

UQU WEDNESDAY MARKETS STALLHOLDER AGREEMENT

These rules and regulations apply to all Stallholders who have been approved by the University of Queensland Union (“UQU”) to occupy a stall at the Wednesday Markets. It constitutes the terms and conditions on which UQU permits the Stallholder to occupy a stall at the Wednesday Markets and on which UQU agrees to provide services to the Stallholder.

By signing this Agreement and returning a copy in printed or electronic form, stallholders acknowledge and agree to the rules and regulations

A Stallholder is deemed to be approved to trade at the Wednesday Markets when they have submitted an application to the Market Coordinator and received written communication to confirm this approval.

Stallholders will not be approved to attend the Wednesday Markets until such time as a copy of the signed Agreement has been returned to the Market Coordinator and they have received written approval.

These rules and regulations are subject to change by UQU at any time. UQU will give Stallholders a minimum of fourteen (14) days’ notice of any such changes.

DEFINITIONS

Application means the submission of the official application form with all required attachments.

Approved Product means those goods and services listed in the stallholder’s Application for which the Market Coordinator has provided written consent to sell at the Wednesday Markets

Market Coordinator means the UQU Event and Marketing Coordinator or such other staff member as notified by UQU.

Rules and Regulations means the terms and conditions outlined in this document.

Stall means the 3mx3m area within the Wednesday Markets that the Market Coordinator has designated for the purpose of trading activity by a stallholder.

Stallholder means a person, persons or legal entity and their selected representatives as outlined in their Application form and Approved by the Market Coordinator.

Trading Activity means the action of offering goods or services for sale.

UQU means the University of Queensland Union.

Wednesday Markets means the weekly markets held on a Wednesday or a substituted day at the University of Queensland, St Lucia campus.

APPLICATION CRITERIA

Approved Products

- ✓ Stallholders are only permitted to sell Approved Products
- ✓ The Market Coordinator may cancel a Stallholder's approval to occupy a Stall at the Wednesday Markets if the products offered for sale are significantly different from the Approved Product or is of poor quality.
- ✓ Stallholders have a legal obligation to provide goods that will be safe for use. It is their obligation to ensure that the goods they are supplying are free from defects that may cause injury.
- ✓ Certain goods sold must comply with safety requirements before they can be sold (eg. Children's toys) and required information must be supplied to consumers when the product is purchased.

Process for Adding/Changing Approved Products

- ✓ If a Stallholder wishes to introduce new products at their Stall, they will need to request a New Product Request form and submit to the Market Coordinator. The Market Coordinator will assess the request and advise the Stallholder of the outcome in writing within 14 days.
- ✓ The Market Coordinator reserves the right to decline any such requests without offering an explanation for the decision.
- ✓ All decisions made by the Market Coordinator are final and binding.

Prohibited Products

- ✓ Stallholders cannot sell any product that is in direct or indirect competition with any UQU operated outlets or lessees. This includes but is not limited to: food and beverage for immediate consumption, second-hand books, grocery goods, stationery, CDs, travel deals, and text books.
- ✓ If a Stallholder is found to be selling products in direct or indirect competition with any permanent traders on campus they will be asked to remove the prohibited products immediately. A written warning will be issued. If found selling these items again, the Stallholder will be asked to remove their Stall from the Wednesday Markets indefinitely.
- ✓ Stallholders are not permitted to sell food or beverage products that are suitable for immediate consumption. Food and beverage items will be considered upon application and approval will be at the discretion of the Market Coordinator.
- ✓ Stallholders are not permitted to sell political, controversial, offensive, illegal, counterfeit or unauthorised goods including goods bearing trademarks for which the Stallholder does not have a license to sell.
- ✓ If a Stallholder is found to be selling counterfeit products they will be asked to remove the prohibited products immediately. A written warning will be issued. If found selling counterfeit products again, the Stallholder will be asked to remove their Stall from the Wednesday Markets indefinitely.
- ✓ If a Stallholder is found to be selling political, controversial or offensive products they will be asked to remove the offending products immediately. A written warning will be issued. If found selling these products again, the Stallholder will be asked to remove their Stall from the Wednesday Markets indefinitely.
- ✓ If a Stallholder is found to be selling illegal or prohibited products, the Market Coordinator reserves the right to immediately remove their Stall from the Wednesday Markets. At the Market Coordinator's discretion authorities may be involved if it is considered a criminal offence.

