

Northern Territory Remote Stores Program Standards For Declared Community Stores

Document title	Northern Territory Remote Stores Program Standards
Contact details	NT Health
Approved by	Minister for Health
Date approved	18 September 2025
Document review	NA
TRM number	EDOC2025/200709

Version	Date	Author	Changes made
1.0	September 2025	Stores Program	Standards version one

Acronyms	Full form
ADG	Australian Dietary Guidelines
CHO	Chief Health Officer
CO	Class Order
EFTPOS	Electronic Funds Transfer at Point of Sale
FSANZ	Food Standards Australia and New Zealand
NT	Northern Territory
POS	Point of Sale
The Act	<i>Northern Territory Food Act (2004)</i>

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1. Introduction

1.1. Legislative framework

Every Territorian has a right to access food, drink and grocery items, and the Northern Territory Remote Stores Program (the program) supports and regulates the management, monitoring and operation of stores servicing remote Aboriginal communities.

Part 7A of the *Food Act 2004* (the Act) commenced on 12 October 2023 whereby the Chief Health Officer (CHO) may declare a registered food business to be a community store. A Declared Community Store is subject to food security conditions under s84B of *the Act*.

Under the Act, the Minister may declare Food Security Standards that must be adhered to by a Declared Community Store. The Standards detail the minimum requirements for Declared Community Stores providing food security to remote Aboriginal communities in the NT.

Authorised Officers will assess community stores against the Standards and may request documentation from Proprietors as evidence of compliance. In the first instance stores will be supported to improve practices.

Penalties may apply to a person or body corporate who does not comply with *the Act*.

1.2. Future Review

These Standards will be reviewed annually after they have been declared by the Minister to ensure they meet the objectives of s3 (d) of *the Act*.

1.3. Documents adopted by reference

Various Australian and NT legislation, Schedules and Australian and New Zealand Standards are referenced in these Standards. Only the most recent version and amendments are to be used as source documents.

1.4. Application and enforcement of the Standards

The Standards apply to Proprietors and Management Companies of Declared Community Stores.

1.5. Key consideration in all management decisions

The Proprietors and Management Companies of a Declared Community Store must ensure that consideration in all decisions is made to support:

- ongoing access to a range of food, drink and grocery items that are reasonably priced, safe and of sufficient quantity and quality to meet nutritional and related household needs for its customers.
- the continued viability and operation of the community store; and
- the good health of customers through implementing appropriate store policies and product choices.

1.6. Classification of stores

Declared Community Stores are classified based on their:

- Productive floor area
- Annual turnover and
- Population they service.

The decision matrix for determining the stores size i.e. Basic, Small, Medium or Large is published on NT Health's website at <https://health.nt.gov.au/professionals/food-security>

A store must provide the products listed in Schedule A. The number of 'product types' stores must stock will vary based on their size.

1.7. Definition of terms

authorised officer means a person appointed under Part 4, Division 3 of the Act.

community store means a registered food business declared by the CHO under section 84A of the Act as being subject to food security conditions.

food security means reasonable, ongoing access to a range of food, drink and grocery items that are reasonably priced, safe and of sufficient quantity and quality to meet nutritional and related household needs.

grocery items means items for basic household needs, including personal care; hygiene and cleaning products; and cooking utensils.

healthy foods mean food and drinks that are derived from the five food groups described in the Australian Dietary Guidelines, and contain essential nutrients, vitamins and minerals. They are typically low in saturated fats, added sugars and salt and are not highly processed.

healthy option means a product, item or offering that is consistent with health promoting initiatives and messages supported by the Northern Territory's Department of Health.

healthy products mean products that are grocery items specified in Schedule A.

high traffic area means a place or area that receives maximum customer exposure as a result of a majority of people passing through this space or thoroughfare when attending the store.

lean meat means meat varieties with a total fat content of less than 10 grams per 100grams.

management company means a company that manages the affairs of another company including financial management, property maintenance, staffing, policies, procedures and communications.

merchantable means a product that must meet a level of quality and performance that would be reasonable to expect, given its price and description. It should also be free from defects that were not obvious at the time of purchase.

price promotion means any offer for sale (whether accompanied by some other benefit to a consumer or not):

- (a) at an introductory or reduced price, or involving non-standard sales activity; and
- (b) that is intended to be time limited.

productive floor area means the area the store uses for display and sale of products, is accessible to customers and excludes storerooms and staff areas.

promote or promotion means the methods used to advertise and sell products and services to customers, these include, but are not limited to, product selection, placement, marketing and pricing.

