



Tenant Drug and Alcohol Policy Agreement

Perth Markets Group Limited ABN 25 633 346 184 (**PMGL**)

_____ ABN _____ (**Tenant**)

Tenant Drug and Alcohol Policy Agreement



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DATED this _____ day of _____ 20__

Parties

The party named as PMGL in the Reference Schedule (**PMGL**)

The party named as Tenant in the Reference Schedule (**Tenant**)

Background

PMGL is the registered owner and manager of Perth Markets located on the Land ("Perth Markets", "Site"). In this capacity, PMGL has an obligation at law to manage risk, so far as is reasonably practicable on the Common Areas of Perth Markets

The Tenant also has an obligation at law to manage risk, so far as is reasonably practicable, in respect of its Tenancy Area and on the Common Areas of Perth Markets.

The Tenant engages workers to operate Forklifts on the Site (Forklift Operators).

The Parties have identified Forklift use in Common Areas as a safety risk which requires consultation.

A. Through consultation, the Parties have agreed to:

- (a) the responsibilities of all Parties to this Drug and Alcohol Policy Agreement (Agreement) in respect of the safe operation of Forklifts in the Common Area;
- (b) the consequences and outcomes that will apply to the Tenant's Forklift Operators and other Workers who:
 - (1) do not comply with the Perth Markets Drug and Alcohol Policy;
 - (2) fail to undertake drug testing as requested; or
 - (3) return a positive alcohol breath test, a non-negative drug test or a positive confirmation drug test.
- (c) the implementation of the Perth Markets Drug and Alcohol Policy within the Tenant's workplace with this Policy to be signed by the Tenant's Workers.

B. All capitalised terms not defined in paragraph 1.2 of this document have the same meaning as described in the Definitions section of the Perth Markets Site Rules and Guides (Site Rules).

IT IS AGREED:

1 Reference Schedule, Definitions, and Interpretation

1.1 Reference Schedule

PMGL

Name

Perth Markets Group Limited ABN

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Address	MP1, 280 Bannister Road, Canning Vale WA 6155
Tenant	
Name	
Address	
Land	
Description	Lot 102
City	Perth
Suburb	Canning Vale
Title reference	DP408586 Vol 2920 Folio 255

1.2 Definitions

In this document:

PCBU means a person conducting a business or undertaking alone or with others, whether or not for profit or gain. A PCBU can be a sole trader (for example, a self-employed person), each partner within a partnership, company, unincorporated association, or government department of a public corporation (including a municipal council).

Reference Schedule means the schedule contained in paragraph 1.1 of this document.

Remedial Actions means the actions set out in paragraph 3 of this document.

Worker means Any person who carries out work for a PCBU including work as an employee, contractor, subcontractor, self-employed person, out worker, apprentice or trainee, work experience student, employee of a labour-hire company placed with a 'host employer' and volunteers.

1.3 Interpretation

- a In this document, unless a contrary intention appears:
 - i Words and expressions not defined in this paragraph may be described in the background or the Reference Schedule.
 - ii The date of this document is the date that the last party signed.
- b This document:
 - i signed by each party as an Agreement and
 - ii is signed by an authorised officer of each Party.
- c Any covenant or power implied by legislation is excluded from this document, unless it cannot lawfully be excluded because of the legislation, or is expressly incorporated into this document.

2 Tenant's Agreement

2.1 The Tenant acknowledges and agrees:

- a That in the interests of managing risk, so far as is reasonably practicable, there is a need to implement a drug and alcohol policy (Policy) within its workplace in the form of the Policy attached to Schedule 1 of this document and consistently apply the requirements of that Policy to its Workers.
- b Should the Tenant's Workers be in breach of the Policy, including without limitation, the failure

of any drug and alcohol testing, the Tenant agrees to implement actions described in their Policy and to support the Remedial Actions set out in this document.

- c Tenant's Workers are required to comply with any reasonable direction issued by PMGL in connection with the management of risk in the Common Areas and ensuring Site safety. This includes any direction from PMGL to remove a Tenant Worker from PMGL's Common Areas, temporarily or permanently removing the Worker from the Site, and/or, cancelling a Worker's Forklift Operator Permit (FOP).
- d The Tenant is responsible for the behaviour and actions of the Tenant's Workers while they are within the Tenancy Area and the Common Areas.
- e The Tenant will support training initiatives coordinated by PMGL aimed at ensuring safety within the Site by attending and promoting the attendance of workshops and seminars to their Workers.
- f To use all reasonable endeavours to ensure that their Workers comply with PMGL's Site Rules and Guides.

3 Remedial Actions

- 3.1 In accordance with the Site Rules, Remedial Actions will apply where Workers are in breach of the Site Rules.
- 3.2 Remedial Actions may include, without limitation:
 - a the Worker being selected to attend the next drug and alcohol testing session at this Site;
 - b the temporary or permanent cancellation of an FOP without which, a Forklift Operator may not operate a Forklift within the Common Areas of the Site; and
 - c the temporary or permanent exclusion of a Worker from this Site in PMGL's sole discretion.
- 3.3 The Tenant acknowledges and agrees that any Remedial Actions imposed by PMGL on its Workers as a result of a breach of the Site Rules will be supported and reinforced within their Policy enforcement including without limitation, disciplinary action including the termination of employment or engagement.
- 3.4 Failure by the Tenant to support PMGL's Remedial Actions in respect of its Workers including without limitation, allowing Forklift Operators to operate a Forklift within Perth Markets while their FOP is suspended will be a deemed breach of the Site Rules.

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SCHEDULE 1 – REFERENCE DRUG AND ALCOHOL POLICY (ATTACHED)

Tenant Drug and Alcohol Policy Agreement



SIGNING PAGE

Signed by Perth Markets Group Limited ABN 25
633 346 184 by its Authorised Officer

on the day of 2024

Signature of Authorised Officer

Print full name of Authorised Officer

Signed by _____ as the
Tenant ACN _____ by its
Authorised Officer

on the day of 2024

Signature of Authorised Officer

Print full name of Authorised Officer