent of the Section Committee.

19 - Cancelled by Central Council January 2015

20 - Cancelled by Central Council January 2015

21 - Cancelled by Central Council January 2015

22 - Granted by Central Council, January 1969

Amended by Central Council, January 1980; January 1989

All Members of the Northern Section, excluding Privileged Members shall donate the sum of £5 per annum to a fund to be known as the Public Relations Fund.

23 - Granted by Central Council, January 1969

Price Tickets must be prominently displayed on all equipment including all types of selling stalls.

24 - Granted by Central Council, May 1970

Amended by Central Council, June 1972; January 1985

- (a) Any member working a "Pick-a-Straw" game or any game of a similar nature shall not be permitted to display on the stall any prize which cannot be won by a member of the public by the single participation in such game.

(b) Cancelled by Central Council, January 2015.

25 - Granted by Central Council, January 1977

Mechanical electrical or petrol driven motor-cycles and "Go-Carts" are forbidden to be used on all Fairgrounds and winter sites in the Northern Section.

26 - Cancelled by Central Council, June 1979

NORTHERN SECTION

27 - Granted by Central Council, June 1979

The Section Committee shall have power, when dealing with applications for increased rental, to vary the proportion of such increases to be paid for different classes of equipment.

28 - Cancelled by Central Council, January 2015

29 - Cancelled by Central Council, January 2015

**30 - Granted by Central Council, January 2004
Amended by Central Council, January 2005
Amended by Central Council, January 2016**

It shall be an offence for any member to operate a token/armband system on his/her fairs in the Northern Section. If a token/armband system is to be operated by individual members on their equipment, the tokens should be sold only on the piece of equipment concerned and will only be redeemable at the equipment where purchased.

31 - Cancelled by Central Council, January 2015

**32 - Granted by Central Council, January 2015
Amended by Central Council, January 2018**

Notwithstanding the provisions of Rule 23(b)(3) the Section Committee may, if they are not satisfied that the circumstances so warrant, continue to deal with successive annual applications for Preservation of Rights in excess of the three successive applications provided by Rule, but not exceeding a total of five such successive applications.

33 - Granted by Central Council, January 2015

On all fairgrounds after the Established tenants have been allocated their usual positions, if a position(s) becomes vacant or a new position(s) is created the Established tenants in seniority shall have the option of moving onto the said position(s) in rotation. In the event of two or more tenants having equal seniority, it shall be decided by ballot. After the Established tenants have been allocated the position, all new tenants shall draw for the remaining space. Such draw to include Lessees.

34 - Granted by Central Council, January 2020

All Tenants of fairs held in the Northern Section shall provide a litter bin of adequate size for use by the public.

NORWICH AND EASTERN COUNTIES SECTION

The Bye-laws hereinafter appearing under the heading "Eastern Counties Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 5 Section.

1 - Cancelled by Central Council, January 2018

2 - Granted by Central Council, January 1946

Amended by Central Council, January 1954; May 1980; January 1985; January 1991; January 1995; January 1996; January 1999; January 2002; January 2004; January 2009.

- (a) All Members, except Aged Members, shall contribute by way of subscription the sum of £9.00 per annum to a fund to be known as the "Aged Members' Fund", such payment to be made with the annual Guild subscription.
- (b) All Members except Aged Members shall contribute the sum of £5 per annum to the Section Benevolent Fund, such payment to be made to be made with the annual Guild subscription.

3 - Granted by Central Council, January 1948

In all cases where the date of a Fair is governed by the date on which Easter falls the Fair shall be deemed to be a fixed Fair and shall be entitled to all the benefits and protection afforded to Fairs of fixed date.

4 - Granted by Central Council, January 1950

Nothing shall protrude over the building line of the Side Stalls, this not to apply to overhead Canopies which must be at least 6ft. 6in. from the ground. It shall be an offence if part of any equipment (including advertising boards) is placed in such a position as to divert the public away from other adjacent equipment.

5 - Granted by Central Council, May 1960

All Members using any parking ground coming within the jurisdiction of the Norwich and Eastern Counties Section shall be subject to the rules and regulations made by the Section Committee relating to such parking ground from time to time. Any member may obtain on making application to the Section office a copy of the Rules and regulations in force at the time of application.

6 - Cancelled by Central Council, June 1979

7 - Amended by Central Council, January 2007

All Equipment shall be adequately staffed and remain open to the public during the advertised opening times. There shall be no closing or pulling down [on the last day of the fair] before the advertised closing time without the permission of the Lessee or, in the case of Section run fairs, by a Steward of the fair appointed by the Section Committee.

8 - Granted by Central Council, January 1982

Amended by Central Council, January 1985; January 1986; June 1987

All Members of the Section, excluding Privileged Members, shall contribute annually with their subscriptions a minimum sum of £10 to a Section Administration Fund.

9 - Cancelled by Central Council, January 1985

10 - Granted by Central Council, January 1985

Amended by Central Council, January 1989

Where Guild Funds are used to advertise a Fair controlled by a non-Guild Lessee, or Section run fairs, all operating tenants at the Fair will make a contribution towards the cost of the advertisement, the actual payments to be decided by the Section Committee. All payments to be made within 28 days of the last day of the opening of the Fair. Failure to comply with this Bye-law shall be an offence.

NORWICH AND EASTERN COUNTIES SECTION

11 - Granted by Central Council, January 1986

Amended by Central Council, January 1989

Members operating at Fairs within this Section will be liable to reimburse Lessees for the cost of reinstatement or of repairs carried out in relation to damage or spillage on whatever site or sites were occupied by them, their family or their employees. This responsibility will also apply to any damage or spillage in gaining access to or vacating the site or sites in question. If a member considers that any demand made upon him by a Lessee under this Bye-law is unreasonable, he may report the matter to the Section Committee who, after consideration of all the facts, will make a final judgement as to whether the amount involved is justified and the decision reached will be binding on all parties, subject to the right of Appeal. All reimbursements are to be made within 28 days of the date of the letter notifying the member concerned of the amount due. Failure to comply with this Bye-law shall be an offence.

12 - Granted by Central Council, January 1987

Amended by Central Council, January 1992

Members wishing to sell balloons or any other items such as "glows" etc. on a casual/mobile basis at Fairs administered by this Section must make application to do so, such applications to be received by the Section Secretary by not later than one month before the date that the Fair opens. Members who are permitted to sell balloons will be required to pay a charge as laid down by the Section Committee.

13 - Granted by Central Council, January 1996

At all Section fairs organised by the Norwich and Eastern Counties Section where floating positions have been designated by the Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position(s) and the occupation of such site shall not count towards Established Right of Tenure.