Proprietor in relation to a food business, means:

- (a) The person carrying on the food business; or
- (b) If that person cannot be identified - The person in charge of or apparently in charge of the food business.

ready-to-eat meals mean perishable foods that are prepared and ready to consume immediately without the need to be cooked.

sales marketing means any advertising, whether in store or online, that is promoting the sale of a product whether by offering a price promotion, brand promotion, multi-buys such as "Buy One - Get One", bundles including hampers and add-ons.

shrinkage means a loss of grocery products that:

- (a) occurs after a retailer or wholesaler has taken possession of them; and
- (b) arises from theft, damage, deterioration, other loss or accounting error.

sugar sweetened beverages means non-alcoholic beverages containing added sugar, including soft drinks, energy drinks, fruit juice, flavoured milk drinks, ice slushies, sports / energy drinks and cordials.

sugar sweetened soft drink means sugar sweetened beverages that are carbonated.

2. Range of food, drink and grocery items to be supplied

The Proprietor of a Declared Community Store must provide a satisfactory range of healthy and good quality food, drink or grocery items to meet the needs of the customer base it services as appropriate to the size of the store.

Schedule A - forms part of these standards and sets out the minimum range of products a Declared Community Store must stock, unless granted an exemption, to meet this standard. A copy of Schedule A will be provided to all Declared Community Stores and published on the NT Government website. The Schedule and store size may be subject to change from time to time.

The NT Government recognises that available product range and stock levels may be affected by unexpected extenuating circumstances including weather events other events (i.e. fires, floods etc.) and community activities (i.e. ceremonies). In such instances, the NT Government will work with the relevant Proprietor to address identified issues.

3. Promotion of good nutrition and healthy products

A Declared Community Store must actively promote good nutrition and healthy products to the customer base it services.

At a minimum, the Declared Community Store Proprietor must implement the following requirements:

- develop and apply a written nutrition policy.
- No sugar sweetened soft drinks of more than 600ml, in refrigerators.
- Less than 50% of all refrigerator facings may be used for sugar sweetened beverages.
- The majority (at least 51 %) of promotional activity must be on healthy food and products.
- Work with NT Government nutritionists, health staff and local Aboriginal Health Services staff to implement health promotion strategies; nutrition education and participate in the Market Basket Survey when requested.
- Minimum of 50% ready-to-eat meal options will be healthy foods.
- Minimum of 50% of healthy food or drinks placed in high traffic areas.
- A Declared Community Store must be operated and managed in a way that ensures the continued viability of the business.

4. Viability of Declared Community Stores

4.1. Quality of retail management practices

A Declared Community Store must be operated in a way that demonstrates high quality retail management practices, that both support the viability of the store and provide a good, reasonably priced service to customers. Monitoring will include checking that:

- licences are displayed for regulated products (such as alcohol and firearms).
- there is a records management system.
- Itemised receipts are offered for all purchases.
- the Community Store has an Operations Manual which covers routine procedures.
- the Declared Community Store does not hold or retain a customer's banking or Income Management information or cards for any reason other than in compliance with a Commonwealth government agency arrangement.

4.1.1. Credit arrangements for customers

To enhance viability and reduce debt creation, a Declared Community Store Proprietor must ensure informal credit (also known as book up or book down) for the purchase of goods or services is not permitted at the store, except in the following circumstances:

- It may be provided to customers who are organisations or businesses that have been assessed as suitable for a trade credit account with the store.
- It may be offered to other customers if:
 - the community store has been without EFTPOS services for more than four hours; and
 - the outage is causing hardship for a customer because they are unable to access food.

4.1.2. Lay By arrangements for customers

A Declared Community Store may offer lay-by as an option.

- Stores must have a written lay-by policy and procedures, display their lay-by terms and conditions and take steps to clearly explain conditions (rights and obligations) before customers enter into a lay-by agreement.
- The store is required to have a clear process to identify the customer has the capacity to re-pay debt.
- The customer must be offered a written copy of the lay by agreement which is compliant with consumer law.
- An itemised receipt for each payment must be issued to the customer.
- The store may cancel the lay-by if the customer does not pay it off in time, after the store has notified the customer giving them 14 days to reply or pay the amount owing.
- No fee other than a cancellation fee may be charged to a customer who enters into a lay-by agreement.
- The trader must refund all amounts paid, less any termination fee that was clearly specified in the lay-by agreement.
- Centrepay arrangements may be made available to customers providing the store has Centrepay policies and procedures.

