



STALLHOLDERS 2012

SCHEDULE 1 - Terms and Conditions

WELCOME

The National Multicultural Festival is Canberra's premier cultural event, which actively involves over 200 community groups, local and national arts groups, up to 70 diplomatic missions, numerous businesses and over 200,000 people who attend over 150 activities and events over the three day period.

The Festival celebrates the cultural diversity of the ACT by providing events that positively showcase cultural differences and encourages people to share in and celebrate differences by enjoying arts and music, dancing, laughing and eating together.

These Terms & Conditions are to assist prospective Stallholders to make an informed decision, and steps to follow, as to your participation at the National Multicultural Festival to ensure a safe and enjoyable experience by all.

This notice must be read, understood and complied with by ALL stallholders. You will be asked for your acceptance of these conditions in the Stallholder Application Form.

National Multicultural Festival [NMF] means the 2012 National Multicultural Festival to be held 10th to 12th February 2012, inclusive.

STALL APPLICATION CATEGORIES

1. All applications for stalls in the 2012 NMF will be considered and notified in December 2012.
Submitting an Application form does not automatically guarantee your inclusion in the NMF.
2. **COMMUNITY STALL APPLICATION**
To be eligible for a Community Stall, *proof* of Incorporation as a bona fide not-for-profit community group, must be attached to your application [typically incorporated as an Association - *Associations Act 1991*]. If required, Individuals can then be auspiced/endorsed by this incorporated organisation which will be liable for your activities at the NMF.
3. **DIPLOMATIC STALL APPLICATION**
To be eligible for a Diplomatic Application, the Diplomatic Mission is required to make the application directly.
4. **INFORMATION STALL APPLICATION**
This Stall Application is available to any community organisation that wishes a stall for

promotional or educational purposes only. The sale of any products is NOT permitted.

5. **COMMERCIAL STALL APPLICATION**

All other applicants will be treated as Commercial applications

TRADING HOURS

6. Stallholders are encouraged to have their stall open and staffed for the entire operating hours [each day applied for] of the Festival as follows:

Festival Operating Hours

Friday 10th February - 5pm to midnight

Saturday 11th February – 11am to midnight

Sunday 12th February – 11am to 5pm

STALLS

7. Stalls are available for hire in two sizes :

Standard Stall - 3 metres x 3 metres

Large Stall - 6 metres x 3 metres

8. Allocation – The NMF considers a number of factors when deciding on stallholder positioning, including competition, weather, surface dryness & drainage, spatial constraints, shop owners interests, security & public safety, consumer behaviour & existing infrastructure. Stall locations once allocated will not be negotiable.
9. The stall is to be occupied by the person registered on the Application Form. Stalls may not be on-sold, sub-let or transferred in any way.
10. The stall fee entitles a stallholder trading rights from the allocated space on the festival days paid for. The NMF reserves the right to change and re-allocate stalls as deemed necessary and without notice.
11. The stall fee is for the stall structure only. Additional fit-out such as equipment, tables, chairs, cooking equipment, food storage units, preparation room, signage etc , **must be kept inside the site boundary and is the responsibility of the approved stallholder in the allocated stall**
12. No additional structures will be allowed on site without prior written approval from the NMF Office.
13. Stalls will be marked with the stall number and your organisation's name. Please do not adjust the stalls or move weights. Barlens will be around on the day if you need assistance with your stall. Look out for the Festival Volunteers that can direct you to your stall.
14. Any hostile actions by stallholders toward other stallholders, consumers or the NMF management team that presents conflict or disruption to the festival, may be removed from the festival site and prevented from trading with the NMF in the future
15. Product Registration - The NMF requires your cooperation by registering the labels/brands of products you wish to sell. The NMF management will ensure that your products are not going to conflict with our permission guidelines, or with other stallholders.

