



MARKET CHARTER

AIMS AND OVERVIEW

The Mt Claremont Farmers Market is located on the grounds of the Mt Claremont Primary School corner of Alfred Rd and Montgomery Ave. It is a business venture of the Mt Claremont Primary School Parents and Citizens Association (P&C). It aims to:

- provide funds for the purposes of the P&C; and
- engage the local and broader community.

The engagement of the local and broader community through the Farmers Market reflects the desire of the Mt Claremont Primary School P&C to continue it and the schools' work towards a sustainable environment and thereby involve a mutually beneficial interaction with the local and wider community.

The specific aim of the Mt Claremont Farmers Market is to provide a variety of high quality local, seasonal and fresh produce for sale to the community at an affordable price.

PHILOSOPHY

The philosophy of the Farmers Market is to provide consumers with fresh, local and seasonal produce direct from the producers. The Market will bring together the grower and consumer offering a more direct "paddock-to-plate" process than otherwise available from commercial retailers.

DEFINITIONS

The Market Charter (Charter): is the set of rules governing the operation of the Market.

The Mt Claremont Farmers Market: known as the Market or FM

Farmers Market Committee (FMC):

The FMC is constituted in accordance with Clause 15 of this Charter. It consists of

- three representatives of the Mt Claremont Primary P & C; including the Chairman.
- two stallholders including the Vice Chairman representing the market stallholders; and
- other interested parties co-opted by the FMC

The FMC is responsible for overseeing the management of the Market and ensuring that the Market remains authentic to its aims and philosophy. The FMC shall have final say in any disputes and matters.

Market Coordinator (MC): Person appointed by the Farmers Market Committee responsible for the week-to-week coordination of the Farmers Market.

Stallholders: Those persons whose names are on approved stall application forms.

Unmarketable: Any product that appears badly marked, under or over ripe, fruit fly infested, or shows evidence of other pest infestations or chemical residue.

Representative: A person nominated temporarily to sell produce at a stallholder's request.

Certified Organic: as defined by a recognised Australian organic certification body.

THE MARKET CHARTER

Rules are necessary to ensure the authenticity, success and sustainability of the Market.

The Charter will operate in accordance with these rules and the prevailing laws and regulations for the benefit of the P&C, producers, consumers and the community.

1. Making application for a stall

The Market is an outlet for primary production. Interested growers wishing to sell produce must provide a completed "Mt Claremont Farmers Market Application to Trade" form to the Market Coordinator prior to trading.

The Application to Trade is available from the MC, and must be renewed annually. The Market Coordinator on behalf of the FMC has the authority to reject applications that do not comply with stated conditions.

The Charter allows for appeals to be made to the FMC in writing.

If the number of applications exceeds the available stalls, priority will be given to those stallholders:

- who are currently trading at the Market; and
- who have traded during the previous twelve months; and
- whose produce best enables the Market to achieve its' aims.

A waiting list will be developed if necessary and maintained by the MC.

The Market Coordinator will work to ensure that a broad range of produce is available whilst maintaining the philosophy and the viability of the Market. For example, the MC may not allow more than two stallholders selling the same product, unless there is a point of difference, e.g. organically grown, or there is a high consumer demand. The decision of the MC in all matters relating to the running of the Market shall, on the day, be final. Appeals may be made to the FMC in writing.

At least one stall shall also be reserved each week for a refreshment stall.

2. Market hours

The Market will operate throughout the year on every Saturday mornings (unless determined by the FMC) for a specified time between the hours of 7.30 am and 12.30 pm as determined by the FMC.

Stallholders must refrain from:

- arriving late such that they are not set up prior to the starting time;
- commencing trading until the market bell or whistle is rung; and
- packing up and leaving before the market is closed.

3. Stall fees

Stall fees shall be determined by the P&C on advice from the FMC which will take into account but not limited to, site requirements, the success of the market and market expenses. The FMC shall develop a schedule of fees. If any fee is not on the schedule it will be in the interim determined by the MC and referred to the FMC for final advice and decision of the P&C.

A schedule of fees is available from the Market Coordinator.

Stall fees are payable on Market day.

A penalty of the Market day fee will be imposed for those stallholders who fail to inform the MC of their absence 7 days prior to the Market day.

4. Products to be sold

All products sold must be produced, caught, grown or raised by the stallholder. The FMC may add to the list of products to be sold subject to the product being consistent with the Charter.

