

CLEVELAND MARKETS - TERMS AND CONDITIONS

Casual Stallholder

Version 2. November, 2021

The terms and conditions enclosed in this document apply to all stall holders who have been approved to occupy a stall at Cleveland Markets. By applying to occupy a stall space, you agree to the terms and conditions. Cleveland Markets can terminate this agreement, alter any rules or terms from time to time.

Trading Details

- The market operates every Sunday.
- All stalls must be set up and ready to trade at 7am.
- Stallholders who have not occupied their stall by commencement of the trading hours forfeit their stall booking and will not be entitled to any credit or refund.
- All stalls must cease trading and commence pack down after 1pm.
- All stallholders must stay for the duration of the market. Stalls who pack down early will not be accepted to trade at Cleveland Markets in the future.

Applications:

- Cleveland Markets reserves the right to reject booking applications without entering into correspondence or otherwise explain reasoning for decisions.

Booking System:

- Casual stall holders need to text booking enquiries via text message to 0450 258 700 the week of the markets or beginning of month you would like to attend. These bookings are then confirmed based on availability by the Tuesday prior to market.
- If an approved business products or business structure/name/ direction has changed you will need to reapply via the general application form.
- Once a casual stall is confirmed payment must be made before COB Wednesday.

Market Fees

There is a range of stall sizes and locations – please refer to web site.

- We do not accept application for Political Parties, Religion or Business Promotion.
- Cleveland Markets may cancel a stallholder's booking if items offered for sale are of significantly poor quality or fails to meet the approved criteria.

Product Exclusivity

- No stall is given exclusivity over a single product. There may be some exceptions to this rule based on the shopper demographic and location of a market.

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Shared Stalls

- Businesses wanting to share stalls must both apply individually, and applications must clearly state intention to share a business space.
- You may not share the stall fee
- You must both hold your own Market Stall Insurance
- Cleveland Markets reserve the right to terminate a stall on market day should businesses be found trading without an approved application.

Business Stalls

- Items for sale must be neatly displayed on racks, shelves, baskets and other accessories, none of this will be supplied by Cleveland Markets and must be removed at the end of the trading time.
- Public walkways must be kept clear at all times.
- All outdoor stalls must trade under a Marquee to be supplied by the stall holder and weighed down with weights 15kg minimum per leg.
- Power is available, with prior approval from Cleveland Markets.
- Stall holders agree that while they are at the market they will endeavour to cooperate to direction given by Cleveland Markets staff in relation to operation of their stall, use of equipment, set up, pack down, and safety.
- Should Cleveland Markets owners determine language or conduct to be unsatisfactory Cleveland Markets reserves the right to ask stallholders to leave the market immediately.
- Business Stalls must have Public Liability Insurance and send through prior to market day and have a hard copy with them.

Casual Stall Fees

- Casual Stall holder fees must be prepaid, once your spot is confirmed via bank transfer or credit card.
- A small booking fee applies if using credit card.
- Cleveland Markets reserve the right to cancel booking approval if payment is not received by COB Wednesday.
- Cleveland Markets owners reserve the right to increase fees in the future and that any current fees may be an introductory offer and can be reviewed at any time.

Cancellation/ Refund Policy

- Stallholders who cancel their booking before 5pm on the Thursday will incur a cancellation fee of \$25.

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- Cancellation by the stallholder after 5pm Thursday will result in forfeit in full of stall fees. Failure to attend will also result in forfeit in full of stall fees.
- Our Markets are All-Weather Markets which means Bad Weather will not result in a refund of monies paid unless the Managers declare the Market to be cancelled.
- Exemptions may be possible in an emergency but are at the discretion of the Market Manager.

Cleveland Markets reserve the right to terminate a booking should a stall holder

- Not comply with terms and conditions
- Commit a criminal act at the market
- Fail to attend and set up in a reasonable time before trading hours
- Fail to behave in a manner that complies with market etiquette
- Fail to comply with ACCC regulations
- Be found to have submitted a misleading applications and items for sale are not quality or pre-approved
- Any other disorderly conduct as determined by Cleveland Markets Owners and therefore shall not result in a refund.

Weather Refund Policy

- There will be no refunds issued should Cleveland Markets be cancelled due to reasons of emergency, danger, weather conditions, safety, health concerns, or other reasons that are not in reasonable control of the Cleveland Markets organisers (as deemed and only when announced by the Cleveland Markets organisers)
- There are general costs, advertising costs, permits and many hours that go into an event that we cannot offer refunds for reasons outside of the organisers control.
- A \$25 admin fee applies and the remaining amount will be credited towards a future market date
- If the weather deteriorates throughout the day you will not be entitled to a refund or credit.

Insurance

- Cleveland Markets current Public Liability insurance of \$20,000,000.
- All business stalls must hold Public Liability insurance of \$10,000,000 specifying Market Stall.
- Cleveland Markets does not offer Public Liability Insurance.