14 - Granted by Central Council, January 1999

It shall be an offence for Lessees to operate an armband system at any fair in this Section unless the profits are divided proportionally between participating members. The Section Committee require at least 28 days notice before the opening date of a fair where an armband system is to be introduced giving details as to how the profits will be apportioned. If the proceeds are to be used as extra income for the Lessee, he must apply to the Section in the same format as rent increases or, alternatively, state how the profits will be divided between the participating tenants.

15 - Granted by Central Council, January 2000

The sub-letting of ground or position without the permission of the Section Committee is an offence in the Norwich & Eastern Counties Section, subject to Rule 21(j).

16 - Granted by Central Council, January 2003

Amended by Central Council, January 2013

It will be an offence for any members using the parking sites under the control of the Section not to pay any rents which fall under the schedule of charges. It will also be an offence to leave the site without paying any rents lawfully due even for parking on a casual basis. Schedule of Charges are available from the Secretary and site caretaker.

17 - Granted by Central Council, January 2004

No tenant at a fair shall refuse to participate in promotional offers which have been approved by the Section Committee and the general members of the fair. This includes offers such as the use of vouchers entitling the holders to free or reduced price rides. Any refusal to co-operate shall be an offence.

NORWICH AND EASTERN COUNTIES SECTION

18 - **Granted by Central Council, January 2008**

- (a) Where a fairground is marked out and the tenants are on site and a position becomes vacant, the Established tenants either side of the position shall have the option of moving up or down by mutual agreement or by ballot, if necessary. Afterwards the Lessee shall allot vacant spaces at his discretion. Any member who shall take advantage of the aforementioned option shall not thereby adversely affect his Rights under the Rules.
- (b) For the Avoidance of doubt it is hereby declared that "vacant" shall mean vacated by the member who occupied the position in the previous year in which the Fair was held.

19 - **Granted by Central Council, January 2011**

All tenants at Fairs should supply at least one bin per piece of equipment.

20 - **Granted by Central Council, January 2011**

Any tenant member booking ground at Section run Fairs shall be liable for rent if they do not attend or do not give a reasonable account for their non-attendance within 14 days of the opening date.

21 - **Granted by Central Council, January 2012**

Notwithstanding anything to the contrary written above or contained elsewhere in the Rules or Bye-laws, it shall be in order for a member who holds Rights at Guild run fairs to allow another member to occupy his Established position/s with the same type of equipment, provided that the substituted equipment can build within the Established site, and no additional vehicles have to be accommodated on site. For Rule 23 Rights to be retained it is an express requirement of the Bye-law that the member holding the Rights notifies the Section Secretary concerned of his intentions, stating the name and the Guild number of the member to whom he is sub-letting and remitting £25 to cover administration costs, and obtain written acknowledgement of the arrangements from the Section Secretary at least five working days before the pulling on day of the fair. Provided that the above requirements are carried out in full, the member's Guild Rights to the subject position/s will be preserved. In an emergency situation a Section Chairman shall have authority to allow a sub-let described above in the five-day period to the Fair opening day. For the purposes of this Bye-law "same type equipment" shall mean stall for stall, 8(l) equipment for 8(l) equipment, dodgem track, twist for twist, etc, etc.

22 - **Granted by Central Council, January 2019**

Under the Rules of 21(p) the Section shall reserve the right to impose a lesser penalty/fine than that in 21(p)(5) if the circumstances so warrant.

23 - **Granted by Central Council, January 2020**

If any Lessee unable for any reason to open a recognised Fair, must inform the Section Office and Tenants, no later than 28 days prior to the Established opening date, or such lesser period as the Section Committee may consider reasonable.

24 - **Granted by Central Council, July 2021**

Should a Lessee of an Established Fair wish to change the said Fair to a Token System, the must notify the Section the fair is held in and must notify all the Established tenants, no less than 28 days before the opening day for a vote of all Established tenants to which the majority must agree.

25 - **Granted by Central Council, July 2021**

If a Fair is held during any period up to four weeks after the established date of such Fair whether or not the consent of Section Committee has been obtained for such alteration then the fair held on the new date will be deemed to be a continuation of the Established Fair and all established tenants will be entitled to all Rights and Privileges at such Fair.

SCOTTISH SECTION

The Bye-law hereinafter appearing under the heading 'Scottish Section' shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 10 Section.

1 - Granted by Central Council, January 1959

Amended by Central Council, June 1966

- (a) Where part of a Fairground is curtailed, established tenants and/or Lessees, who have lost their ground by reason of curtailment, may apply for protection each year up to a period of three years, for their rights of tenancy to be protected.
- (b) This to include alternative sites for Fairgrounds which are smaller than the original sites whereby tenants lose their rights in ballot for the smaller sites.

2 - Granted by Central Council, January 1948

Amended by Central Council, January 1959; January 1960

Where on any Fairground a position becomes vacant or a new position becomes available the established tenants shall have the option of moving up or down in rotation provided that such option is exercised not later than the time the ground is being set. Should the position become vacant after the ground is set, it shall be let on the basis of one year only for that particular year, and the following year shall be let in accordance with Bye-law 10. If necessary a ballot shall decide the direction in which the move shall take place. This to include Adult Rides.

3 - Granted by Central Council, July 1937

Amended by Central Council, June 1956; January 1972; January 2017; January 2018

No Member shall open a ground during the period of a Fair run by a Member, or within 1 mile nor shall any member open a ground four weeks before the acknowledged Fair taking place. This shall not apply to Glasgow, Edinburgh, Dundee, Aberdeen and Carlisle.

4 - Granted by Central Council, January 1929, June 1966

Amended by Central Council, June, 1956; January 1960; May 1980;

January 1981; May 1985; January 1986; June 1987; January, 1989

January 1991; January 1992; January 2010; January 2012; January 2016

- (a) All Members other than Privileged Members shall contribute annually a minimum sum of £5.00 to the Section Benevolent Fund.
- (b) In addition they shall contribute annually the sum of £5.00 to the Section's Aged Members' Fund to be used at the absolute discretion of the Section Committee.
- (c) All Members other than Privileged Members shall contribute annually to a Section Administration Fund. The amount to be set annually at the first meeting of the new Committee up to a maximum of £50.

5 - Cancelled by Central Council, January 2018

6 - Granted by Central Council, January 1952

Amended by Central Council, January 1954

No Lessee of ground shall be permitted to demand a deposit of more than ten percent of a tenant's rent at the time of booking unless with the permission of Section Committee.

7 - Granted by Central Council, January 1945

Amended by Central Council, January 1954

Where a Lessee takes away the whole or any part of his tackle from a Fair before the contracted time of finishing, a tenant shall not be liable to pay full rent if he does not wish to stay the contracted time.