Products eligible for sale include (but not exclusively) the following:

Primary Farm Produce

Eggs, fruit, vegetables, herbs, olives, flour, nuts, grains, honey and bee products, flowers for the table (i.e. cut or potted in flower pots), edible potted plants (e.g. herbs, vegetable seedlings and fruit trees), hay, meat, fish, seafood, cheese, milk and milk products, butter, ice cream and fruit juices.

The produce must have been reared or grown by the producer/business named on the application form and/or have spent at least 50% of its life on the producer's land.

Value-added Consumable Products

Products such as oils, jams, preserves, breads, cakes, wool products and desserts whose principal ingredients are grown or produced by the stallholder. Value added products whose principal ingredients are not grown by the stallholder may be sold at the discretion of the FMC.

Organic produce

Produce grown organically and certified by an Australian Organic Certification body. All organic produce must be certified by the relevant accrediting body (e.g. NASAA, BDF) and be labelled "certified organic". Evidence of accreditation must be provided to the MC, prior to certified organic products being advertised and offered for sale.

Miscellaneous

The Market does NOT permit the purchasing/re-packaging/selling-on of finished or imported goods.

The stallholder may only sell products listed on the approved Application to Trade form.

If stallholders have additional produce available to sell, permission to sell at the Market must be obtained from the MC. Stallholders must give at least 1 week's notice of intention to vary the produce originally nominated on the Application form.

When providing approval, the MC will give consideration to produce currently being sold by other stallholders.

The majority of produce offered for sale on each stall must be first/top grade. Stallholders wishing to sell produce that is of second grade must ensure that such produce is clearly labelled.

5. Who may sell?

Only the producer, his/her family and/or employees will be permitted to sell the produce. In exceptional circumstances a representative may be permitted to sell at the discretion of the MC.

6. Value Adding

Producers may “value add” their own primary produce. The dominant product in each value added stall shall be different.

Value-added products will not exceed 50% of all produce available for sale at any one market.

7. Quality of produce

Produce should be picked or prepared as close to Market time as possible and handled in a way to preserve the fresh quality until market opens.

Stallholders must guarantee against selling “unmarketable” produce. Stallholders in breach of this Charter will be required to withdraw produce immediately.

Any produce which has been frozen must display a sign to that end that is clearly visible to the public.

8. Presentation

Stallholders will be expected to be clean, neat and suitably dressed and deal with the public in a courteous manner. Stalls and display equipment must be clean, tidy and well maintained. A sign bearing the producer’s name and business/property name must be displayed.

All food and produce must be presented according to Health & Safety regulations.

Any tents/gazebos or umbrellas must be safely secured in the event of windy weather.

9. Setting Prices

Selling in direct competition, for example: price under-cutting of other stallholders, is not in keeping with the spirit of the Market,

The Market and P&C recognises that the consumers maintain the right of choice, whilst enabling each stallholder to determine their own price. End-of-trading-day discounting is not permitted.

Stallholders must ensure their measuring scales are accurately calibrated in accordance with appropriate trading regulations.

10. Labelling & Signage

All stallholders must comply with the minimum requirements of current trading standards and regulations regarding labelling and descriptions of goods.

All produce sold as Certified Organic must be certified by the relevant accrediting body (e.g.

NASAA, BDF) and be labelled "Certified Organic."

All prices (per kilo or per item) must be clearly visible.

Any weighing equipment used must be correctly calibrated using guidelines set by the Trading Standards Unit of the WA Dept of Consumer and Employment Protection. (http://www.docep.wa.gov.au/trade_measurement/publications.asp)

Each stallholder must display a sign showing their name every day they attend the Market.

Stallholders must confine displays and signs to the stall site and keep pathways clear for shoppers

Labelling information may be obtained from:

The Health and Environment Officer of the City of Nedlands Local Government Authority.

Also from:

Food Safety, Environmental Health Directorate

P0 Box 8172, Stirling St

Perth WA 6849

Tel: (08) 9388 4999

Fax: (08) 9388 4955

<http://www.public.health.wa.gov.au>

or Food Standards Australia New Zealand, Food Standards Code

<http://www.foodstandards.gov.au>

11. Health & Safety

Stallholders must confine displays and signs to the stall site and keep pathways clear for shoppers.

Smoking by stallholders is not permitted.

Dogs are not permitted except at the discretion of the FMC or MC as delegated

All food stallholders must trade in accordance with the Health Department of Western Australia's food-handling regulations, and other relevant local health laws.

