

User regulations concerning the application conditions and conditions of operation for the Christmas market

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Section I - General information

Article 1 - Period of application

The city of Antwerp organises the festive 'Winter in Antwerp' event on an annual basis. The Board determines the period of opening, opening hours and locations for the components forming part of the event (e.g. the Christmas market) on an annual basis.

Article 2 - Applicability

These regulations apply to Steenplein, Ernest Van Dijckkaai, Plantinkaai, Suikerrui, Grote Markt, Wisselstraat, Kaasrui, Maalderijstraat, Torfbrug, Blauwmoezelstraat, Handschoenmarkt, Quinten Matsijsdoorgang, Oude Koornmarkt, Tempelstraat, Jan Blomstraat, Papenstraatje, Zwaluwstraat and Groenplaats, unless specified otherwise by the Board.

Article 3 - Statutory provision

The Christmas market organised by the city of Antwerp is governed by Article 5, paragraph 2 of the law of 25 June 1993 concerning the holding and organisation of itinerant and Christmas activities organised as an occasional event or permitted in advance by the municipal authorities with the objective of promoting local trade or life within the municipality in accordance with the stipulations of Article 9 of the Royal Decree of 24 September 2006.

Sales during the Christmas market are not subject to the authorisation of itinerant activities for the traders and associations invited by the municipality. In the organisation of this event, the regulations of the municipality are not bound by the statutory allocation modalities as outlined in the law referred to above.

Article 4 - Conditions of operation

The event is authorised by the Board. The Board sets out the modalities for rental of chalets on an annual basis. The mayor shall grant stallholders a permit to occupy a stall for the duration of the Christmas market.

Section II - Chalets

Article 5 - Chalets

The mayor shall grant permits for chalets with a minimum frontage width of three metres. Chalets shall be provided that are to be rented by stallholders for the duration of the Christmas market. Stall operations must take place from within the chalet. For the sake of public order and safety, the Board shall determine the location, size and use of each chalet. The layout and maximum number of locations at the Christmas market shall be predetermined on a map.

The stallholder shall receive a key from the city representative on a predetermined day and at a predetermined time. On return, the key must be marked with the correct chalet number. Stallholders must treat chalets with due care. Modifications to chalets are not permitted. The chalet must be returned in the same condition as it was received. Unauthorised installation or infrastructure shall be removed immediately by the city services. The costs of removal shall be borne by the stallholder.

What is permitted?

- Insertion of small screws into the wood
- Attachment to the metal frame
- Use of drawing pins

What is prohibited?

- Insertion of nails or staples into the wood
- Modification of the structure
- Painting
- Drilling/sawing of holes
- Attachment with strong adhesive

- Display of products in front of the chalet
- Installation of an own WC
- Creation of an own technical or storage area (with the exception of a cage for the storage of gas bottles for catering chalets)

Article 6 - Own accommodation

Stallholders are not permitted to set up their own chalet. The only exception to this applies to stallholders who have set up their own chalet at the Christmas market in the past. A list of stallholders who are permitted to set up their own chalet is maintained in a register.

The chalet must:

- Have a pointed roof with an overhang of min. 30 cm and max. 45 cm
- Have a similar floor plan to the 2.5 metre chalets provided by the city
Have a depth and width of approx. 3 or 6 metres, with hatches and doors in similar positions
- Satisfy the safety standards
- Be of sturdy design
- Have the same basic natural wood colour as the other chalets
- Appear clean and well maintained

Stallholders with their own chalet must set up their chalets in the designated locations.

New stallholders with their own chalet are no longer permitted. Stallholders who have set up their own chalet in the past are not permitted to replace the chalet with a new chalet.

Section III - Application process

Article 7 - Crossroads Bank for Enterprises

Only natural or legal persons registered with the Crossroads Bank for Enterprises are permitted to apply for and be granted a permit for the duration of the Christmas market. Stallholders from countries outside of Belgium must be registered with a comparable official registration system for companies in the country in which they are based. Applicants must state this registration system on the application form. Applicants must also state the company type of their registration. Only one chalet may be allocated to the same natural or legal person, as set out on the map. Checks shall be made to verify this in advance of allocation. Checks shall verify that the company and invoicing details supplied are correct. Chalets can only be allocated if all information provided is consistent.

Article 8 - Application form

To be considered for a chalet at the Christmas market, applicants must use the following link: www.ondernemeninantwerpen.be/kerstmarkt and complete the electronic application form.

Applicants wishing to apply must not have any outstanding debts to either the city of Antwerp group or the not for profit 'Stadsmarketing en Toerisme'.