Waste Management

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- Stallholders are required to remove all excessive rubbish from the Market.
- Rubbish bins provided are for the general public and not to be used to dispose of unwanted clothing, stallholder, food truck waste and or packaging.
- At the end of trading hours the stallholder is required to clean their space and remove any broken racks, coat hangers, shelving, baskets or accessories.
- It is a requirement to use eco-friendly bags such as recycled paper or enviro bags.

Electrical Compliance

- Access to power is strictly by approval only.
- All electrical appliances and cords must be tested and tagged by a qualified electrical contractor in accordance with Queensland Electrical Safety Regulations 2002 and subsequent amendments. Stall Holders are encouraged to diarise for renewal.
- All stallholders must complete electrical deceleration form and hand into management on renewal of tag and tested and any additional equipment.
- Equipment & cords should also be regularly checked to ensure they remain in serviceable condition.
- Double adaptors are not permitted for commercial usage under any circumstance.
- Stall Holders found with non-complying or unsafe appliances or cords, will have power withdrawn without notice. Non-compliance may invalidate your insurance and cause risk of serious harm to the public, your employees and yourself.
- It is essential that extension leads do not present a trip-hazard to the public. Excess cords must be coiled safely within the stall and not accessible to the public.
- Exposed cords running between stalls must be either covered with mats or taped with waterproof tape - please bring these with you each week.

Food Stalls

- Equipment & cords should also be regularly checked to ensure they remain in serviceable condition.
- All food stalls must be licensed.
- Food stall applications will not be assessed without provision of a current Food
- Temporary Food Licenses must be displayed at all times during trading hours.
- Correct health and safety procedures must be adhered to at all times. The public must not have access into your stall at any time
- Approval from Management will need to be given before you change or add to your food stall or product range.

First Aid, Incidents and Events

If you or anyone around you is in need of First-aid, please contact the Market Manager immediately. Market Staff are first-aid trained and willing to help. All incidents must be reported to management.

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Smoking

Cleveland Markets venue is a smoke free zone under Queensland Law.

Market Day Results

- Individual results vary at any given Market
- There are many factors that affect sales on the day and this is the nature of markets.
- Cleveland Markets strives to provide quality event advertising and promotion to ensure the best possible outcome for our stallholders.
- We welcome constructive feedback however we will not tolerate rude behaviour towards any of our staff, verbally or via written correspondence.
- All stalls are required to stay until the market closes, stalls who do not comply with this rule, will not be accepted to trade in the future

Security

- Stallholders are responsible for their own stall security and monies. No responsibility is taken by Cleveland Markets for theft, loss or damage.

Safety

- Stallholders agree to set up their stall spaces in a safe and secure manner to ensure the safety of all shoppers.
- Cleveland Markets shall not be responsible for injury or accidents caused by stallholders negligence to conduct themselves or the stall safely.
- In the event of an accident, injury or emergency Cleveland Markets has a safety procedure in place to ensure the incident is handled efficiently.
- Should Stall holders fail to secure their items or marquees safely this will be at the fault of the stall holder and not Cleveland Markets
- Stallholders and shoppers are required to fill in an incident form.
- There will be a first aid kit at all events.
- Cleveland Markets staff are trained in First Aid

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Advertising

- You may hand out advertising or promotional material at your designated stall, such material must relate to the products on sale at your stall and be disposed of in accordance with our waste management clause.
- Cleveland Markets leading up to Market Day may utilise Social Media to promote business stalls - however this is not a guaranteed service due to the volume of stalls.
- Cleveland Markets do not charge to be featured on our website or instagram.
- We ask that all stallholders promote the markets at least once on their social media accounts and tag Cleveland Markets.
- There is no guarantee that a stall will be featured on instagram or facebook

PRIVACY POLICY

Cleveland Markets respects our customers privacy and is committed to protecting your personal information. As an Australian organisation we are bound by the Privacy Act 1988 when collecting, using, holding, handling and transferring any personal information provided to us. The information we collect includes but is not limited to:

Full Name, Stall name, Email Address, Mobile Number, insurance expiry date and products sold.

The above information can only be accessed by authorised Cleveland Markets owners and administrators.

How we use your information:

To carry out event communication and administration. Mobile numbers are only used to contact stallholders quickly or in the case of an emergency. We will not sell or rent your personal information to third parties.

How do we store your information and for how long?

Cleveland Markets retains your information until all of our legal and or tax obligations have expired and or we no longer need the information for the purpose we collected it. Your

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information may be stored in a physical format or as electronic data, however, we will take the necessary steps to destroy it.

Social Media

From time to time Cleveland Markets may repost images shared with us using the

Cleveland Markets hashtag, by tagging this hashtag you agree for us to view and give permission for Cleveland Markets to post this image and reference the appropriate user royalty free.