Approval Criteria for Stallholders

- ✓ Stallholders Products cannot compete with any permanent on campus traders.
- ✓ Stallholders must possess Public Liability Insurance Cover for a minimum of \$20,000,000.00 AUD. A copy of the certificate of currency will be required as proof of insurance.
- ✓ The Markets are a commercial marketplace with the main purpose of providing goods and services that are appropriate for the student market. For this reason, and due to limited space, we are unable to accommodate:
 - Fundraising activities by charities and not-for-profit organisations.
 - Activities by student groups for assessment
 - Organisations wishing to conduct promotion of their products/services without engaging in Trading Activity
 - Promotional activities by University of Queensland schools, faculties or other groups
- ✓ The Market Coordinator reserves the right to decline any applications without offering an explanation for the decision.
- ✓ All decisions made by the Market Coordinator are final and binding.

Product Exclusivity at the Markets

- ✓ No one has exclusive rights to a particular product/brand/service. Stallholders can stock the same brands as another Stallholder. The Market Coordinator will endeavour to ensure there are no duplicates of entire Stalls where all products in each stall are identical.
- ✓ To ensure a variety of goods and services are available through the Wednesday Markets the Market Coordinator will limit the number of Stalls in each product category. This will be at the sole discretion of the Market Coordinator and all decisions are binding.

Decorations

- ✓ The University of Queensland Union acknowledges the importance to a sustainable future and as such asks that no balloons of any kind be utilised in your display.

MARKET DETAILS

Days and Location

- ✓ The Markets are held at Campbell Place, University of Queensland, St Lucia campus. They operate every Wednesday with the exception of public holidays and over the Christmas/New Year period.
- ✓ Stallholders may be presented with opportunities to participate in other events on other days throughout the year. The Market Coordinator will communicate these as they arise.

Trading Hours

- ✓ The Markets operate from 8.00AM – 3.00PM
- ✓ Stallholders who have booked a Stall are entitled to a Stall only during the specified trading hours (above). Stallholders who are not set up by 8.00AM may forfeit their stall booking and will not be entitled to any credit or refund of Stall fees. In this instance the Market Coordinator reserves the right to allocate the Stall to another Stallholder.

MARKET LOGISTICS

Set Up and Pack Down

- **Stallholders must set up between 6.00AM and 8.00AM.**
- All Stalls must be set up and ready to commence Trade Activity by 8.00AM.
- Failure to be set up in time and trade for the full day could result in not receiving a Stall allocation for the next Wednesday Market

Vehicle Access

- Vehicle access will be allowed into Campbell Place between 6.00AM – 8.00AM.
- Stallholders must turn on hazard lights and drive at a maximum speed of 5km/hour when driving their vehicle in Campbell Place.
- Due to space restrictions and high pedestrian flow, vehicles can only remain in Campbell Place to drop off or collect equipment and stock. Once equipment has been set down vehicles need to be removed prior to Stall set up commencing.
- Absolutely no vehicles are allowed in Campbell Place between the hours of 8.00AM – 3.00PM.
- Stallholders must abide by any instructions issued by the Market Coordinator or UQ Security regarding the movement of vehicles in the Wednesday Markets area.
- Failure to comply with any of these requirements will see the Stallholder issued with a written warning. Failure to comply on a second occasion will result in the Stallholder being asked to remove their Stall from the Wednesday Markets indefinitely.

Parking

- All Stallholder vehicles must park in permitted parking areas on campus.
- No vehicles are permitted to be left in the Wednesday Markets area.

Waste Management

- Stallholders must ensure their Stall is clean and tidy at all times.
- Stallholders are required to remove all rubbish and waste that the Stallholder has either brought into, or obtained at, the Wednesday Markets. The garbage bins in the Wednesday Markets area are for use of the general public and not available for the disposal of Stallholder's waste or packaging materials.
- Any Stallholder found to be utilising the bins in the Wednesday Markets area will be asked to discontinue this activity and may be charged a waste fee. If found using the bins again, the Stallholder will be asked to remove their Stall from the Wednesday Markets indefinitely.

Smoking

- The University of Queensland is strictly a **NO SMOKING** campus, any stall holder caught smoking on campus will be asked to immediately leave. The stallholder will be liable for all associated fines.

Wet Weather

- The Market will operate in all weather conditions, except during severe weather conditions that have potential to harm people.
- The Market Coordinator will make the decision as to whether or not the Market will be called off due to inclement weather.

- ✓ No refunds or credits will be issued in the event of inclement weather, including wet weather.
- ✓ It is the responsibility of the Stallholder to provide their own equipment for the purpose of protection in adverse weather conditions.
- ✓ If the Market proceeds in inclement weather conditions, the Stallholder can use their discretion as to whether they will set up, commence, continue trading, cease trading or finish earlier than 3.00 PM on the day.
- ✓ If the Stallholder decides to cease trading and leave for the day they are required to notify the Market Coordinator.
- ✓ UQU will not be held responsible for any loss, damage or injury whatsoever resulting from adverse weather conditions.