Article 9 - Application options

Applications shall be recorded in a register in the order in which they are received, and allocated a sequential number. Application shall take place separately for the following categories:

- Merchandise
- Catering
- Weekly rental
- Good causes

The file can be submitted only when all forms have been completed correctly and supplemented by the requisite annexes. Files shall be recorded in a register on a daily basis to determine the order.

Provided that the application is complete, the applicant shall receive a confirmation of receipt. If the application is incomplete owing to missing documents, it shall not be recorded and the applicant shall be informed accordingly, with the opportunity to complete the file within the period of one week.

In the event that the missing or incorrect information is not supplied or amended by the stipulated deadline, the application shall be implicitly refused.

III.B - Product offering categories procedure

Article 10 - Merchandise

Once the application deadline has passed, a jury shall assess applicants using a number of criteria. The criteria are established by the Board on an annual basis and are linked to a points-based system which is explained on the application form.

After assessing the criteria for all applicants, the jury shall draw up a points ranking; in the event of a tie, the order in which the applications were received shall be decisive. The first applicant in the ranking shall be the first to be considered for a permit.

Article 11 - Catering

Once the application deadline has passed, a public online auction shall take place under the supervision of a bailiff. Allocation of chalets shall take place on the basis of this auction.

The modalities are determined by the Board on an annual basis taking into account the stipulations of public order and safety.

In this determination, the Board shall determine the precise location, size and use of the chalets.

Applicants shall receive a detailed map at the time of application. The conditions for each chalet and category shall be communicated in advance.

Article 12 - Chalets for weekly rental

Start-ups are businesses that have been registered in the Crossroads Bank for Enterprises for no more than three years. To give these businesses the opportunity to take part in the Christmas market, the city shall provide one or more chalets for weekly rental. These chalets are for merchandise sale only. The location of these chalets shall be predetermined on the map. A calendar of available dates shall be communicated; chalets shall be rented on a weekly basis for a reduced rate to be determined by the Board.

Once the application deadline has passed, the jury shall assess applicants and use a points-based system to determine a ranking; in the event of a tie, the order in which applications were received shall be decisive. The first applicant in the ranking shall be the first to be considered for a permit on the basis of a number of criteria. Points shall be awarded for each criterion.

Article 13 - Good causes chalet

In order to give organisations not registered in the Crossroads Bank for Enterprises but which do satisfy the stipulations of Article 7, Section 1 of the Royal Decree of 26 September 2006 the opportunity to take part in the Christmas market, the city shall provide one or more chalets for good causes, to be predetermined on the map. These chalets are for products or services of a non-commercial nature. The applicant must satisfy the following conditions:

- Humanitarian, social, cultural, educational, sporting character or with the aim of defending and promoting nature, or set up as a result of a humanitarian crisis/emergency;
- Occasional in nature.

The city shall make the good causes chalet available for one to four consecutive days. A calendar showing the available dates shall be communicated in advance. Applications for this chalet shall be prioritised according to the date of application and awarded proportionately. The first applicant in the ranking shall be the first to be considered for a permit. The jury reserves the right to refuse applications that are deemed unsuitable for the Christmas market.

Article 14 - Increase and reduction in the number of chalets

The city of Antwerp may, at any time, set up one or more additional chalets. In addition, the city may also remove one or more chalets or close a section of the Christmas market (prematurely) where there

are justifiable reasons. In that case, stallholders shall not be entitled to financial compensation or to demand an alternative location.

Section IV - Permits and obligations

Article 15 - Permits

Permits shall be granted by the mayor on the basis of the selection principles outlined above. Permits shall stipulate the conditions under which operations are permitted and must be kept in the chalet at all times.

Permits for merchandise chalets may be renewed for a period of one year, under specific conditions, with a maximum of two renewals per stallholder. The conditions and modalities shall be determined by the Board.

Stallholders with a renewal must apply again and may specify preferences for chalet locations. These requests shall be considered first. Where possible, preferences shall be taken into account when allocating chalets.

Article 16 - RVA

All persons working on the site must be able to demonstrate their registration. Where temporary employees are used, daily contracts must be produced.

Businesses from countries outside of Belgium must have completed a Limosa declaration and be able to produce form A1. If a contract is concluded with a business from a country outside of Belgium, the business must comply with its statutory stipulations with regard to the [Limosa notification requirement](#). The same obligations apply to any non-Belgian subcontractors working for a (non-Belgian/Belgian) contractor.

All persons must be able to produce their identify card on the spot.

Article 17 - Products

Stallholders are only permitted to sell the products that they have stated on the application form. Retroactive additions to the list are not permitted. If checks indicate that products have been added, those products shall be removed immediately.