SCOTTISH SECTION

- 8 - Granted by Central Council, July 1937
Amended by Central Council, January 1954**
On all grounds where a Draw is held, no Member shall have preference with stalls.
- 9 - Granted by Central Council, January 1951
Amended by Central Council, January 1954; May 1954; January 1957;
January 1962; May 1963; January 1964; January 1973**
- (a) Where a member as a tenant has attended and had ground or position in his own name at the same Fair the previous year (other than on a basis of one year only) he shall be considered to have established right to such ground or position.
 - (b) Where a member as a Lessee has attended and had ground in his own name at the same Fair the previous year he shall be considered to have established right to such ground.
 - (c) This to include Rule 8 l. equipment, subject to Rule 8 l. (2) (a); except that a member may not substitute amusement equipment in place of previous Rule 8 l. equipment without permission of the Section Committee.
- 10 - Granted by Central Council, January 1952
Amended by Central Council, January 1953; June 1955; January 1959;
January 1960; May 1960; January 1962; January 1964; January 1966;
January 1971; June 1972; January 1980; January 2016**
- (a) All ground available for letting at any Fair or carnival where the footage applied for exceeds the space available, including Rule 8 l. equipment, shall be allocated by ballot other than ground on which established tenants have the right to tenancy, and subject to such tenants' rights of option under Bye-law 2, and to any adjustment in footage that may be reasonable and which does not interfere with any established rights, and ground shall not otherwise be accepted.
 - (b) All such ground advertised in "The World's Fair" shall be balloted fourteen days prior to the opening of the Fair; or earlier provided the date of the ballot be inserted in the advertisement and is not held prior to fourteen days after the insertion of the first advertisement.
 - (c) In the case of ground not advertised in "The World's Fair," or advertised too late for paragraph b. above to apply, the ballot for tenancy shall take place seven days prior to the opening date. Any new ground obtained too late to comply with this Bye-law or additional footage available on existing Fairgrounds in such circumstances, shall be kept open for booking and shall be balloted for on the day immediately prior to the ground being set. Where footage on existing Fairgrounds previously occupied by amusement equipment becomes vacant and option under Bye-law 2 is not exercised, such footage may not be left vacant by the Lessee if application is made therefor, unless the Section Committee authorise otherwise in the interests of the orderly running of the Fair.
 - (d) All applications submitted for such ballots must state footage requirements and type of equipment and include applicant's postal address at time of ballot.
 - (e) Lessees must keep their bookings open until the given ballot times as set out in paragraphs b. and c. and advise successful applicants at the given address immediately thereafter.
 - (f) Successful applicants shall be allocated their positions by ballot.
 - (g) All ballots shall take place in the presence of not less than five Members, and for the purposes of this Bye-law only, the Secretary shall be deemed to be eligible to take the place of a member.
 - (h) Nothing contained in this Bye-law shall apply to vacant ground for adult rides except sub-paragraph (d).

SCOTTISH SECTION

11 - Granted by Central Council, January 1952

No Lessee member shall be granted protection in respect of any Fair run by him in the previous year unless he produces proof to the satisfaction of the Section Committee if and when called upon to do so, to the effect that such ground has been booked by him or negotiations have been entered into not later than one month prior to the recognised opening date.

Seven Resolutions previously in operation in the Scottish Section now granted as Section Bye-laws, January 1953.

Amended by Central Council, January 2016

12 - Any Lessee intending to put a Pay-gate on any ground shall not do so unless same is advertised in "The World's Fair" or other Guild approved system at least 6 weeks before the fair. Any objections received will be considered by the Section Committee who shall grant or deny permission. Where a ground is advertised to let, the Lessee shall state at the same time that a charge for admission is being made.

13 - Amended by Central Council, June 1955

Stalls occupying centre positions shall pay rent on the longest bottom measurement across which shall include a canopy not exceeding 2 ft. Where a canopy does exceed 2 ft. the member concerned shall pay footage on the excess.

14 - Amended by Central Council, January 1961; June 1987

- (a) Bookings must be made by established tenants for machine positions not less than 28 days before the opening date of the Fair. Bookings by established tenants for sites other than machine positions must be made not less than 21 days prior to the opening date.
- (b) Lessees must acknowledge and complete such bookings not later than 21 days and 14 days respectively prior to the opening date.
- (c) Any cancellation of ground bookings must be at least 14 days before the opening date of the Fair. Otherwise the tenant member shall be obliged to pay the rent for same.

15 - Amended by Central Council, June 1955; January 1960; May 1963

- (a) All equipment other than side Shows and adult riding machine operated by Members at any Fair or Carnival in the Section shall pay the recognised side stall rent for such equipment, this to include authorised Rule 8 l. equipment.
- (b) Members operating side Shows shall pay, for each separate show up to 20ft. frontage, one and a half times the rent of sidestalls; each separate side show over 20ft. frontage and up to 40ft. frontage, shall pay double the rent of the side stalls.

16 - No member who is a Lessee of ground shall allow caravans or other places of abode (owned or partly owned by non-Members) on their grounds (Freak and novelty Shows excepted).

17 - Amended by Central Council, June 1972

A Lessee shall not allocate sites for Strikers or Football Games in between side stalls, except where the member has already established a position for such; nor shall any Lessee restrict allocation of background for equipment where facilities are available for such allocation unless as authorised by the Section Committee.

18 - Granted by Central Council, January 1959

Any member working a "Pick-a-Straw" game or any game of a similar nature shall not be permitted to display on the stall any prize which cannot be won by a member of the public by the single participation in such game.

19 - Granted by Central Council, January 1954

Amended by Central Council, January and May 1976; January 2016

- (a) In the event of any curtailment of ground arising at any recognised Fair, the Lessee is required to advise the Section Committee 28 days prior to the Fair, in

SCOTTISH SECTION

order that opportunity may be given for investigation of the circumstances, in the interests of the established tenants.

- (b) Lessees intending to submit requests for increase in rent arising under Rule 21 c. (1) are required to make such application to the Section Committee at least 28 days prior to the Fair, or such lesser period as the Section Committee may consider reasonable.
- (c) Any Lessee unable for any reason to open a recognised Fair must inform the Section Office and tenants not later than 28 days prior to the established opening date, or such lesser period as the Section Committee may consider reasonable.

20 - Granted by Central Council, January 1957

All Members using any parking ground coming within the jurisdiction of the Scottish Section shall be subject to the rules and regulations made by the Section Committee relating to such parking ground from time to time. Any member may obtain on making application to the Section office, a copy of the rules and regulations in force at the time of application.

21 - Cancelled by Central Council, January 2018

22 - Granted by Central Council, January 1958 Cancelled by Central Council, January 2016

23 - Granted by Central Council, January 1959 Amended by Central Council, May 1968

Except as provided for in Rule 21 j. no member shall be permitted to sub-let ground or position, or accept such sub-let, unless by written consent of the Section Committee. This Bye-law shall not apply to Members operating side Shows authorised by Lessees.