INSURANCE –Public & Product Liability

16. It is a requirement that all NMF Stallholders have a current, non-cancellable, **public and product liability insurance** policy for the duration of the event. This includes the period before and after the event allowing for the preparation, dismantling and removal of all equipment.
17. For 2012 the required cover is for a minimum of AUD 10 Million Public Liability and Product Liability, to be submitted with your Application.
18. **If you have a policy ...** , please obtain a valid *Insurance Certificate of Currency*, or letter from your insurer or broker, showing the NMF as having an interest in the policy, including the following details: Name of the event, indemnity amount (monetary limit of the policy), period of insurance, name of insurer and policy number.
19. **If you DONT have a policy ...** please obtain a current non-cancellable public and product liability insurance policy for the duration of the NMF and then re-apply. *Market Stall Insurance* is available for immediate online purchase from certain Insurance Companies.
20. You will **not** be able to participate in the Festival without valid insurance.
21. The Festival advises you to seek advice from your insurer or broker as to :
 - the type and amount of insurance required to cover all possible loss or damage to your stall, staff, customers etc.
 - what notification is required to them as to your proposed stall at the NMF
22. The Festival accepts no responsibility for any loss or damage to any property of the Stallholder brought to the Festival; or injury to any person associated with the stallholder

FOOD STALL / BUSINESS REGISTRATION

23. ***An Stallholder who intends to sell or handle food at the NMF, is required to be registered under the Food Act 2001.***
<http://health.act.gov.au/health-services/public-health/health-protection-service/food-safety/>
24. **All FOOD STALL APPLICANTS** [*including Community Groups, Registered ACT Food Businesses, Interstate Food Businesses & all other food Stallholders*] ... who wish to sell or handle food at the NMF ... must **NOTIFY** the ACT Government Health Directorate's - Health Protection Service [HPS] of their intention.
There is **no fee** for notification.
25. Forms for NOTIFICATION OF A FOOD BUSINESS can be downloaded at :
<http://www.health.act.gov.au/health-services/public-health/health-protection-service/licensing-and-registration/>.
The forms should be lodged directly with the Health Protection Service by December 2011.
26. Established Food Businesses *cannot* simply provide a copy of their *Certificate of Registration For A Food Business* ... as this registers the location of their business premises [e.g. restaurant, bakery etc]. A Notification Of A Business form must be completed.
27. If the notification application is accepted by the HPS, the applicant will receive a Notification Acceptance Letter from HPS. Stallholders must provide copies of the Notification Acceptance Letter to the NMF Management Office.

28. If Food stall applicants and operators require any information regarding their obligations under the Food Act, they should contact the ACT Health Protection Service Duty Officer on Ph 6205 1700, between 9.00am and 4.30pm on weekdays.

FOOD STALL OPERATION

29. Under the Food Act 2001, food should be protected from contamination according to the requirements of the Australia New Zealand Food Standards Code
<http://health.act.gov.au/health-services/public-health/health-protection-service/food-safety/>
30. Public Health Officers [PHO's] will monitor the operation of food stalls at the NMF. PHO's will be available to provide guidance on the safe handling of food as well as to enforce food safety standards.
31. Food handlers must take reasonable precautions to protect food from contamination. Only persons directly involved in food preparation, cooking and sale of food are to be permitted into the food stall. Adequate hand washing facilities should be available and utensils and food contact surfaces should be kept clean. Food preparation and storage areas should be kept in a clean and sanitary condition. Storage, preparation or cooking of food on the floor is not permitted.
32. Temperature Control – Potentially hazardous food should be maintained at 5°C or below or at 60°C or above. Potentially hazardous food is food that has to be kept at safe temperatures to minimise the growth of pathogenic micro-organisms or prevent formation of toxins. Hot food needs to be kept and served at 60°C or above and cold food should be kept refrigerated. Cool rooms can be hired for use on the day and suppliers can be found in the yellow pages. Please contact the NMF Management Office to book a space for your cool room.
33. For further information on safe handling of food at food stalls, please refer to the relevant factsheets that can be found on <http://health.act.gov.au/publications/fact-sheets/>.
34. **Food stall operators have obligations under the Work Safety Act 2008 to ensure the safe use of gas cylinders and gas appliances.** Refer to the "Guidance Note – Gas Safety At Public Events" <http://www.worksafe.act.gov.au/page/view/1434> which includes that stallholders have a fire safety appliance on site such as a suitable fire blanket and fire extinguisher.
35. PLEASE REMEMBER THAT YOU ARE TO LEAVE THE STALL AS YOU FOUND IT - Please wipe down the stall and remove all rubbish to the skips and ensure that the marquee is left in a clean state. Food Stallholders are responsible for cleaning the stall and disposing of all waste including cooking oils.