Article 18 - Transfer

A permit is strictly personal. The person to whom the permit is allocated is not permitted to transfer the allocated chalet and associated permit or to grant rights to third parties in any form. Subletting is prohibited. The details of the chalet operator and his/her products must be consistent with those stated on the application form.

Article 19 - Obligations

The person to whom the permit is granted:

- Shall comply with the instruction of the city management representative in the setup, removal and operation of all sales installations
- Must take all appropriate measures to prevent damage to the public domain, plants, trees, lighting poles and traffic signs
- Hereby expressly refrains from any recourse against the city concerning the nuisance or damage he/she may suffer from the presence of, amongst other things, trees, poles, wires, switch boxes, etc. or the absence of utility services at the location
- Shall pay all duties and taxes without recourse against the city
- Shall comply with all obligations in laws and decrees, including those concerning trade practices, nuisance-causing installations and all orders of the city of Antwerp
- Shall remain responsible for any damage to the chalet, whether or not caused by him/her

Article 20 - Permit for fermented drinks, spirits and/or hygiene

Stallholders who wish to sell fermented drinks and/or spirits must themselves present a permit for the serving or provision of fermented drinks and/or spirits in order to be able to serve them at the Winter in Antwerp event. Stallholders based in Antwerp can obtain this permit from the city's Bedrijvenloket (<https://www.ondernemeninantwerpen.be/advies-en-ondersteuning/start-uw-eigen-bedrijf/horecazaak-starten>). Other stallholders should request this permit from the municipality in which their headquarters is based.

The permit must be presented at the time of application in order to be considered for a chalet.

Article 21 - Food safety

Catering stallholders must satisfy all statutory requirements concerning general hygiene, infrastructure, personal hygiene and food storage temperatures imposed on itinerant operators selling food (FAVV).

Section V - Payment and security

Article 22 - Payment

The Board shall set the rental rate for a merchandise chalet and the setup rate for a catering chalet, with or without accommodation, for the period of the Christmas market. The rate includes use of the chalet, temporary use of the chalet, electricity consumption (including current limiter) and a contribution to the atmospheric element of the Christmas market (lighting, decoration, entertainment, musical accompaniments).

Permits shall be allocated on the suspensory condition of full payment at the specified time. Payments shall only be made by bank transfer.

An initial advance payment must be made within four weeks of receipt of the invoice.

The final invoice payment must be made either two months before the start of the Christmas market at the latest, or within four weeks of receipt of the invoice.

In the event of non-payment by the specified deadlines, an administrative charge of 10% of the total amount shall be applied. In the event of non-payment of the final invoice amount, the applicant shall lose his/her right to a chalet.

The chalet that then becomes available shall be allocated to the next highest bidder.

In the event of cancellation or failure to participate, irrespective of the reasons, all amounts paid shall be retained by the city.

In the event that a certain chalet is removed for reasons of public interest or force majeure, any amounts paid shall be returned to the stallholder, who shall have no right to compensation or an alternative location.

Article 23 - Security

To ensure strict compliance with the terms of these regulations, stallholders shall be required to pay a security at the beginning of the Christmas market. The security must be paid no later than four weeks after committing to the chalet. The Board shall determine the amount of the security on an annual basis; the amount shall be communicated on the application form.

The security shall be returned at the end of the Christmas market provided that all obligations have been strictly complied with. Any costs incurred as the result of damage, city cleaning, etc. shall be deducted from the security.

Article 24 - Insurance

Stallholders must conclude insurance with an established insurance company, to include public liability insurance. Stallholders shall remain responsible for any damage to the chalet, including

damage by third parties. Stallholders must be able to produce a copy of the policy and evidence that premiums have been paid to (a) representative(s) of the city of Antwerp at any time. The city of Antwerp rejects all responsibility for theft within a chalet, irrespective of the conditions or who was actually responsible for the theft. Damage to materials belonging to the stallholder as a result of theft or damage shall under no circumstances lead to compensation being demanded from the city.

Section VI - Safety on the site

Article 25 - Fire safety

An approved fire extinguisher must be present in the chalet at all times throughout the Christmas market. The stallholder is responsible for providing the fire extinguisher; checks shall be carried out to verify its presence.

Cooking and baking equipment may only be installed if this has been stated on the application form.

