

THE RICE MARKETING BOARD FOR THE STATE OF NEW SOUTH WALES



PRIVACY POLICY

THE RICE MARKETING BOARD FOR THE STATE OF NEW SOUTH WALES PRIVACY POLICY

Introduction

The Rice Marketing Board for the State of New South Wales (the Board) has a number of statutory duties that require the collection of personal information.

The main duties under the *Rice Marketing Act 1983* (RMA) that require the collection of personal information are:

- The annual rice crop audit (related to s56 of the RMA);
- Elections for Board members (s40 of the RMA and associated regulations); and
- Applications for an Authorised Buyer Licence.

Our approach to privacy

Privacy is important to the Board. The Board is bound by the *Privacy and Personal Information Protection Act 1998 (NSW) (the PIPP Act)* which sets out a number of information protection principles concerning how personal information is collected, stored, used and accessed. *The Board is also bound by the Privacy and Personal Information Protection Amendment Bill 2022 (PIIP Amendment Act) which introduces a new mandatory notification of data breaches for NSW public sector agencies.*

Collection and storage of information

- The Board will only collect personal information for lawful purposes that are directly related to a function or activity of the Board and only where collection is necessary for that purpose.
- When the Board collects personal information, it will collect it from the individual to whom the information relates, unless otherwise authorised, or the information is collected under an applicable exemption of the PIPP Act.
- All reasonable steps will be taken to ensure that any personal information collected is relevant to the purpose for collection, is accurate, is not excessive and is current. The Board will also take reasonable steps to ensure that the collection of such personal information does not unreasonably intrude on an individual's personal affairs.
- The Board will ensure that any relevant personal information is kept no longer than is necessary, that it is disposed of appropriately, that it is protected by reasonable security safeguards and is protected from

unauthorised use or disclosure when made available to a third party for a provision of a service to the Board.

Use and disclosure

In the event that the Board proposes to use or disclose personal information:

- The Board will ensure the use or disclosure of the information is consistent with the provisions under the PIPP Act and the PPIP Amendment Act.
- The Board will take all reasonable steps to ensure it is relevant, accurate, current and not mis-leading, before use.
- The Board will not use personal information for a purpose other than that for which it was collected unless the individual to whom the information relates has consented to the use of the information for that other purpose, or the other purpose for which the information is used is directly related to the purpose for which the information was collected, or where the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to life or health.
- The Board will not disclose personal information, unless the disclosure is directly related to the purpose for which it was collected, and the Board has no reason to believe that the individual concerned would object to the disclosure, or the person concerned is reasonably likely to have been aware, or has been made aware, that information of that kind is usually disclosed to that other person or body, or the disclosure is necessary to prevent or lessen a threat to life or health.
- The Board will not disclose personal information about a person's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership or health unless disclosure is necessary to prevent a serious and imminent threat of life or health.
- The Board will not disclose personal information to individuals or organisations outside of New South Wales, unless it is under approved circumstances.

Correction, access and complaints

- The Board will take reasonable steps to provide individuals with sufficient information to exercise their rights to access personal information which the Board holds about them.

- The Board will provide individuals with access to personal information about themselves without unreasonable delay and expense. If there is a reason why access cannot be given, the individual will be told why.
- The Board will comply with an individual's request to amend their personal information if it is wrong.
- The Board's contact to access or amend personal information is the Board's Secretary, who has been appointed Privacy Officer.
- If a person has a complaint about the way in which the Board has handled their personal information, the complaint may be forwarded to the Secretary as appointed Privacy Officer, or to the Chairman of the Board at the address below.

Mandatory Notification of Data Breaches – Part 6 A PPIA Amendment Act

If an officer or employee of the Board is aware that there are reasonable grounds to suspect that there may have been an eligible data breach of the Board, the officer or employee must report the data breach to the Board Chair and must make all reasonable efforts to contain the data breach.

Within 30 days after the officer or employee becomes aware of the breach, an assessment must be carried out to determine whether the data breach is, or there are reasonable grounds to believe the data breach is, an eligible data breach.

Whilst the assessment is undertaken the Chair must make all reasonable attempts to mitigate the harm done by the suspected breach.

The assessment may consider:

- The types of personal information involved in the breach
- The sensitivity of the personal information involved in the breach
- Whether the personal information is or was protected by security measures
- The persons to whom the unauthorised access or disclosure of information could be made or given
- The likelihood the persons provided the information have or had the intention to cause harm, or could or did circumvent security measures protecting the information
- The nature of the harm that has or may occur.

The assessor must advise the Chair whether the assessment found the data breach to be an eligible data breach or there are reasonable grounds to believe the data breach is an eligible data breach.

The Chair must then determine if they agree with the assessment and if so perform the following actions:

- immediately notify the Privacy Commissioner on the approved form
- as soon as practicable take steps to notify each individual affected by the data breach. If notification is not possible, publish and publicise the notification

Definitions

Personal Information	Information or an opinion (including information or an opinion forming part of a database and whether or not in a recorded form) about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion. It includes a record which may include name, address, photographs, images, video or audio footage. S4 PIPP Act
Information Protection Principles	Legal duties that NSW agencies must do when handling personal information. Collection must be lawful, direct, open, relevant. Storage must be secure. Access and accuracy must be transparent, accessible, correct. Use must be accurate and limited. Disclosure must be restricted and safeguarded.
Eligible Data Breach	There is unauthorised access to, or unauthorised disclosure of, personal information held by a public sector agency and a reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates
Affected Individual	An individual specified as affected under an Eligible Data Breach

Further information

For further information concerning how the Board handles personal information, or the Board's approach to privacy, please contact:

The Secretary
The Rice Marketing Board for the State of New South Wales
PO Box 151
LEETON NSW 2705

Telephone: (02) 6953 3200
Facsimile (02) 6953 7684

E-mail: secretary@rmbnsw.org.au

Document Approval and Control

a. Version

Reference	Details
File Name	Privacy Policy
File location	RMB Policies/2023 Privacy policy
Version	2023-1
Status	FINAL

b. Revision and review History

Version	Revision Date	Summary of Change	Author
2019-1	11/4/19	Review - no amendments	GN&R Committee
2021-1	22/10/21	Review – added definition section	C Chiswell
2023-1	21/07/2023	Include mandatory notification of data breach provisions required by the PPIP Amendment Act 2022	N Dunn
2023-1	28/07/2023	Minor updates	GNR Committee

c. Document Approval

Board/Committee Approval	Date
GN&R Committee	11/4/19
Board	24/5/19
GN&R Committee	25/10/21
Board	18/11/21
GN&R Committee	28/07/2023
Board	10/8/2023