LIQUOR PERMITS

36. All Stallholders who intend to supply/sell Liquor ... must have an appropriate PERMIT issued by The ACT Office of Regulatory Services.
37. ***It is a legal requirement of the Liquor Act 2010 that all liquor applicants notify the ACT Office of Regulatory Services about the operation of your Liquor stall at the NMF.***
www.ors.act.gov.au/community/liquor
38. A liquor permit authorises the permit-holder to sell a specified amount of liquor at the festival stated in the permit and within the times and places stated in the permit. A liquor permit does not authorise the permit-holder to sell liquor in a closed container or in a container together with the means of closing the container.

39. Type of applications

Commercial Permit – authorises the sale of liquor for consumption at a single permitted premises, of a retail value not exceeding a stated value, at a stated event during permitted times. Fees apply.

<http://www.ors.act.gov.au/publication/view/1444>

Non-commercial Permit – authorises a *not-for-profit organisation, who is **incorporated***, to sell liquor for consumption at a single permitted premises, of a retail value not exceeding a stated value, during the permitted times. Fees apply.

<http://www.ors.act.gov.au/publication/view/1443>

Applications for Liquor Permit are to be lodged by stallholders directly with the ACT Office of Regulatory Services in November 2011. Stallholders must then provide copies of Approved Permits to the NMF management office.

40. All *Applications for Liquor Permit* require applicants to submit a *Risk Assessment Management Plan*

<http://www.ors.act.gov.au/publication/view/1421>

The ACT Office of Regulatory Services will be able to advise you of the requirements in November 2011.

41. Established Liquor Businesses cannot simply provide a copy of their *Certificate of Liquor License...* as this is a License for specific business premises only [e.g. restaurant, bar etc]. An Application for Liquor Permit must be completed by all stallholders selling liquor.

42. Liquor Licensing Inspectors from the *ACT Office of Regulatory Services* and *AFP Alcohol Crime Targeting Team* will be checking Liquor stalls throughout all days of the NMF.

43. Please avoid any situation that will force the *ACT Office of Regulatory Services* or *AFP Alcohol Crime Targeting Team* confiscating your drinks and shutting your stall down.

44. Liquor permit holders selling alcoholic beverages are reminded they must abide by the principals of Responsible Service of Alcohol [RSA]. Stallholders **MUST ALSO SELL FOOD AND PROVIDE FREE DRINKING WATER FOR PATRONS.**

45. **NO GLASS POLICY** – As with all public events in the ACT, the NMF implements a *no glass policy* [plastic cups only] for the serving of all alcoholic beverages throughout the Festival. *ACT Office of Regulatory Services* and *AFP Alcohol Crime Targeting Team* will conduct random patrols throughout the course of the day and night to ensure that all liquor license holders comply with this policy.

46. If Liquor stall applicants require any information about their requirements under the Liquor Act 2010, you should contact the Office of Regulatory Services Duty Officer on Ph 6207 3000, between 9.00am and 4.30pm on weekdays.

ELECTRICITY REQUIREMENTS

47. Temporary electrical installation and distribution on site is carried out by the festival's nominated electrician. All Stallholders will be required to pay for your electrical requirements.