24 - Amended by Central Council, January 1969

- (a) No Lessee shall be permitted to let ground at any Fair or carnival on a basis of "one year only" except with the permission of the Section Committee and where otherwise provided by rules and/or Bye-laws.
- (b) No Lessee shall be permitted to retain more than one Novelty Machine position on a "one year only" basis at any Fair or carnival.

25 - Granted by Central Council, January 1966 Amended by Central Council, January 1973; May, 1973

- (a) Screens on centre stalls shall not be permitted except under adverse weather conditions: and in such use must not protrude beyond the outside measurement of the canopies. Screens on equipment such as Dodgems, etc., shall not be permitted except under adverse weather conditions. All screens must be of transparent material. "Adverse weather conditions" shall mean such as the equipment could not otherwise reasonably open without such protection.
- (b) On all Fairgrounds lighting sets and vehicles generating light and power for equipment shall be turned off half an hour after closing time, except that in exceptional circumstances the Lessee or a member of Committee shall have power to allow running after the stipulated time.

26 - Amended by Central Council, May 1968

- (a) All Members travelling within the Scottish Section and using electric current on any Fairground and/or winter quarters site (AC or DC) above 110 volts must erect such wiring properly supported at least 14ft. above the ground or fitted into conduits at least 12 inches below the ground.
- (b) All wiring to be sufficiently heavy to carry the weight and in good and efficient working order. Wiring shall not be set across any gateway or open passageway to the Fair.

SCOTTISH SECTION

27 - Granted by Central Council, June, 1966

Nominations for Section Committee must be received by the Section Secretary at least 14 days prior to the Annual General Meeting of Members.

28 - Granted by Central Council, June 1966

(a) No member shall refuse to allot space at any Fair to an established tenant for his living van or vans, provided that no offence shall be committed if the member charged satisfies the Section Committee on any one of the following matters

(1) That no space is or can reasonably be made available for the Living Vans in question.

(2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.

(3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.

(4) That if space for more than one van is required the additional vans are not reasonably necessary for the accommodation of persons operating the member's equipment.

(b) No charge shall be made for the accommodation of Living Vans under this Bye-law except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

29 - Control of noise nuisance: the total volume of sound, whether mechanical, amplified or vocal, coming at any time from any equipment on the Fairground, shall not exceed 85 DBs as measured by meter at any distance beyond the structure of the equipment (which shall not include any steps); nor 70 DBs within 20 feet of such equipment structure.

30 - Granted by Central Council, January 1978

Amended by Central Council, January 1992

A member may make arrangements with a qualified Engineer, approved by the Section Committee, for the annual inspection of devices belonging to him, subject to the following conditions:-

(a) The member gives prior notice to his Section Secretary of his intentions, and obtains a Safety Certificate from such Engineer before he operates the equipment in any calendar year. Such certificate shall be in the form authorised by the Management Committee.

(b) He complies with the requirements set out in Rule 21 n (3) (b), (c), (f) (i) and (ii).

(c) He accepts full responsibility for the payment of the Engineer's Fees.

(d) A certificate obtained by a member under the above conditions shall be valid for all purposes under Rule 21n.

31 - Granted by Central Council, January 1980

Cancelled by Central Council, January 2016

32 - Granted by Central Council, May 1980

Amended by Central Council, January 1989, January 1991, January 2009

All Members of the Scottish Section, excluding Privileged Members, shall donate the sum of £10 per annum to a fund to be known as the Public Relations Fund.

33 - Granted by Central Council, January 1983

All tenants at Fairs held in the Scottish Section shall provide a litter bin of adequate size for use by the public.

SCOTTISH SECTION

34 - Granted by Central Council, June 1986

On all new Fairgrounds where a ballot is required, said ballot shall take place in the Section Office. This to be arranged with the assistance of the Section Secretary.

35 - Granted by Central Council, January 1990

The Section Committee shall have power, when dealing with applications under Rule 21, to pass on increases of rental to vary the proportion of such increases to be paid for different classes of equipment.

36 - Granted by Central Council, January 1994

All Members of all partnerships shall pay into all funds in accordance with all Section Bye-laws.

37 - Granted by Central Council, January 2005

All Members operating in the Scottish Section area who employ staff casual or otherwise are required to keep stating

- (a) The name and address of person employed.
- (b) Period of employment.
- (c) What evidence was shown as proof of identity.

These records must be kept for a minimum of six months.

38 - Granted by Central Council, January 2007

The product known as silly string or similar products will not be allowed to be given as prizes or sold at fairgrounds.

39 - Granted by Central Council, January 2007

Items of equipment occupying centre stall positions must be capable of opening and operating all the way round.

40 - Granted by Central Council, January 2014

It shall be an offence for any Lessee member to operate a token system on his or her fairs in the Scottish Section, where tenants have to take part. If a token system or armband system is to be operated by members, these tokens should be sold on the piece of equipment in question stating the tokens are only redeemed on the ride where purchased.

41 - Granted by Central Council, January 2014

The distance between two fairs shall be deemed to be the distance between the respective entrances of such fairs by which vehicles draw on and off the fairground and shall be measured over the shortest route by which vehicles owned by members may lawfully travel along the crown of the public highway.

SOUTH WALES & NORTHERN IRELAND SECTION

The Bye-laws hereinafter appearing under the heading 'South Wales Section' shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 9 Section.

1 - Cancelled by Central Council, January 2018

**2 - Granted by Central Council, January 1942
Amended by Central Council, May 1954; May 1968; June 1972; June 1979;
January 1981; May 1983; January 1986, January 1996, January 2001;
January 2012**

- (a) All Members shall contribute to the Benevolent Fund by way of subscription a minimum sum of £5.00 per annum, the same to be payable with the Guild's subscription.
- (b) In addition that they contribute annually a minimum sum of £30.00 to the Section's Aged Members' Fund to be used at the absolute discretion of the Section Committee.
- (c) All Members of the South Wales Section excluding Privileged Members, shall donate the sum of £2.50 per annum towards a fund to be known as the Public Relations Fund, and payable with the Annual Subscription.
- (d) All Members, other than Privileged Members, shall contribute annually a sum of £5.00 to a Section Administration Fund. In addition and for 1 year only (1996) every operating member to pay a basic sum of £50 together with a further sum directly related to the equipment they declare and operate. This to be calculated as follows. Each machine £30, every Catering Unit, Juvenile Ride, Arcade, Round Stall and Show £10 each. All Side Stalls 25p per foot declared.