STALL DETAILS

Stalls

- ✓ Stallholders acknowledge that on-selling of Stall space is NOT allowed.
- ✓ Stalls are either 3mx3m or 6mx3m footprint within the Wednesday Markets area.
- ✓ Limited additional space for weather and shade protection is allowed.
- ✓ Stalls offer one side trading.
- ✓ Fashion Stallholders can book additional space for a change room through the Market Coordinator. Change room space is maximum 1mx1m.

Stall Fees

- ✓ There are three types of stall rates:
 - Peak Period Rate – this is the rate charged during semesters when classes are underway
 - Off-Peak Period Rate – this is the rate charged during holidays, exams, study breaks, and mid-semester breaks
 - Premium Rate for Special Events – this is the rate charged for special events that attract particularly high traffic. This is the Peak Period Rate with a loading added on.
- ✓ Additional fees are charged for change room space and to increase Stall size from 3mx3m to 6mx3m.
- ✓ Stallholders may not request a reduced rate from the rates prescribed above.
- ✓ Rates are not negotiable.
- ✓ Peak and Off-Peak periods will vary year to year based on the University of Queensland Academic Calendar.
- ✓ Peak and Off-Peak periods will be outlined in the Rate Card released at the beginning of every year.
- ✓ UQU reserves the right to make changes to the rates at any time without notice to Stallholders.

Stall Allocation

- ✓ Stallholders acknowledge that they have no rights to any particular location for a stall.
- ✓ Stallholders must locate their Stalls as directed by the Wednesday Markets map distributed monthly by the Market Coordinator.
- ✓ Stall allocation may vary week to week depending on the number of stalls booked.
- ✓ The Market Coordinator will allocate space as they see fit.
- ✓ All decisions made regarding the locations of Stalls by the Market Coordinator are final and binding.
- ✓ Changes to the monthly stall allocations are not permitted unless approved by the Market

Coordinator in advance.

- The Market Coordinator reserves the right to move Stall locations around at any time to cater for Stallholders who may have certain essential requirements for their products.

Equipment

- It is the responsibility of the Stallholder to ensure that all equipment brought to the Market by the Stallholder has been correctly set up and is operated in a safe manner.
- Stallholders are required to provide their own marquee which is to be the same size as their booked space (3mx3m or 6mx3m).
- Stallholders are required to provide their own tables and/or other display equipment.
- Stallholders are entitled to use awnings up to 70cm deep for shade and weather protection. Stallholders can have 1 x market umbrella to use for shade and weather protection if they do not have awnings. The umbrella cannot be bigger than 2.2m in diameter.
- If change room space has been hired by the Stallholder, they will need to provide an appropriate change room.
- Stallholders must ensure their portable marquees, umbrellas and other equipment are properly secured and weighted down.
- Stallholders are responsible for their equipment and stock. UQU will not be responsible for lost, stolen or damaged equipment or stock.
- No equipment or stock can be stored at the University of Queensland.

Stall Display

- The full space booked (3mx3m or 6mx3m depending on booking) must be utilised by the Stallholder equipment and stock must be presented to use the full space.
- All Trading Activity must take place within the boundaries of the Stall booked (ie, 3mx3m or 6mx3m).
- Stalls will be reviewed on a weekly basis to ensure they do not exceed paid space. If found to exceed space the Stallholder will be given a written warning. If the Stallholder is found to be exceeding space again, they will be charged for exceeding their set space at a rate of \$5 per square metre.
- Stallholders must ensure their Stall does not impede on public access ways including pedestrian pathways and emergency vehicle access through Campbell Place.
- Stallholders must ensure the Braille Trail is never covered. This includes with Stallholder stock, equipment or vehicles.
- Stallholders with Stalls located near the Braille Trail must ensure the 1m gap legally required on both sides of the Braille Trail.
- If additional change room space has been purchased the change room must be placed either to the side or behind the stall.
- Stallholders may use the change room to display merchandise; however this is limited to a maximum of three (3) garments.
- Stallholders may not erect any advertising or signage unless the Stallholder has received the Market Coordinator's permission to display such advertising or signage.
- Awnings and umbrellas are allowed for the sole purpose of protection from the weather and shade. This space is not additional stall space and cannot be used for additional product displays or change rooms.
- If a Stallholder is found to be displaying any products, merchandise or change room under their

awnings or market umbrella they will be asked to remove the items immediately. A written warning will be issued. If found using this space again, the Stallholder will be asked to remove their Stall from the Markets indefinitely.

