

## Stallholder Public/Product Liability Disclaimer to 30<sup>th</sup> June 2023

All stallholders at markets held by Art and Craft on the Coast must be covered for public and product liability.

This can be achieved in one of two ways:

Stallholders can carry their own **Public and Product liability insurance but must** provide management with a copy of their current policy for our records and must ensure the policy remains current while trading at 'the Markets'.

Coverage is required for \$20 million dollars minimum. **Stall holders who physically interact with the public such as in the provision of a service, sell secondhand toys, potions, cosmetics, soaps, oils, electrical or secondhand goods must have their own policy as these products/ types of activities are excluded from the market's own policy. Stalls using onsite Electrical or Vehicle access must also carry their own policy**

**Stall holders without own insurance (except as above) can be covered by the market policy.**

The cost of this cover to the stallholder for the period of 1<sup>st</sup> July 2022 to 30<sup>th</sup> June 2023 is: **\$8 per market attended paid each market you attend.**

**This cover has many terms and conditions including, but not limited to, the following:**

- **Limit of Indemnity:** Cover of \$20,000,000 for all sums which you become legally responsible to pay by way of compensation (other than fines, penalties, etc.) in respect of personal injury caused by an occurrence in conjunction with your business as a stall holder at markets conducted by Nomad Productions and Events PTY LTD trading as Art and Craft on the Coast **only**, because of Public/Product Liability as defined in the policy wording.
- **Personal Injury or Property Damage** caused by or arising out of the failure of any product to fulfill the function for which it is intended.
- Claims resulting from acts of war terrorism and COVID 19 are excluded.
- There is a \$1000 excess on all claims. If a claim resulted from an occurrence that was the stallholder's responsibility, the stallholder would be liable for the first \$1000 of the claim.
- **DUTY OF DISCLOSURE:** To join in this cover you have a duty of disclosure as follows: Before you enter a contract of General Insurance with an Insurer, you have a duty under the Insurance Contracts Act 1984, to disclose to the Insurer every matter that you know, or could be reasonably expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and if so on what terms. If you fail to comply with your duty of disclosure, the Insurer may be entitled to reduce its liability under the contract in respect of a claim or may cancel the contract. If your non-disclosure is fraudulent, the insurer may also have the option of voiding the contract from the beginning.
- **If you become aware of any circumstances, which could give rise to a claim, or a claim is made you must notify market management immediately. You must preserve any property that may be used as evidence. You must not make admissions, settle or attempt to settle or defend any claim against you without the insurer's written consent.**
- By filling out this form and agreeing to be covered by this insurance you are agreeing to follow all clauses and information found in the 'Insurance Schedule' and 'Policy Documents'. If you require a copy of these please ask management immediately. **Many areas of insurance are complex and some implications may not be evident to you. If there are any aspects of your insurances that you do not understand or you require further explanation, please contact market management immediately.**
- **You must sign and return this form to be covered by the market policy.** You must abide by the above terms and the Rules and Regulations Document to be covered. You must pay \$8 each time you attend to be covered. Only markets operated by Art and Craft on the Coast are covered by this policy.

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Disclaimer to 30<sup>th</sup> June 2023**

**PLEASE FILL IN THIS PAGE AND RETURN TO MANAGEMENT.  
Retain page 1 for your records**

**TO OBTAIN COVER AS DESCRIBED ABOVE UNDER THE MARKET POLICY to 30/06/2023**

Sign and return this form before the first market you attend between 01/07/2022 and 30/06/2023

I/we declare and agree that:

I/we understand that this cover is only for markets operated by Art and Craft on the Coast

I/we understand that I/we must pay \$8 at each market attended, to be covered at that market.

I/we have read and understood the duty of disclosure advised previously in this document.

No insurer has refused or cancelled my/our insurance previously.

I/we have not withheld any information likely to affect the acceptance of this contract.

I/we undertake to exercise all reasonable precautions to prevent a loss from occurring.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone number: \_\_\_\_\_

Product sold: \_\_\_\_\_

**TO AVOID PAYMENT OF INSURANCE UNDER OUR POLICY PLEASE SIGN ABOVE AND  
THEN LIST CURRENT LIABILITY INSURANCE DETAILS BELOW.**

Make sure this insurance is for **\$20 million Dollars Public and Product** liability. Please also supply a valid copy in person or by email to [info@artandcraft.com.au](mailto:info@artandcraft.com.au) If you fail to keep this insurance valid and paid up to date and have not paid the markets policy for occasions where your insurance is out of date or unpaid, all liability claims arising will your sole personal responsibility.

***Continuing your insurance policy? Certificate of Currencies (COC) must be received and valid from (previous expiry) within 14 days of previous policy expiry date(via printed copy to an onsite office or emailed to [info@artandcraft.com.au](mailto:info@artandcraft.com.au)). Or insurance fees and conditions (\$8 dollars per market) as stated above must be paid per booking and reimbursement (of paid market cover insurance fees) will not be available for any bookings before receipt of new COC if received after 14 days expiry.***

Insurer \_\_\_\_\_

Policy number \_\_\_\_\_

Policy period \_\_\_\_\_