4.1.3. Special order provisions

Where a Declared Community Store Proprietor does not normally stock an item a customer requires for healthy living purposes, the store will make arrangements to supply that item as a special order, for the period required, provided:

- the customer makes an upfront payment of at least 20% of the cost of the item; and
- if additional freight costs are incurred, these are not financially detrimental to the store.

Where freight relating to a special-order item can be accommodated within normal store stock freight arrangements, the customer is not to be charged any freight costs.

Items required for healthy living, but unable to be stocked are subject to special order provisions. These items could include particular dietary requirements, clothing, underwear, footwear and whitegoods.

4.1.4. Displaying prices

A Declared Community Store Proprietor must display clear and accurate prices on all goods being offered for sale. The price must be either labelled directly on the item or displayed on the shelf or storage space directly related to the product. Where the item may be offered as a ready to eat product, the price may be displayed on a legible menu.

Displayed prices must match the point-of-sale price at the cash register.

4.1.5. Stock management

A Declared Community Store Proprietor must make reasonable endeavours to hold and safely store a sufficient level of stock of food and drink items to meet the needs of the community it services such that it does not run short of those items unless there are unexpected extenuating circumstances out of the control of the store Proprietor.

A Declared Community Store Proprietor must implement a well-functioning stock management system (preferably Point of Sale or POS) to:

- Maintain stock levels and enable timely stock ordering and delivery.
- Ensure deliveries are checked against delivery dockets, and credit notes are raised where necessary.
- Enable stock rotation and for older stock to be offered at discount and written off once past its used by date.
- Ensure that shelves are always stocked to at least a minimum of 60% of capacity unless there are extenuating circumstances beyond the control of the store.
- Provide for coverage of seasonal conditions on deliveries and community activities that may impact usual stock levels.
- Monitor and appropriately manage shrinkage and waste.

4.1.6. Condition of goods offered for sale

Goods offered for sale must be of merchantable quality and fit for their purpose.

4.1.7. Refunds and warranties

A Declared Community Store Proprietor is required to adhere to the consumer protections and guarantees provided under the Australian Consumer Law, which is attached via the regulations of each piece of relevant legislation and is enforceable both federally and through state and territory governments. These regulations

automatically incorporate specific terms and guarantees related to goods and services into consumer contracts, regardless of whether the manufacturer also has a voluntary warranty.

A Declared Community Store Proprietor must, as a minimum condition, refund money if goods purchased are faulty, do not function as advised, or do not match the sample or description.

Stores must not attempt to limit their liability for goods or services by displaying signs such as 'No Refunds'.

Refunds may be refused where returns are not notified to the store within a reasonable or specified time.

No charge may be levied on the customer for making a warranty claim.

4.1.8. Risk management plan

Each Declared Community Store Proprietor must have in place a robust written risk management / business continuity plan or policy which outlines a reasonable range of strategies the store owner and manager will take. Examples of where a Community Store is expected to have risk management strategies include:

- Road closures or weather conditions that impact normal freight delivery arrangements.
- Power or water outages.
- Significant anti-social behaviour incidents that impact the store.

Risk management plans or policies must be implemented and reviewed every two years.

4.2. Employment practices

4.2.1. Robust background checks to be conducted

The character of the owners, managers, employees and other persons involved in operating a Declared Community Store must not pose a threat to the financial and operational requirements of the store or put at risk the financial and personal security of the store's customers.

The employer is to ensure that appropriate character and or other checks are conducted / applied for prior to commencement (e.g. referee, National Police check, review of the CPA Australia's disciplinary register for a business manager/accountants) and updated as required.

In determining whether a person's criminal history is 'relevant criminal history' the employer should consider the nature of the offence as against the role and functions of the employee's position, the type of sentence (if any), and the length of time which has passed since the relevant offending.

4.2.2. Employment contracts and contract conditions

A Declared Community Store employer must ensure that all staff employed have current job descriptions, and that written employment contracts are used for all store employees that are compliant with any requirements under the National Employment Standards including awards, enterprise agreements or other registered agreements that may apply.

Following the commencement of these standards store manager contracts must include a clause that requires them to ensure the store operates in compliance with these standards as they relate to the Manager's areas of responsibility; including applying the store nutrition policy; and any plan or targets for the active promotion of healthy foods and products.

4.3. Financial practices

4.3.1. Cash handling, banking and purchasing arrangements

A Declared Community Store Proprietor must put in place robust procedures to minimise the risk of fraud, theft or mistakes by staff. Procedures must cover:

- cash handling (including the balancing and reconciliation of cash registers, and cash storage).
- selling and storing of cash equivalent items (e.g. power cards, phone credit).
- purchasing and expending money on behalf of the store (including approval processes where appropriate).
- banking and reconciliation of accounts.