3 - Granted by Central Council, June 1952

Amended by Central Council, January 1953; May 1958

- (a) Upon all new grounds EVERY tenant shall draw for position.
- (b) Where on a Fairground a position becomes vacant or a new position becomes available for letting, the established tenant shall have the option of moving up or down in rotation, which if necessary can be decided by ballot. This shall include Roundabout Proprietors.
- (c) Any position which has been allotted by ballot shall be occupied by the member with his own equipment in conformity with the ballot.
- (d) Where an order for preservation of rights is made and permission to sub-let the position or positions in question is not given, the above paragraph shall apply.
- (e) Where a position has been created by the Lessee the increase in rent for this position shall not exceed 25% of the rent charged for similar equipment at the Fair.

4 - Rescinded by Central Council, January 1981

5 - Granted by Central Council, January 1952

Amended by Central Council, January 1981

On all grounds where Members have the right to attend by virtue of two years' tenancy (Rule) applications for the Fair must be made by the Lessee not less than 14 days prior to the date of opening and applications for space must be made by the tenant in writing, not less than 7 days prior to the date of opening otherwise advertised for two consecutive weeks in "The World's Fair."

6 - Granted by Central Council, May 1957

Amended by Central Council, January 1981

Cancelled by Central Council, January 2016

7 - Granted by Central Council, May 1957

Amended by Central Council, January 1959

Walking sticks or canes, whether for sale and/or use as prizes on any game or stall on any Fairground within the area of this Section shall be prohibited.

SOUTH WALES & NORTHERN IRELAND SECTION

8 - Granted by Central Council, January 1958

No member shall operate and/or display on any stall, game or machine, money prizes where the amount of such money prize cannot be considered as being of a trivial nature. The Section Committee, or on Appeal the Central Council, shall be the sole judge as to what is trivial.

**9 - Granted by Central Council, January 1959
Amended by Central Council, January 1992**

All Members making use of high voltage electrical current shall take adequate precautions whereby the wire or wires carrying the high voltage current shall be suspended above the ground at a height of not less than twelve feet or buried below the surface of the ground save where a cable is so designed and manufactured to run and lay on the surface of the ground where practicable.

**10 - Granted by Central Council, January 1959
Amended by Central Council, January 1984**

Every member shall provide a fire-extinguisher which shall be maintained in efficient working order at all times.

**11 - Granted by Central Council, January 1962
Cancelled by Central Council, January 2016**

12 - Cancelled by Central Council, January 1999

13 - Granted by Central Council, May 1958

The sub-letting of ground or position without the consent of the Section Committee is an offence in the South Wales Section.

14 - Cancelled by Central Council, June 1979

15 - Rescinded by Central Council, January 1981

16 - Granted by Central Council, May 1965

No superstructure, tilt or sheeting of any description to be erected inside or beyond the end of the canopy which must not be less than 6 feet from the ground, except wind stays when necessary.

17 - Rescinded by Central Council, January 1981

18 - Cancelled by Central Council, January 1992

19 - Granted by Central Council, June 1966

All Members operating authorised rule 8 1. equipment in the South Wales Section shall not take or occupy any position at any Fair whereby such position at such Fair would not be equally available for occupation by other Members operating authorised Rule 23 a. equipment: by virtue of restrictions of Rule 23 c.

20 - Granted by Central Council, May 1968

The use on Fairgrounds of sirens, klaxons, hooters and other mechanical sounding devices of a similar nature is only permitted subject to no noise nuisance being caused thereby, and the Section Committee, or Appeals Committee shall be the sole judges as to whether the use of any such devices constitutes noise nuisance.

21 - Amended by Central Council, January 2007

The use of microphones, tapes or recorded speech on all riding devices via amplifiers for speakers purposes is hereby expressly prohibited save that essential announcements only may be made for public safety when circumstances warrant it. It shall be conclusive evidence to Rule 21 (p) (Noise) if a decibel reading exceeds 85db from 20 feet around the perimeter of the device.

22 - Rescinded by Central Council, January 1981

23 - Cancelled by Central Council, June 1979

SOUTH WALES & NORTHERN IRELAND SECTION

24 - Granted by Central Council, January 1976

Amended by Central Council, January 1982; May 1983

In accordance with Rule 21 (h) all equipment operating in the South Wales Section shall display a price ticket which shall not be altered more than once a day and then not later than 7.00 p.m., excepting as agreed by Section Committees. All prizes given for wins must have a ticket, 3in. square, clearly displayed on the particular prize or group of prizes, indicating the number of wins required.

25 - Granted by Central Council, January 1979

(a) No member shall refuse to allot space at any Fair to an established tenant for his living van or vans; provided that no offence shall be committed if the member charged satisfies the Section Committee on any one of the following matters:-

- (1) That no space is, or can reasonably be made available for the Living Vans in question.
- (2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.
- (3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.
- (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the Members' equipment.

(b) No charge shall be made for the accommodation of Living Vans under this Bye-law, except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

26 - Granted by Central Council, January 1990

The Section Committee shall have power when dealing with applications for increased rental to vary the proportion of such increases to be paid for different classes of equipment.

27 - Granted by Central Council, January 1995

At all Section Fairs organised by the South Wales Section where floating positions have been designated by the Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position(s) and the occupation of such site shall not count towards Established Rights of Tenure.

28 - Granted by Central Council, January 2000

No ride operating member shall refuse to participate in promotional offers which have been approved by the Section Committee and the general members of the fair. This includes opening especially for the entertainment of the Special Needs Children attending a fair as an organised party.

29 - Granted by Central Council, January 2004

The use of goldfish as prizes will only be allowed in the South Wales & Northern Ireland Section if given as prizes for games of skill only. They must not be given as prizes for games of chance or as a prize every time.

30 - Granted by Central Council, January 2007

All members [optional for non-operating members] shall pay a levy of £100.00 for 2007 only to be payable with the Guild subscriptions.

31 - Granted by Central Council, January 2009

Amended by Central Council, July 2021

The Section can impose an administration charge on all Section run fairs. The amount to be agreed at the Section's A.G.M or E.G.M., as directed by the Section's Treasurer, Accountant and members and amended or removed accordingly.

32 - Granted by Central Council, January 2014

All members (other than privileged members) shall pay a minimum of £20 to a fund designated 'Property Fund' (such payment to be due with the annual subscription). The purpose of such fund shall be the purchase and development of suitable land

SOUTH WALES & NORTHERN IRELAND SECTION

for Showmen's parking and/or Section premises. Such monies that are raised and are for the time being not used for this purpose shall be invested by the Section Trustees in suitable short-term securities.

33 - Granted by Central Council, January 2014

'Cancellation of Ground' - The Section (or Section as Lessee) must be notified within 14 days prior to the commencement of any fair being held within the South Wales & Northern Ireland Section of the cancellation of any ground, failing which the tenant will remain liable for the rent due on that position. A member shall not, however, be found guilty of breach of this Bye-Law if they shall satisfy the Section Committee (or Appeals Committee on Appeal) that exceptional circumstances caused them to cancel their booking or prevented them from occupying the said ground.