48. It is important that you list all your electrical appliances / equipment on the Requirement Form at the time of your application. Connection of tested and tagged appliances & leads will only be accepted.

STALLHOLDER TERMS & CONDITIONS

49. Any faults or power failures caused due to stallholder underestimation shall be charged to the stallholder. Be careful not to underestimate your power requirements.
50. To ensure quality and safety of power supply, compliance with the following is required:
- Double adaptors are NOT to be used
 - Stallholders must provide their own Power Boards [with an earth leakage circuit breaker] and Power Leads for distribution of power from their allocated power point within their stall [current safety tags required]
 - Electricians will make appliance and consumption checks for compliance with your Stall Application
 - Failure to advise of your requirements may result in insufficient power [blackouts] to your stall and extra charges will apply.
51. Your honesty and accuracy will ensure the electrical department runs smoothly.

LIGHTING & SOUND

52. For each stall one light fitting will be provided.
53. Additional lighting and sound systems, including amplified music will not be permitted without prior approval from the NMF Office

WEATHER

54. The NMF reserves the right to cancel events due to storms or dangerous conditions.
55. The NMF does not accept any liability for inclement weather and will not refund fees if the festival is cancelled because of adverse weather conditions

WORK SAFETY

56. If any stallholder requires any information about their requirements under Worksafe ACT, you should contact the Office of Regulatory Services Duty Officer on Ph 6207 3000, between 9.00am and 4.30pm on weekdays
57. **Stall operators have obligations under the Work Safety Act 2008 to manage the health and safety aspects of their stall.** Guidance Notes are available for download:
<http://www.worksafe.act.gov.au/page/view/1434>
58. Please consider your stall layout. Keep all heavy and sharp objects stored properly and ensure any potential slip & trip hazards are removed at all times.

RECYCLING

59. Stall holders are required to comply with ACT recycle policy guidelines to separate bottles, cans, oil, etc.
www.tams.act.gov.au/live/recycling-waste

SET UP & PACK DOWN

60. The NMF will inform all stallholders in December as to their designated location and be provided details of their requirements. This will include a printed site map and detailed knowledge of the location of amenities

STALLHOLDER TERMS & CONDITIONS

61. Parking of stallholder vehicles on the festival site is strictly forbidden ... other than for unloading or loading equipment at the specified times.
62. Stallholders must take reasonable care to avoid causing injury, loss or damage to themselves or to other persons or property.

REFUND POLICY

63. The NMF will refund fees advanced by applicants if a withdrawal of this Application is received in writing by the NMF Office on or before close of business (5.00pm) Monday 23 January 2012.
64. Applicants who choose to withdraw from the 2012 NMF, for any reason, after Monday 23 January 2012, are not entitled to redeem any fees advanced to the NMF.
65. Refunds will be made by direct deposit into the Applicant's bank account.

SOCIAL MEDIA & MARKETING

66. The Stallholder consents to the NMF making any images and recordings of the Stallholder and their stall during and after the Festival, for the promotion and reporting of this Festival and future festivals in any media.

TAXES

67. The NMF is registered for GST purposes ABN 26 471 407 289. All amounts quoted are inclusive of GST. A tax invoice will be issued by the finance division CSD.

TRANSLATING & INTERPRETING SERVICE

68. If you require interpreting information or require advice, a language assistance service is available by phoning the Translating and Interpreting Service (TIS) on 13 14 50.

NO WARRANTIES PROVIDED

69. While reasonable care is taken in the preparation of these Terms & Conditions, The NMF does not guarantee or warrant the accuracy, reliability, completeness or currency of the information on this schedule or its usefulness in achieving any purpose. Information on this schedule should not be used without validating that information from appropriate sources and obtaining professional advice where it is prudent to do so. You should make and rely upon your own assessments and enquires to verify the accuracy of the information provided

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