COVID19

- Market coordinator has the right to refuse entry to stallholders and may insist that anyone with COVID-19 symptoms needs to leave the Wednesday Markets and obtain COVID-19 testing as per health guidelines.
- Stallholders are required to provide a hand sanitizer (above 60% ethanol or isopropyl content) for both personal use and for stall customers.
- Stallholders are to ensure that their stall is set up in a manner that prevents or manages pedestrian queueing and ensures no cross over of pedestrian throughfares.
- Promote contactless payment methods.
- In the event of a government ordered lock down of less than 30 days Stallholders will be offered a credit for their stall space.
- In the event of a extend government lockdown (exceeding 30 days) stall holders will be offered the option of either a credit or refund for stall spot.
- In the event of a government ordered mask mandated, Stallholders will be required to wear a face mask for the duration of their time on campus.
- All UQ campuses have a COVID-19 vaccination mandate. Proof of vaccination will be required by all Stallholders. If found without proof of vaccination, the Stallholder will be asked to remove their Stall from the Markets indefinitely.

BOOKINGS & PAYMENT

Bookings

- ✓ Only Approved Stallholders are able to book space to attend the Wednesday Markets.
- ✓ Stallholders can book space on a monthly basis.
- ✓ Stallholders will be sent a booking form in the first week of each month for the next month's bookings.
- ✓ Stallholders can decide which weeks in that month they wish to attend the Wednesday Markets, complete the form and return to the Market Coordinator via email, fax or in person by the due date stipulated on the form.
- ✓ If there are more Stallholders wishing to book space than there is space available, then space will be given on a first in, first served basis.

Payment

- ✓ Booked Stallholders will be emailed a tax invoice.
- ✓ Once the invoice is received payment can be made by the following methods:
 - In person during business hours (Mon-Fri, 8AM -4PM)
 - By cash, credit card, debit card
 - Electronic Funds Transfer
- ✓ Stallholders should NOT make payment until an invoice has been received.

Non-Attendance

- No refund will be given for non-attendance.
- Credit may be given for non-attendance if more than 24hours notice is provided by the Stallholder and the Market Coordinator can find a replacement Stallholder for the Stall.
- Your allocated space may be reallocated to another Stallholder should you not attend.
- If you are unable to attend, please contact the Market Coordinator by phone or email as early as possible.

STALLHOLDER CODE OF CONDUCT

- Stallholders must be considerate towards neighbouring businesses, other Stallholders, University of Queensland Security staff members, UQU staff members and University of Queensland students.
- Stallholders must not conduct themselves in a violent, abusive or offensive manner.
- Stallholders must not be under the influence of alcohol or illegal drugs.
- Bullying/harassment of any nature will not be tolerated.
- Soliciting is prohibited and Stallholders are not allowed to approach customers or solicit to get customers to participate in any activity within the Stall. This includes standing within your Stall and handing out flyers to potential customers passing by.
- Use of amplifiers, loudspeakers and/or spruikers is prohibited.
- Breach of the Stallholders Codes of Conduct will result in UQU immediately terminating the Stallholder's approval and removing them from the Wednesday Markets permanently.

TERMINATION OF STALLHOLDER APPROVAL

- UQU may terminate a Stallholders approval to trade at the Wednesday Markets if the Stallholder breaches the Stallholder Code of Conduct.
- UQU may terminate a Stallholders approval to trade at the Wednesday Markets if the Stallholder fails to pay their Stall Fee on time
- UQU may terminate a Stallholders approval to trade at the Wednesday Markets if they receive two (2) or more written warnings for any reason, including the following:
 - Failure to comply with the Market's set up and pack down regulations.
 - Selling prohibited products.
 - Failure to comply with the Wednesday Markets waste management regulations.
 - Failure to comply with the Wednesday Markets Stall Display regulations.
 - Failure to comply with the Wednesday Markets vehicle access regulations.
 - Failure to comply with the Wednesday Markets COVID-19 regulations.

STALLHOLDER WITHDRAWAL FROM MARKET

- Stallholders may choose to withdraw from the Wednesday Markets at any time by notifying the Market Coordinator. If the Stallholder voluntarily withdraws from the Wednesday Markets, any bookings already paid for will not be refunded and cannot be credited to another Stallholder.

INDEMNITY

By agreeing to this UQU Wednesday Markets Agreement you agree to indemnify UQU and its employees from all legal liability whatsoever if injury occurs to any person(s) as a consequence of any negligent, reckless or improper action or lack of action by you concerning any matter to do with your Stall.