- Lighting/electrical installations:
 - Only electrically-operated lighting is permitted
 - Must be in accordance with the applicable standards and in a good condition
 - Must have been tested and approved within the last five years
- Handheld extinguishers:
 - A minimum of one handheld extinguisher per chalet (with a capacity of one extinguishing unit): six kg ABC or six litres AB water foam
 - Ready for use, visible and accessible
 - Valid test certificate or sticker from testing body

Article 26 - Heating

Only electrical heating is permitted in chalets. Chalets provided by the city of Antwerp are also equipped with heaters provided by the city of Antwerp. The stallholder is not permitted to use (gas) patio heaters, fire baskets or candles in/on/outside the chalet.

Article 27 - Gas

Gas bottles may only be used for the preparation of food and drink. This information shall be requested at the time of application.

- Number of allocated gas bottles: five bottles or 300 litres - statutory maxima must not be exceeded
- Gas bottles must be kept outside of the chalet in a cage and in accordance with the guidelines of the city of Antwerp
- Bottles must be positioned such that they are protected from collision and falling and are secured against unauthorised access
- The supply hose for gas must not be older than two years or more than two metres in length
In the event that longer bridging is required, fixed lines must be provided (with a supply hose of maximum 50 cm) Fixed lines may only be secured in the chalet with small screws
- A relief valve must be fitted and a gas tap must be present on the gas bottle
- Gas bottles must be sealed every evening
- Gas bottles on site must be disconnected on New Year's Eve

Gas appliance must:

- Be set up with sufficient clearance from flammable materials such as decorations, canopies, etc.
- Have sufficient insulation and heat resistance
- Have sufficient clearance from flammable objects (min 1.2 m)
- Fryers: metal covers and fire blankets of the correct dimensions (for each fryer)

Article 28 - Electricity

The city of Antwerp shall supply electricity to each chalet. Consumption is limited to 3600 W per 3 metre stall (single phase, 16 A/220 V) for merchandise chalets. One connection of 10,000 W (three phase, 16 A/220 V) shall be provided for catering chalets.

The city of Antwerp shall provide a current limiter for each chalet. The current limiter cuts the supply to the chalet once the maximum prescribed consumption has been exceeded. Only if one or multiple appliances is switched off can the supply to the chalet be reactivated.

Equipment used inside and outside of the chalet must be approved in accordance with the statutory Belgian standards (e.g. CTMB 3.x2.5# Schuko 230 V/16 A). Extension cables for domestic use are not suitable for commercial activities.

- **Not permitted:**
 - Extension cables for domestic use
 - TL lamps without cover
 - Damaged or unsafe equipment, such as
 - Cable reels
 - Sockets or plugs without earthing
 - Installation of own generators

Article 29 - Driving on site/parking/loading and unloading

There is no parking on the Winter in Antwerp site. Driving on the site is also prohibited during the event opening hours.

Parking or attaching trailers/vehicles or other similar objects on roads, trees, lighting poles, road signs, etc. is expressly prohibited. Refrigerated vehicles must not be parked on, behind or next to the chalet.

Loading and unloading at the Christmas market is permitted from 07.00 hrs until the market is open. Once the Christmas market has closed, loading and unloading is permitted up to one hour after closing. The loop of De Lijn in Groenplaats must be kept clear at all times.

- Steenplein via Ernest Van Dijckkaai (entry and exit)
- Suikerrui via Ernest Van Dijckkaai (entry and exit);
- Grote Markt via Suikerrui (entry and exit);
- Groenplaats via Nationalestraat (entry and exit).

The city of Antwerp offers stallholders the opportunity to purchase a parking permit for the duration of Winter in Antwerp at a reduced rate.

Article 30 - Ventilation in catering chalets

To prevent the accumulation of CO, chalets must always have adequate ventilation:

- The ventilation windows must be used and adequate ventilation must be ensured in the chalet
- CO measurements shall be carried out by the city surveillance body throughout the Christmas market. In the event that a high CO measurement is taken, persons shall be requested to go outside and the fire service shall be requested to carry out a new measurement.
- The fire service shall also seek to identify the cause of the CO. In the event that a hazard is identified, the chalet shall be closed.

Article 31 - Glass

Chalet operators are prohibited from offering, serving or in any way selling drinks in glass and/or bottles in the aforementioned locations (Article 2), with the exception of licensed terrace areas.

Article 32 - Underage persons

Underage persons are prohibited from consuming or being in the possession of spirits in the public areas referred to in Article 2; for persons under the age of 16, the same shall also apply to fermented drinks such as wine and beer.

The local Antwerp police and the inspection body of the FPS Public Health may carry out checks:

- The local Antwerp police and the inspection body may carry out spot checks to ensure compliance with the applicable alcohol laws concerning the offering, serving and sale of alcohol to underage persons, as well as on stallholders, traders and catering outlets at or around the Christmas market.
- The local Antwerp police and the inspection body may fine traders if the applicable alcohol laws have been violated.

