

## GUIDELINES RELATING TO COMMERCIAL ACTIVITY ON DAVID ROCHE PARK

**Commercial Activity** - includes any activity by an individual, group of people or organization that is of the following nature:

- Advertising, promoting, soliciting, or accepting orders for products or services,
- Receiving payment for such products or services,
- The delivery of products and/or performs the service that was ordered.

These guidelines apply to all grounds and buildings used by the SACA in its activities including those that are owned as well as those that are leased or hired.

1. This Rule shall be implemented in a fair, reasonable, and just manner taking into account the rights of the collective Membership that will have priority over the applicant.
2. The Rule is intended to ensure that Members benefit collectively from the SACA's commercial rights and that individuals do not benefit unfairly at the expense of the majority.
3. The Rule and these guidelines are to be implemented in an open manner with decisions to be made on behalf of the Council by the Executive Officer. In the event of doubt or conflict the Executive Officer will refer the matter to Council for a decision.
4. For the purpose of the Rule and these guidelines, *Commercial Activity* will, as a rule, involve activities in at least two of the above dot points.
5. Affiliates are exempt from this Rule where the Commercial Activity is part of their conduct of an Exhibition on the David Roche Park grounds unless the *Commercial Activity* conflicts with the SACA's own commercial interests operating on that day (e.g., the Dog Shop operation and the Canteen/Barbecue). Notwithstanding this exemption the Affiliate shall obtain written approval from Council. The most appropriate time for this approval to be arranged is when Exhibition Schedules are submitted.
- 6, Members are advised to seek advice from the SACA before committing to arrangements that might be considered *Commercial Activity*.
7. Where an applicant is a *Non-Member* of the SACA similar consideration shall be given to the application as you would a Member or Affiliate Member
8. People wishing to operate a *Commercial Activity* shall make application on the prescribed form and pay the required fee.
9. The applicant will be required to sign a clause that expressly exempts the SACA from any liability or obligation to any party for any loss, injury that might be suffered as a result of the *Commercial Activity* conducted by the applicant.
10. Before granting approval the SACA shall ensure that the applicant has current third party personal and property liability insurance of a sufficient cover.
11. In granting approval, account shall be taken of the ongoing or occasional activities of the SACA, and any arrangements already approved.
12. In the event that a *Non-Member* attempts to operate a Commercial Activity on the SACA premises without appropriate approval and refuse to cease the activity recourse should be taken through the Police.
13. Provide the applicant with a copy of the Application (Form 9) indicating 'approval' or 'non approval'.