34 - Granted by Central Council, January 2016

New Bye-Law No. 34 - 'Notwithstanding the provisions of Rule 23(b)(3) the Section Committee may, if they are satisfied that the circumstances so warrant, continue to deal with successive applications for Preservation of Rights in excess of the three successive applications provided by Rule, but not exceeding a total of five such successive applications.

35 - Granted by Central Council, January 2016

New Bye-Law No. 35 - 'The product known as Silly String or similar products will not be allowed to be given as prizes or sold at fairgrounds.

36 - Granted by Central Council, January 2016; January 2017

New Bye-Law No. 36 - 'Notwithstanding anything to the contrary written above or contained elsewhere in the Rules or Bye-Laws, it shall be in order for a member who holds Rights at Guild run fairs to allow another member to occupy his Established position/s with the same type of equipment, provided that the Substituted equipment can build within the Established site, and no additional vehicles have to be accommodated on site. For Rule 23 Rights to be retained it is an express requirement of this Bye-Law that the member holding the rights notifies the Section Secretary concerned of his intentions, stating the name and Guild number of the member to whom he is subletting and remitting £25.00 to cover administration costs, the member must forward all relevant paperwork to the Section Office and obtain written acknowledgement of the arrangements from the Section Secretary at least five working days before pulling on day of the fair. Provided that the above requirements are carried out in full, the member's Guild Rights to the subject position/s will be Preserved without further application or need to advertise. In an emergency situation a Section Chairman shall have authority to allow a sub-let described above in the five-day period to the fair opening day. For the purposes of this Bye-law 'same type of equipment' shall mean Stall for Stall, 8(1) equipment for 8(1) equipment, Dodgem Track for Dodgem Track, Twist for Twist etc, etc.'

37 - Granted by Central Council, January 2018

Notwithstanding the provision of Rule 23(b)(3), Where a Lessee wishes to alter dates of an Established Fair and a new date is a mile and 28 days within a date of an about to be Established fair (i.e. Fair only been there for 1 year) he cannot enforce his Right on Time and Distance on this occasion.

38 - Granted by Central Council, January 2020

Where the Section Committee are the Lessee of a Fair, the tenants agree that the Section advertise and promote that Fair the Committee may impose an advertising or publicity charge by way of a percentage of the rents payable by the tenants subject to the following provisions: The charge must first have the approval of a General Meeting of Members, with a two third majority of those present and voting. The charge levied must be spent on publicity or advertising in connection with the Fair in question, although it shall be permissible to carry forward any surplus to the following year's fair.

WESTERN SECTION

The Bye-laws hereinafter appearing under the heading "Western Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13 No. 7 Section.

1 - Granted by Central Council, January 1947

Amended by Central Council, May 1954; January 1974

- (a) Where on any Fairground a position becomes vacant the established tenants shall have the option of moving up or down which if necessary can be decided by ballot. Afterwards the Lessee shall allot vacant spaces at his discretion. Any member who shall take advantage of the aforementioned option shall not thereby adversely affect his rights under the Rules.
- (b) For the avoidance of doubt it is hereby declared that "vacant" shall mean vacated by the member who occupied the position in the previous year in which the Fair was held.

2 - Granted by Central Council, January 1926

Amended by Central Council, January 1947

Ground shall only be taken on a fixed rent, and not on a percentage of gross takings. Riding Masters to be exempted for Riding Machines only.

3 - Granted by Central Council, June 1956

Amended by Central Council, January 2007

All exhaust pipes on engines referred to in Rule 21 1., operating in the Western Section, must be bound with heat resistant material.

4 - Granted by Central Council, January 1964

- (a) No member shall refuse to allot space to an established tenant at any Fair for any lorry or vehicle necessary for the operation of his equipment and failure to a lot such space shall be dealt with as a breach of both this Bye-law and Rule 23 a. (3), provided that no offence shall be committed if the member charged satisfies the Section Committee either:
 - (1) that no space is, or can reasonably be made available, or
 - (2) that the member has previously operated his equipment without such vehicle or its equivalent on the ground.
- (b) No charge shall be made for the accommodation of vehicles under Bye-law, except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

5 - Granted by Central Council, January 1964

- (a) No member shall refuse to allot space at any Fair to an established tenant for his living van or vans; provided that no offence shall be committed if the member charged satisfies the Section Committee on any one of the following matters:
 - (1) That no space is, or can reasonably be made available for the Living Vans in question.
 - (2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.
 - (3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.
 - (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the Members' equipment.
- (b) No charge shall be made for the accommodation of Living Vans under this Bye-law, except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

WESTERN SECTION

6 - Granted by Central Council, May 1968

Amended by Central Council, January 1981

On all Fairgrounds and/or parking grounds used by Members in the Western Section, all lighting sets used for the purpose of providing power for domestic utilities shall be turned off at 11.30 p.m. each night. This prohibition shall not apply during the period or hours that such Fairground shall be open for business.

7 - Granted by Central Council, January 1969

Amended by Central Council, January 1980; May 1983; January 1995; January 2004; January 2008; January 2009; January 2012

- (a) All Members, other than Privileged Members, shall contribute annually a minimum sum of £10 to the Section Benevolent Fund.
- (b) In addition they shall contribute annually the sum of £20.00 to the Section Aged Members' Fund to be used at the absolute discretion of the Section Committee.
- (c) All members, other than Privileged members, shall contribute annually a minimum of £10 to a Section Administration Fund to meet the expense incurred in purchasing and running a Section Office.

8 - Granted by Central Council, January 1969

Amended by Central Council, May 1983

No member shall have on display prizes over the value of £25.00 on any game of chance. All prizes on display on any stall must be able to be won.

9 - Granted by Central Council, January 1973

Notices in the "The World's Fair" advertising ground to let at a Fair in the Western Section, and giving a closing date for the receipt of applications, shall be published not less than 14 days before the said closing date, or such lesser period as the Section Committee in their discretion deem reasonable.

10 - Granted by Central Council, May 1976

- (a) All tenants who have booked space at a Lessee member's Fair shall be allowed to pull onto the site with their equipment not later than 24 hours after the Lessee himself has commenced to pull his own loads on to the site.
- (b) Where a Lessee considers that this Bye-law is not workable at a particular Fair, he must make application to the Section Committee who shall have authority to order that this Bye-law shall not apply to that particular Fair.
- (c) Tenants shall be allowed a reasonable time to vacate the site after the Fair is over.

11 - Granted by Central Council, January 1987

No Lessee member shall, without prior consent of the Section Committee, demand more than 10% of the full rent from his sub-tenants prior to four weeks before the opening of the Fair.