Proper records of cash or other banking or purchasing transactions must be maintained.

4.3.2. Insurance

A community store Proprietor must have insurance policies in place covering:

- public liability insurance.
- workers compensation insurance; and
- building, stock and essential equipment insurances.

These insurance policies must be for a reasonable amount and balance the amount of cover with the cost of the cover, whilst considering the costs of any loss and/or rebuilding of infrastructure.

4.3.3. Accounting standards to be applied

A Declared Community Store Proprietor must apply the current Australian Accounting Standards to all financial management and reporting activities while operating the business.

4.3.4. Annual Financial Reporting

A Declared Community Store Proprietor must arrange for the completion of an annual financial report in relation to the operation of the store. This report can be consolidated (if required by accounting standards) and must include the following components:

- Statement of financial position (balance sheet) as at the end of the year.
- Statement of profit or loss and other comprehensive income for the year.
- Statement of cash flows for the year.
- Statement of changes in equity.
- Directors' declaration that the financial statements comply with accounting standards.
- Directors' report, including the auditor's independence declaration.
- Auditor's report.

4.3.5. Ongoing financial management practices

A Declared Community Store Proprietor must employ good, transparent, financial management practices that allow decisions to be made based on timely, accurate and complete information. Declared Community Stores must have a current business plan noting that those managed by management companies may have an overarching company business plan. All Declared Community Stores must have an annual budget.

A Declared Community Store Proprietor is expected to have and apply written procedures (which include frequency of activities), for the following processes:

- data capturing of invoices.
- credit notes statements and timesheets.
- reconciliations including accounts payable and receivable.
- payroll actions and obligations.
- managing accounts payable and receivable.
- annual stock take; and
- asset management.

The Proprietor of a Declared Community Store must produce and review on-going standard financial management reports on a minimum of a quarterly basis per year to determine whether the store is operating well and remains viable or if there are operations that need to be adjusted to remain viable. This should include the following specific reports:

- Profit/Loss Statement.
- Balance Sheet.
- Accounts receivable age listing and accounts payable age listing.
- Statement of cash flow.
- Budget variance report, and
- Sales reports.

These reports must be made available to the owners, directors or committee members of the Corporation or Association.

4.3.6. Asset management

The Proprietor of a Declared Community Store Proprietor must ensure the store premises, infrastructure and equipment are properly maintained (including weigh scale inspections) and meet the legislative and regulatory requirements of the relevant food, building and other regulatory authorities.

A Declared Community Store must ensure that all capital assets of the store are appropriately documented in an assets register and depreciation schedule and that this is updated when an asset is replaced or a new asset is purchased. A copy of the assets register is to be provided to the bookkeeper or accountant for the store and must be reviewed when there is a change in management.

A Declared Community Store Proprietor must make provisions in its annual budget for repairs, maintenance and scheduled replacement of assets.

If the Store organisation is not the owner of the assets an agreement must be in place for their use, and their repairs and maintenance.

Where the Declared Community Store experiences frequent telecommunication outages, it must have a backup communications system to support business continuity.

4.4. Operations

4.4.1. Operating hours

A Declared Community Store must clearly display and advertise its operating hours.

The store must make all reasonable efforts to operate during those hours. Exceptions to this may include:

- an emergency event.
- a request from the community to temporarily close due to events such as funerals or community meetings, or
- insufficient staff available to effectively operate the store.

Such closures should be for short periods only, and normal operations should be resumed at the earliest opportunity.

Operating hours of the store should be reviewed on an annual basis to consider if they meet the needs of customers and are viable for the store. Efforts to consult with appropriate local community authorities during the review must be made when considering changes to operating hours.

5. Cessation of store operations

If a decision is made to permanently close the store, the Declared Community Store Proprietor must provide notice of this decision to the Northern Territory Department of Health as soon as practicable.