Value added products, such as baked and cooked items, must be prepared in a facility approved by the relevant Health Authority.

It is the responsibility of each stallholder to ensure that their stall is safe at all times under reasonable circumstances.

Stallholders must acknowledge that they have read and understood the guidelines provided regarding "health and safety in the marketplace", by signing the accompanying acknowledgement form as supplied by the City of Nedlands.

12. Insurance

The Mt Claremont Farmers Market site is covered by a current Public Liability Insurance Policy.

It is the responsibility of each stallholder to ensure that they hold appropriate and current Product & Public Liability Insurance.

A stallholder is also required to provide a copy of their insurance 'Certificate of Currency' to the MC prior to trading. The policy must state that the Farmers Market is included in the cover.

13. Clean-up and Rubbish

All stallholders must ensure that their stall site and the area that surrounds it is kept clean and rubbish free during the Market and left in a clean and tidy state once the Market closes each day. Stallholders are required to remove and dispose of their waste off site. Failure to abide with these requirements will result in the permit to trade being revoked.

14. Management

The FMC will be responsible for the management of the Market and the activities of the MC.

The MC is responsible for the day to day operation of the Market and shall ensure adherence to the Market Charter.

15. Structure and Governance of the FMC

The FMC will comprise of five voting members and co-opted non voting members. The voting members are as follows:

- A Chairperson (a member elected by the P&C and elected by the FMC)
- A Vice Chairperson (a stall holder elected by the stall holders and elected by FMC);
- Two stallholders elected by the stallholders; and
- Three members of the P&C elected by the P&C

All voting members of the FMC including the Chair have deliberative votes. If the Chair has exercised a deliberative vote in any resolution before the FMC, the Chair may not exercise a casting vote. Any conflict of interest must be declared before voting and the member shall abstain from voting.

The MC shall be a non voting member of the FMC.

The FMC is to operate where possible by consensus.

A quorum shall be any four (4) voting committee members but must include the Chair and at least one other P&C member of the FMC.

In addition, the FMC may include the following non voting members:

- a consumer advocate chosen by the FMC; and
- any other person co-opted by the FMC with particular expertise and experience to assist in the running of the Market.

The committee will meet monthly or as determined by the Chair or a meeting of the FMC.

Representatives of the P&C on the FMC shall be elected at the Annual General Meeting of the P&C or in the case of an extraordinary vacancy at an ordinary meeting of the P&C of which at least one month's notice has been given of the election of an extraordinary vacancy.

Representatives of the stallholders on the FMC shall be elected by the stallholders at an annual meeting of the stallholders called for that purpose by the FMC. In the case of an extraordinary vacancy of a stallholder representative, the FMC may appoint an interim stallholder to the FMC until a meeting of all stallholders to elect a replacement can be arranged at the convenience of the FMC. Such an interim replacement cannot serve on the FMC for a period of more than one year without being elected at an annual meeting of stallholders called for that purpose by the FMC.

16. Amendment of the Charter

Charter can only be amended by a meeting of the P&C. Minor changes of little substance may be made on an interim basis by resolution of the FMC but such changes require endorsement within six months by the P&C..

One months notice must be given for any meeting of the P&C at which an amendment of the Charter is considered. The P&C must consult the FMC on any proposed amendment.

Members of the FMC may attend the meeting of the P&C and be allowed to speak to any resolution amending the Charter.

Members of the FMC who are stallholders are not allowed to vote on any resolution before the P&C amending the Charter.

Stallholders, not members of the FMC, are not permitted to attend any P&C meeting at which a resolution amending the Charter is being considered.

Disclaimer

The Mt Claremont Farmers Market, its directors, employees, servants or agents will not be under any liability in tort or contract or otherwise (including but not limited to acts of negligence, breach of duty, default and/or admissions) for any loss of income by any stallholder as a result of any stallholder participating in the Markets in any way and for any loss of life and/or personal injury to any person and/or damage to any property (wheresoever occurring) arising from or out of any accident, occurrence or event at the Farmers Market, Mt Claremont Primary School, corner Alfred Road and Montgomery Ave, Mt Claremont, Western Australia.

For more information regarding the Mt Claremont Farmers Market and to obtain the forms necessary for trading at the Market please contact:

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mtclaremontfarmersmarket@gmail.com
or
Market Coordinator: 0411 895 101