12 - Granted by Central Council, January 1990

All Members, other than Privileged Members, shall contribute annually a minimum sum of £7.50 towards a fund known as the Public Relations Fund.

13 - Granted by Central Council, January 1994

At all Section Fairs organised by Western Section, where floating position(s) have been designated by the Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position and the occupation of such site shall not count towards Established Right of Tenure. The said floating position shall be drawn annually.

WESTERN SECTION

14 - **Granted by Central Council, January 1999**

A member may make arrangements with a registered Inspection Body (as determined in Rule 21.n(3)(b) for the annual inspection of devices belonging to him, subject to the following conditions:

- (a) the member gives prior notice to his Section Secretary of his intentions and obtains the appropriate Safety Certificate from the Inspector (which shall be valid for all purposes under Rule 21.n.) before he operates the equipment as determined by Rule 21.n.(3)(h)(1) and the Guidance on Safe Practice at Fairgrounds and Amusement Parks (Section D paragraph 102).
- (b) he complies with the requirements set out in Rule 21.n.(b)(c)(f)(g) and (h).
- (c) he accepts full responsibility for the payment of the Engineer's fees.

15 - **Granted by Central Council, January 2004**

No member is permitted to empty water from water games or machine ballast directly onto a fairground.

16 - **Granted by Central Council, January 2006**

The use of Goldfish as prizes will only be allowed in the Western Section if given as a game of skill. They must not be given as prizes for games of chance or as a prize every time.

17 - **Granted by Central Council, January 2009**

Amended by Central Council, January 2018

Under the terms of Rule 23(c)(2), where a fair with Established Rights operates on a site/park where the distance between the two gates used can be 1 mile or over, it will be an offence to operate a rival fair within the boundaries of that same site.

18 - **Granted by Central Council, January 2011**

It shall be an offence for a Lessee member to operate a token system, or armband system, at a fair at which Established Rights exist unless:

- (a) All Established tenants of the fair agree or
 - (b) He (they) has (have) applied for permission to the Section to do so.
- Agreement with the Established tenants, or application to the Committee must be made not less than six weeks before the fair is due to take place. The Section Committee shall advertise in 'The World's Fair' all applications received at the cost of the applicant. Should any member object, they must put their objection in writing within 14 days of the date of the advertisement and send to the Section Secretary along with the deposit of £25.00 this deposit to be returned if the objection is upheld.

19 - **Granted by Central Council, January 2011**

No riding device operators (or other devices but excluding games with prizes or 8(l)) at Western Section run fairs shall refuse to participate in promotional offers that have been approved by the Section Committee. This includes the opening of Juveniles and other suitable children's equipment especially for the entertainment of the Special Needs Children attending a fair when they are an organised party.

20 - **Granted by Central Council, January 2014**

All speakers on all equipment must face inwards and be positioned at a downward angle.

21 - **Granted by Central Council, January 2015**

Any member or family members of tenants who attend fairs run by the Western Section who are found guilty of serious misconduct while attending the fairs shall forfeit their Rights at that fair for the following year only.

WESTERN SECTION

22 - Granted by Central Council, January 2016

New Bye-Law No. 22 - 'where the Section Committee are the Lessee of a fair, the tenants agree that the Section advertise and promote that fair the Committee may impose an advertising or publicity charge by way of a percentage of the rents payable by tenants subject to the following provisions:

- (a) The charge must first have the approval of a General meeting of members, with a two-thirds majority of those present and voting.
- (b) The charges levied must be spent on publicity or advertising in connection with the fair in question, although it shall be permissible to carry forward any surplus to the following year's fair.'

23 - Granted by Central Council, January 2017

On all Western Section run fairgrounds first preference of position must be given to lighting sets and lorries which are to be used for the purpose of generating light or power, before any living van, empty trucks and other non-operative vehicles of every type are sited.

24 - Granted by Central Council, January 2019

It shall be conclusive evidence to Rule 21(p) (Noise) if a decibel reading taken exceeds 80db from 20 feet around the perimeter of the device. There will be a new card system implemented at Western Section Fairs. Should the Stewards take excessive readings the offending Tenant will be issued with a 'Yellow Card' where they MUST reduce the sound levels immediately. Failure to do so will result in a 'Red Card' being issued where the music MUST be turned off and Complaints will be laid with the possibility of a maximum £15,000 fine.

25 - Granted by Central Council January 2022

The Western Section Committee at their absolute discretion may allow a member of the Section to join the Section Committee at a Committee Meeting. This member will be able to take part in discussions (with the exception of Complaint hearings) but shall not have a vote.

YORKSHIRE SECTION

The Bye-laws hereinafter appearing under the heading "Yorkshire Section" shall be observed by all Members whilst operating and travelling in that Section area as defined in Rule 13, No. 3 Section.

1 - Granted by Central Council, May 1954

Amended by Central Council, June 1956; May 1958; January 1981; January, 1995; January 2018

If a Fair is held during any period up to four weeks after the established date of such Fair, whether or not the consent of Section Committee has been obtained for such alteration, then the Fair held on the new date will be deemed to be a continuation of the established Fair, and all established tenants will be entitled to all rights and privileges at such Fair.

2 - Granted by Central Council, January 1939

Amended by Central Council, May 1954

No member shall interfere with any game not disapproved of by this Section Committee or the Central Council on appeal, and not objected to by the local authority.

3 - Cancelled by Central Council, June 1979

4 - Granted by Central Council, January 1951

Amended by Central Council, May 1954

On all Fairgrounds after the established tenants have been allocated their usual positions, if a position(s) becomes vacant or a new position(s) is created the established tenants in seniority shall have the option of moving on to the said position(s) in rotation. In the event of two or more tenants having equal seniority it shall be decided by ballot. After the established tenants have been allocated the positions, all new tenants shall draw for the remaining space, such draw to include Lessees.

5 - Granted by Central Council, January 1962

On all Lessee Members' ground all tenants shall be allocated their positions so as to enable them to commence building up not later than 2 p.m. on the day prior to the opening of the Fair in question.

6 - Cancelled by Central Council, January 2009

7 - Granted by Central Council, January 1955

On all grounds nothing shall protrude over the building line of the side stalls and Shows except canopies which must be at least 6ft. 6in. from the ground and unsupported by uprights outside the building line.

8 - Granted by Central Council, January 1955

Amended by Central Council, June 1964; January, 1979 June 1990, January 1995, January, 1997; 2005, January 2008; July 2021

All Members of the Yorkshire Section, excluding Privileged Members, shall contribute annually a minimum sum of £5 to the Section Benevolent Fund. In addition they shall contribute annually a minimum sum of £20 to the Section's Aged Members' Fund to be used at the absolute discretion of the Section Committee.