Schedule A - Minimum range of product types to be provided for sale by a Declared Community Store

Product type	Basic Store	Small Store	Medium Store	Large Store
Fruit (Fresh)	5	5	8	8
Fruit (Frozen)	0	1	1	1
Fruit (Shelf stable packaged or tinned in juice or spring water)	1	3	3	3
Fruit (Dried)	1	2	2	2
Vegetables (Fresh)	5	5	10	10
Vegetables (Frozen)	0	2	2	3
Vegetables (Shelf stable packaged or tinned)	3	5	5	5
Legumes (Shelf stable packaged or tinned)	1	2	2	2
Lean Meat (Fresh or frozen)	1	2	3	4
Seafood (Fresh or frozen)	0	0	1	2
Seafood (Shelf stable packaged or tinned)	1	2	3	4
Meat or seafood or vegetable <u>meals</u> (Frozen)	1	2	3	4
Meat or seafood or vegetable <u>meals</u> (Shelf stable packaged or tinned)	2	3	4	5
Bread	1	2	2	2
Flour	1	1	1	1
Pasta	1	1	1	1
Rice	1	1	1	1
Nuts	1	1	1	1
Savoury Crackers or Crispbread	1	1	1	1
Cereal: Wheat-bricks and Rolled Oats	both	both	both	both
Cereal: Additional healthy option* <i>*Contains wholegrain(s), lower glycaemic index and lower carbohydrates</i>	Nil	1	1	1
Margarine (Non-dairy blend)	1	1	1	1
Oil (Monounsaturated or Polyunsaturated)	1	1	1	1
Dairy Milk (UHT or Fresh) Reduced fat or skim	0	1	1	1
Dairy Milk (UHT or Fresh) Full Cream	1	1	1	1

Product type	Basic Store	Small Store	Medium Store	Large Store
Milk (Powdered)	1	1	1	1
Cheese	1	1	1	1
Yoghurt	1	1	1	1
Eggs	1	1	1	1
Salt (Iodised)	1	1	1	1
Artificial Sweetener	1	1	1	1
Refrigerated Water (Small bottle varieties of 250ml -750ml)	1	1	1	1
Refrigerated Water (Large Bottle varieties of 1L - 2L)	1	1	1	1
Fruit Juice no added sugar	1	1	1	1
Diet Soft Drink non caffeinated	1	1	1	1
Diet Soft Drink other	1	1	3	3
Cordial (Zero sugar)	1	1	1	1
Baby Formula - Suitable from birth to 6 months	1	1	1	1
Baby Formula - Suitable from 6 to 12 months	1	1	1	1
Infant Cereal (Iron enriched)	1	1	1	1
Baby food Red meat and vegetables – Suitable from 6 months	1	1	1	1
Baby food red meat and vegetables - Suitable from 8 months	1	1	1	1
Baby bottles	1	1	1	1
Nappies – range of 3 sizes from newborn to junior	3	3	3	3
Antiseptic solutions* <i>*Cream or liquid or ointment or spray</i>	1	1	1	1
Pain relief medication	1	1	1	1
Bandages (Adhesive Strips)	1	1	1	1
Sponges or Cloths	1	1	1	1
Mop	1	1	1	1
Bucket	1	1	1	1
Broom	1	1	1	1
Fire Starting Device	1	1	1	1
Cleaning Grade Disinfectant	1	1	1	1
Clothes Washing (Powder or Liquid)	1	1	1	1
Dish Washing Liquid	1	1	1	1

Product type	Basic Store	Small Store	Medium Store	Large Store
Toilet Paper	1	1	1	1
Toothbrush (Soft)	1	1	1	1
Toothpaste (with Fluoride)	1	1	1	1
Feminine Hygiene Products regular absorbency (Pads or Tampons)	1	1	1	1
Feminine Hygiene Products super absorbency (Pads or Tampons)	1	1	1	1
Hairbrushes or combs	1	1	1	1
Shampoo	1	1	1	1
Conditioner	1	1	1	1
Body Soap	1	1	1	1
Foil	1	1	1	1
Cling Wrap	1	1	1	1
Bowls	1	1	1	1
Plates	1	1	1	1
Cups	1	1	1	1
Cutlery	1	1	1	1
Cookware	frypan or saucepan	frypan and saucepan	frypan and saucepan	frypan and saucepan
Kettle	Nil	1	1	1
Toaster	Nil	1	1	1
Blankets	Nil	1	1	1
Sheets	Nil	1	1	1
Pillows	Nil	1	1	1
Towels	Nil	1	1	1

Takeaway meals (if provided by any classification of store)

Minimum of 50% of total hot bain marie/warmer food offered for sale must be healthy food.

Minimum of 50% cold food (e.g. sandwiches/rolls/bakery goods/wraps) offered for sale must be healthy food.

Applications for Exemptions:

Should a food business have valid reason to not meet any element of these requirements, they may make application to the CHO seeking an exemption from stocking one or more of the above products. The product and reason must be specified in the request for an exemption. The CHO may choose to deny the request if the reason is not deemed sufficient or if the product is considered important for healthy living and not easily accessible to residents of that community from another source.