Section VII - Practical information for operation

Article 33 - Opening and closing times

The stallholder is obliged to comply with the opening hours as established by the Board. Sales may only commence at opening time and shall stop at closing time at the latest ten minutes after sale, when the hatch of the chalet must be closed.

Article 34 - Decoration

The city of Antwerp shall take care of the general decoration of the Christmas market, as well as decoration of the outside of chalets. Operators shall be responsible for interior festive decoration. Decoration and chalet lighting provided by the city must remain visible at all times, no modifications are permitted to decoration or chalet lighting.

Stallholders are prohibited from displaying commercial material or advertising on the outside of chalets or on sales hatches. Light boxes, baches, advertising panels and publicity boards, etc. are prohibited. Stallholders are permitted to attach a maximum of two price lists in A2 format on the sales side of the chalet (except on the sales hatch itself), provided that these lists are free of publicity and advertising. All products and prices shall be indicated on this price list.

All decoration inside the chalet must be of a festive nature. Price lists must be clearly legible and be of the same style. Price lists and decoration must be submitted to and validated by the city of Antwerp for content, dimensions and *tone of voice* before printing, such that they are in accordance with the agreements at the time of opening.

Unauthorised decoration, communication and installations shall be removed immediately by the city services. The costs of removal shall be borne by the stallholder. All decoration must satisfy fire safety standards.

Article 35 - Noise

A sound loop shall be installed at the Christmas market so that the same music is heard throughout the market during opening hours. Use of any form of electronically amplified audio transmission is prohibited.

Article 36 - Waste

Plastic receptacles for serving food are highly polluting to the environment; alternatives are available made from paper and card. The use of plastic receptacles is therefore prohibited for serving food.

At the end of the event, the stallholder must remove all commercial waste, originating from or resulting from sales that have taken place at the event. Chalets must always be set up in such a way that liquids cannot run onto/into the ground or damage the chalet. The stallholder shall also be responsible for keeping his/her stall clean, including the area in front of, behind and next to the chalet. This includes the three metres around the chalet.

The city of Antwerp shall ensure that the area around the Christmas market remains clean and shall carry out a collection between 06.00 and 10.00 hrs every morning. Stallholders are permitted to make use of this collection round by placing any waste they have generated in the designated waste island.

The city shall ensure that sufficient waste containers are available at the Christmas market for visitors (wood) and stallholders (grey).

Glass may only be disposed of in the designated glass containers. Additional glass containers shall be made available throughout Winter in Antwerp. Glass may only be disposed of in the glass containers between 07.00 and 22.00 hrs.

Grease and oil produced in the preparation of food must be removed by an accredited removal company. The stallholder must produce a certificate to this effect when requested to do so by a representative of the city management. In the event that these products are not disposed of properly, the costs incurred shall be deducted from the security and may be invoiced.

In the event that a stallholder leaves waste behind or in the event that glass is not disposed of in the designated glass containers and the city cleaning service is requested to intervene, the security may be retained (in part).

The waste containers/waste islands must not be used for:

- Paper and card must be tied together and placed next to your waste container
- Glass must be disposed of in your nearest glass container (see map)
- (Frying) oil and small hazardous waste must be removed by an accredited removal company
- Gas bottles must be returned to an accredited dealer

Article 37 - Standing tables in catering chalets

The city of Antwerp shall provide standing tables for all catering chalets, subject to compliance with the following rules:

- The stallholder shall be responsible for putting the tables outside in the afternoon and inside in the evening
- The stallholder shall be responsible for the tables, to include cases of vandalism, and cleanliness
- A maximum of two tables may be requested for a three metre chalet
- A maximum of three tables may be requested for a six metre chalet
- Own standing tables are **NOT** permitted
- In the event that standing tables are damaged or are not returned at the end of the event, the cost price shall be borne by the stallholder.

Article 38 - Consumption in public areas

There shall be various licensed catering terraces on the site. As a function of an obstacle-free thoroughfare of four meters for the emergency services and the safety of stallholders and visitors, permits for terraces on Suikerrui and Maalderijstraat 4-6 and Handschoenmarkt shall be reduced by a depth of one metre should this appear necessary during the period of Winter in Antwerp.

Setting up an events terrace in relation to Winter in Antwerp shall be possible provided that this has been authorised by the mayor. This authorisation shall have specific conditions attached in relation to decoration, setup, opening hours, music, etc. The applicant and/or operator must always comply with these conditions.