9 - Granted by Central Council, June 1956

The minimum distance of the shoot on all Air Gun Shooters (pellet, cork or dart) shall be seven feet from the front of the gun table to the target.

YORKSHIRE SECTION

10 - **Granted by Central Council, January 1959**

- (a) If a member has evidence that a Lessee Member has secured a reduction in rent for a ground on which an established Fair is held he shall be entitled to lay all the facts before the Section Committee and make application for a reduction in the rents payable by the tenants of such Fair. Application must be made in writing to the Section Secretary giving full details of the reduction in rent secured by the Lessee Member concerned within 14 days of the facts coming to his knowledge. It shall be the duty of the Section Secretary to notify the Lessee Member concerned giving details of the application within 14 days of receipt of same. The Section Committee will then consider the application at the first convenient Committee Meeting thereafter when the member making the application, together with the Lessee Member will be notified to attend. Having considered all the facts the Section Committee shall have the power to reduce the rents payable by the tenants of such Fair if it considers the circumstances so warrant.
- (b) For the purpose of this Bye-law an extension in the period of a Fair without payment of additional rent by the Lessee Member shall be deemed to be a reduction in rent to him if he is seeking to charge excess rent to his tenants for the extra period.

11 - **Granted by Central Council, May 1959**

On all Fairgrounds in this Section lighting sets shall be turned off 15 minutes after closing time, except in exceptional circumstances when a member of the Committee will have the power to grant permission for a set to continue running after the stipulated time.

12 - **Cancelled by Central Council, May 2015**

13 - **Granted by Central Council, January 1964**

At all Lessee Members' Fairs no rent shall be payable for caravans, lorries, trucks, etc., by Members who are operating equipment at such Fairs, without the prior consent of the Section Committee. This Bye-law shall not apply in respect of Lessee Members' Fairs where it was customary to charge rent for caravans, lorries, trucks, etc., prior to May 1 1963.

14 - **Granted by Central Council, January 1964**

On all fairgrounds first preference of position must be given to lighting sets and lorries which are to be used for the purpose of generating light or power, before any living van, empty trucks and other non-operative vehicles of every type are sited.

15 - **Granted by Central Council, January 1965**

The use of sirens on all fairgrounds is prohibited.

16 - **Cancelled by Central Council, January 2009**

17 - **Granted by Central Council, June 1966**

- (a) All internal combustion engines, i.e. lighting sets and lorries running as stationary engines for the purpose of generating light or power must be fitted with an efficient exhaust silencer.
- (b) At all times when such stationary engines are in operation they must be fitted with side shields and bonnet covers.

18 - **Granted by Central Council, January 1972**

No Lessee Member shall take any unreasonable steps to prevent free access on any fairground to suppliers of goods and services to tenants of such fair.

YORKSHIRE SECTION

19 - Granted by Central Council, January 1994

Amended by Central Council, January 2018

Notwithstanding the provisions of Rule 23. b. (3) the Section Committee may, if they are satisfied that the circumstances so warrant, continue to deal with successive annual applications for Preservation of Rights in excess of the three successive applications provided by Rule, but not exceeding a total of five such successive applications.

20 - Granted by Central Council, June 1979

Amended by Central Council, January 2015

Where the Section Committee, acting as agents for a Local Authority are the Lessees at a Fair, or when the tenants of a fair agree that the Section advertise and promote that fair the Committee may impose an advertising or publicity charge by way of a percentage of the rents payable by tenants subject to the following provisions:

- (a) The charge must first have the approval of a general meeting of members, with a two-thirds majority of those present and voting.
- (b) The charges levied must be spent on publicity or advertising in connection with the fair in question, although it shall be permissible to carry forward any surplus to the following year's fair.

21 - Granted by Central Council, January 1980

All members of the Yorkshire Section, excluding Privileged Members, shall donate the sum of £5 per annum to a fund to be known as the Public Relations Fund, (payable with the annual subscription).

22 - Granted by Central Council, January 1981

The Section Committee shall have power, when dealing with applications under Rule 21 to pass on increases of rental, to vary the proportion of such increases to be paid for different classes of equipment.

23 - Granted by Central Council, January 1985

Amended by Central Council, January 1986; January 1991

All Members other than Privileged Members shall contribute annually a minimum of £20 to a Section Office Property Fund.

24 - Granted by Central Council, January 1985

No member shall refuse to allot space at any Fair to an established tenant for his living van or vans; provided that no offence shall be committed if the member charged satisfies the Section Committee on any one of the following matters:

- (1) That no space is, or can reasonably be made available for the Living Vans in question.
- (2) That it has not been customary in the past for Members' caravans to be accommodated at the Fair.
- (3) That to accommodate the Living Vans in question would be prejudicial to the Fair or the other Members attending it.
- (4) That if space for more than one van is required, the additional vans are not reasonably necessary for the accommodation of persons operating the member's equipment.

No charge shall be made for the accommodation of Living Vans under this Bye-law, except where it has been customary to make such charge at the Fair in question. In this case the charge shall not be increased without the sanction of the Section Committee.

25 - Granted by Central Council, January 1987

On all Fairgrounds, all dart games shall use dart boards or target surfaces made out of a material so as to allow the dart to stick in with a normal throw. All prizes displayed on any stall must be able to be won by a member of the public, and the rules of the game must be prominently displayed when in operation.

YORKSHIRE SECTION

26 - Granted by Central Council, January 1988

No Lessee of a ground shall be permitted to demand a deposit of more than 10% of a tenant's rent at the time of booking unless with the permission of the Section Committee.

27 - Granted by Central Council, January 1991

Notices in the "The World's Fair" advertising ground to let at a Fair in the Yorkshire Section, and giving a closing date for the receipt of applications, shall be published not less than 14 days before the said closing date, or such lesser period as the Section Committee in their discretion deem reasonable.

28 - Granted by Central Council, January 1994

All Members are responsible for clearing and disposal of all litter within a 10ft. radius of their own particular equipment on all grounds in this Section, whether Fairground or winter quarters.

29 - Granted by Central Council, January 1994

- (a) All Members using any parking ground or winter quarters within the area of the Yorkshire Section shall be subject to the rules, conditions and regulations made from time to time by the Section Committee.
- (b) Any member may obtain from the Section Office a copy of the Rules, conditions and regulations in force at the time of application.

30 - Cancelled by Central Council, January 2015

31 - Granted by Central Council, January 2008

At all Yorkshire Section fairs no ride operating member or other devices (excluding games with prizes or 8(1)) shall refuse to participate in promotions.

32 - Granted by Central Council, January 2009

At all Section fairs organised by the Yorkshire Section, where floating person(s) have been designated by the Committee for types of equipment approved by the Committee, no member may claim an Established Right to such position(s) and the occupation of such site shall not count towards Established Rights of Tenure.